

[AS INTRODUCED]

A

# B I L L

TO

Make provision for leave to enter the United Kingdom to be granted to people for the purposes of making an application for asylum; and for connected purposes.

**B**E IT ENACTED by the King'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:—

## 1 Asylum Travel Visa

- (1) The Secretary of State must, within three months of this section coming into force, lay before Parliament a statement of changes to the immigration rules to make provision, in accordance with this section, for the grant to a relevant person of leave to enter the United Kingdom in order to make a protection claim or a human rights claim. 5
- (2) The grant of leave by virtue of this section is to be known as an “Asylum Travel Visa”.
- (3) In this section, “relevant persons” are citizens or nationals of countries designated for the purposes of this Act by the Secretary of State, having regard to— 10
  - (a) those countries whose citizens or nationals a protection claim or a human rights claim is likely to be granted in the United Kingdom;
  - (b) those countries whose citizens or nationals have, within the preceding twelve months, arrived in the United Kingdom without leave to enter; 15
  - (c) such other matters as the Secretary of State considers appropriate.
- (4) The statement of changes laid under subsection (1) comes into effect 21 days after the day on which it is laid before Parliament.
- (5) The statement of changes laid under subsection (1) must include provision— 20
  - (a) setting out the process for an application for an Asylum Travel Visa, which may include a requirement for the provision of biometric information at designated Visa Application Centres;
  - (b) setting out the process for requesting an administrative review of a decision to refuse to grant an application for an Asylum Travel Visa; 25

- (c) requiring an Asylum Travel Visa to be granted for a period of at least six months; and
- (d) ensuring that each person granted an Asylum Travel Visa is on arrival in the United Kingdom given access to an expedited process for claiming asylum. 5
- (6) Subject to subsections (7) and (8), an application for an Asylum Travel Visa must be granted if—
- (a) the applicant is a relevant person;
- (b) the applicant intends to make a human rights or protection claim in the United Kingdom; 10
- (c) the applicant is outside their country of nationality or citizenship;
- (d) the applicant has satisfactorily established their identity and nationality; and
- (e) where the applicant is a child who is not travelling with a parent or legal guardian, that granting an Asylum Travel Visa would be in the best interests of the child. 15
- (7) An application for an Asylum Travel Visa may be refused if, in the opinion of the Secretary of State, a protection or human rights claim made by the person would fall for refusal under Part 9 of the Immigration Rules (grounds for refusal of the immigration rules). 20
- (8) The statement laid under subsection (1)—
- (a) may specify a maximum number of Asylum Travel Visas that can be issued in any period of twelve months; and
- (b) must provide that, in the first twelve months after the statement comes into effect, a maximum of 10,000 Asylum Travel Visas can be issued. 25
- (9) In this section—
- “human rights claim” has the meaning given by section 113(1) of the Nationality, Immigration and Asylum Act 2002;
- “protection claim” has the meaning given by section 82(2) of the Nationality, Immigration and Asylum Act 2002; 30
- “biometric information” has the meaning given in the UK Borders Act 2007;
- “immigration rules” has the meaning given in section 3(2) of the Immigration Act 1971.
- (10) In section 61(2) of the UK Borders Act 2007 (meaning of “the Immigration Acts”), after paragraph (n) insert— 35
- “(o) the Asylum Application (Entry to the United Kingdom) Act 2023”.

## **2 Extent, commencement and short title**

- (1) This Act extends to England and Wales, Scotland and Northern Ireland. 40
- (2) This section comes into force on the day on which this Act is passed.

- (3) Section 1 comes into force at the end of the period of one month after the day on which this Act is passed.
- (4) This Act may be cited as the Asylum Application (Entry to the United Kingdom) Act 2024.

# Asylum Application (Entry to the United Kingdom) Bill [HL]

---

---

[AS INTRODUCED]

A

## **B I L L**

TO

Make provision for leave to enter the United Kingdom to be granted to people for the purposes of making an application for asylum; and for connected purposes.

*The Lord Bishop of Chelmsford*

---

Ordered to be Printed, 29th November 2023.

---

© Parliamentary copyright House of Lords 2023

*This publication may be reproduced under the terms of the Open Parliament Licence, which is published at  
[www.parliament.uk/site-information/copyright](http://www.parliament.uk/site-information/copyright)*

PUBLISHED BY THE AUTHORITY OF THE HOUSE OF LORDS