

Immigration, Asylum and Nationality Bill

A

BILL

[AS AMENDED ON REPORT]

TO

Make provision about immigration, asylum and nationality; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

(...)

Appeals

12 Asylum and human rights claims: definition

(1)

Section 113(1) of the Nationality, Immigration and Asylum Act 2002

(c. 41)

(appeals: interpretation) shall be amended as follows.

(2) For the definition of “asylum claim” substitute—

““asylum claim”—

(a)

means a claim made by a person that to remove him from or require him to leave the United Kingdom would breach the United Kingdom's obligations under the Refugee Convention,

but

(b) does not include a claim which, having regard to a former claim,

falls to be disregarded for the purposes of this Part in accordance with immigration rules,”.

(3) For the definition of “human rights claim” substitute—

““human rights claim”—

(a)

means a claim made by a person that to remove him from or require him to leave the United Kingdom would be unlawful under section 6 of the Human Rights Act 1998 (c. 42) (public authority not to act contrary to Convention) as being incompatible with his Convention rights, but

(b)

does not include a claim which, having regard to a

former claim,
falls to be disregarded for the purposes of this Part in
accordance with immigration rules.”.