



Statutory Document No. 180/08

NATIONALITY, IMMIGRATION AND ASYLUM ACT 2002

IMMIGRATION APPEALS (SPECIFIED STATES) ORDER 2008

Laid before Tynwald

15th April 2008

Coming into operation

1st May 2008

Whereas the Governor is satisfied that there is in general in the States listed in articles 3 and 4 no serious risk of persecution of persons entitled to reside in those States and that removal to those States of persons entitled to reside there will not in general contravene the United Kingdom's obligations under the Human Rights Convention;

Now, therefore, in exercise of the powers conferred on the Governor by section 94(4) of the Nationality, Immigration and Asylum Act 2002 (an Act of Parliament)¹, as it has effect in the Isle of Man², the following Order is hereby made:—

1. Citation and commencement

This Order may be cited as the Immigration Appeals (Specified States) Order 2008 and shall come into operation on the 1st May 2008.

2. Specified States

The States listed below are specified for the purposes of section 94(3) of the Nationality, Immigration and Asylum Act 2002, as it has effect in the Isle of Man —

- (a) the Republic of Albania,
- (b) Bolivia,
- (c) Bosnia-Herzegovina,
- (d) Brazil,
- (e) Ecuador,
- (f) Gambia (in respect of men),
- (g) Ghana (in respect of men),
- (h) India
- (i) Jamaica,

¹ 2002 c.41

² SI 2008/680

Price £0.50

- (j) Kenya (in respect of men),
- (k) Liberia (in respect of men),
- (l) Macedonia,
- (m) Malawi (in respect of men),
- (n) Mali (in respect of men),
- (o) Mauritius,
- (p) the Republic of Moldova,
- (q) Montenegro,
- (r) Mongolia,
- (s) Nigeria (in respect of men).
- (t) Peru,
- (u) Serbia,
- (v) Sierra Leone (in respect of men),
- (w) South Africa, and
- (x) Ukraine.

MADE 19th March 2008



Lieutenant Governor

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.

The States listed in article 2 of this Order are specified for the purposes of section 94 of the 2002 Act.