Draft Order laid before Parliament under paragraph 21(1)(b) of Schedule 3 to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2010 No.

IMMIGRATION

The Asylum (First List of Safe Countries) (Amendment) Order 2010

Made - - - - ****

Coming into force in accordance with article 1(2)

The Secretary of State makes the following Order in exercise of the powers conferred by paragraph 20(1) and 21(1)(c) of Schedule 3 to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004(**a**);

In accordance with paragraph 21(1)(b) of Schedule 3 to that Act a draft of this Order was laid before and approved by resolution of each House of Parliament.

Citation, commencement and transitional provision

1.—(1) This Order may be cited as the Asylum (First List of Safe Countries) (Amendment) Order 2010.

(2) This Order shall come into force the day after the day on which it is made.

(3) The amendment made by article 2—

(a) applies in relation to asylum and human rights claims made before the commencement of this Order (as well as those made after), but

(b) does not apply in relation to an asylum or human rights claim if, before the commencement of this Order, a decision is made to refuse the claimant leave to enter the United Kingdom or to remove the claimant from the United Kingdom.

First List States

2. In paragraph 2 of Schedule 3 to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (first list of safe countries)—

(a) in paragraph (y) after "Spain," delete "and"; and

(b) after paragraph (z) insert "(z1) Switzerland".

(**a**) 2004 c. 19. Paragraph 2 of Schedule 3 to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 has been amended by S.I. 2006/3393.

Home Office
Date

Name
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

Part 2 of Schedule 3 to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 lists those countries which are to be treated as safe for the purpose of determining whether a third country national, who has made an asylum or human rights claim in the United Kingdom, may be removed to one of them. The list includes all Member States of the European Union and States in the European Economic Area (EEA).

This Order adds Switzerland to the list.

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