



## NATIONALITY, IMMIGRATION AND ASYLUM ACT 2002

### IMMIGRATION APPEALS (SPECIFIED STATES) (AMENDMENT) ORDER 2010

*Laid before Tynwald*  
*Coming into operation*

*18 June 2010*  
*1 July 2010*

The Governor makes this Order under section 94(4) of the Nationality, Immigration and Asylum Act 2002 (of Parliament)<sup>1</sup>, as that Act has effect in the Isle of Man<sup>2</sup>.

**1 Title**

This Order is the Immigration Appeals (Specified States) (Amendment) Order 2010.

**2 Commencement**

This Order comes into operation on 1 July 2010.

**3 Amendment of article 2 of the Immigration Appeals (Specified States) Order 2008**

In article 2 of the Immigration Appeals (Specified States) Order 2008<sup>3</sup> (Specified States) –

- (a) after paragraph (j) insert—  
“(ja) Kosovo,”
- (b) at the end of paragraph (w), omit “and”; and
- (c) after paragraph (w) insert—

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<sup>1</sup> 2002 c. 41

<sup>2</sup> See the Immigration (Isle of Man) Order 2008 (SI 2008/680)

<sup>3</sup> SD 180/08

“(wa) South Korea, and” .

Made

Lieutenant Governor.

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#### EXPLANATORY NOTE

*(This note is not part of the Order.)*

Section 82 of the Nationality, Immigration and Asylum Act 2002, as it has effect in the Isle of Man, gives a right of appeal to an adjudicator against certain immigration decisions. Section 94 restricts the right of appeal on human rights grounds in certain cases while the appellant is in the Isle of Man, where the Governor certifies that the claim is clearly unfounded. If the Governor is satisfied that the appellant is entitled to reside in a specified State, he is required to certify that the claim is unfounded, unless he is satisfied that the claim is not clearly unfounded.

This Order adds the Republic of Kosovo and the Republic of South Korea to the list of States specified for the purposes of section 94 of the 2002 Act.