



Nationality, Immigration and Asylum Act 2002

2002 CHAPTER 41

PART 5

[^{F1}APPEALS IN RESPECT OF PROTECTION AND HUMAN RIGHTS CLAIMS]

[^{F1}Appeal to Tribunal]

[^{F1}84 Grounds of appeal

- (1) An appeal under section 82(1)(a) (refusal of protection claim) must be brought on one or more of the following grounds—
 - (a) that removal of the appellant from the United Kingdom would breach the United Kingdom's obligations under the Refugee Convention;
 - (b) that removal of the appellant from the United Kingdom would breach the United Kingdom's obligations in relation to persons eligible for a grant of humanitarian protection;
 - (c) that removal of the appellant from the United Kingdom would be unlawful under section 6 of the Human Rights Act 1998 (public authority not to act contrary to Human Rights Convention).
- (2) An appeal under section 82(1)(b) (refusal of human rights claim) must be brought on the ground that the decision is unlawful under section 6 of the Human Rights Act 1998.
- (3) An appeal under section 82(1)(c) (revocation of protection status) must be brought on one or more of the following grounds—
 - (a) that the decision to revoke the appellant's protection status breaches the United Kingdom's obligations under the Refugee Convention;
 - (b) that the decision to revoke the appellant's protection status breaches the United Kingdom's obligations in relation to persons eligible for a grant of humanitarian protection.]

Changes to legislation: Nationality, Immigration and Asylum Act 2002, Section 84 is up to date with all changes known to be in force on or before 04 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** S. 84 substituted (20.10.2014) by [Immigration Act 2014 \(c. 22\)](#), [ss. 15\(4\), 75\(3\)](#); [S.I. 2014/2771](#), [art. 2\(b\)](#) (with [arts. 9-11](#)) (as amended (2.3.2015 and 6.4.2015) by [S.I. 2015/371](#), arts. 1(2)(3), 7, 8; and with transitional provisions and savings in [S.I. 2014/2928](#), art. 2 (which S.I. is revoked (6.4.2015) by [S.I. 2015/371](#), arts. 1(3), 9))

Modifications etc. (not altering text)

- C1** S. 84 applied (with modifications) by [1997 c. 68](#), [s. 2\(2\)\(e\)](#) (as substituted (1.4.2003) by [2002 c. 41](#), [ss. 114, 162\(2\)](#), [Sch. 7 para. 20](#) (with [s. 159](#)); [S.I. 2003/754](#), [art. 2\(1\)](#), [Sch. 1](#)))
Ss. 82-99 restricted (14.3.2003) by [The Nationality, Immigration and Asylum Act 2002 \(Commencement No. 4\) Order 2003 \(S.I. 2003/754\)](#), arts. 3, 4 (with transitional provisions in arts. 3, 4, Sch. 2 (as amended by [S.I. 2003/1040](#), [S.I. 2003/1339](#) and [S.I. 2003/2993](#)))

Changes to legislation:

Nationality, Immigration and Asylum Act 2002, Section 84 is up to date with all changes known to be in force on or before 04 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18(1)(1A) substituted for s. 18(1) by [2016 c. 19 Sch. 11 para. 31\(2\)](#)
- s. 22A inserted by [2022 c. 36 s. 13\(7\)](#)
- s. 27(ba) inserted by [2022 c. 36 s. 13\(10\)](#)
- s. 51(2)(d) and word inserted by [2016 c. 19 Sch. 11 para. 26\(6\)](#)
- s. 55(2)(aa) inserted by [2016 c. 19 Sch. 11 para. 26\(7\)](#)
- s. 62(3A) inserted by [2023 c. 37 s. 11\(8\)](#)
- s. 80A(5A) inserted by [2023 c. 37 s. 10\(8\)](#)
- s. 82A inserted by [2022 c. 36 s. 23\(1\)](#)
- s. 94(6B) inserted by [2006 c. 13 s. 13](#)
- s. 106(2)(ua) inserted by [2007 c. 30 s. 19\(3\)](#)
- s. 107(2A) inserted by [2022 c. 36 Sch. 3 para. 5\(a\)](#)
- s. 126(2A) inserted by [S.I. 2019/745 reg. 12\(3\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). [Reg. 12\(2\)\(3\)](#) omitted immediately before IP completion day by virtue of [S.I. 2020/1309](#), regs. 1(2)(a), 48)
- [Sch. 3 para. 1\(1\)\(ga\)](#) inserted by [2016 c. 19 Sch. 12 para. 2\(2\)](#) (This Act is amended by [S.I. 2020/1309](#), [Sch. 1 para. 3\(a\)](#))
- [Sch. 3 para. 1\(2A\)](#) inserted by [2016 c. 19 Sch. 12 para. 2\(4\)](#) (This Act is amended by [S.I. 2020/1309](#), [Sch. 1 para. 3\(b\)](#))
- [Sch. 3 para. 1A](#) inserted by [2016 c. 19 Sch. 12 para. 3](#)
- [Sch. 3 para. 2\(1\)\(ca\)](#) inserted by [2016 c. 19 Sch. 12 para. 4\(3\)](#)
- [Sch. 3 para. 2A](#) inserted by [2016 c. 19 Sch. 12 para. 5](#)
- [Sch. 3 para. 3A-3C](#) inserted by [2016 c. 19 Sch. 12 para. 6](#)
- [Sch. 3 para. 7B7C](#) and cross-headings inserted by [2016 c. 19 Sch. 12 para. 9](#)
- [Sch. 3 para. 10A10B](#) inserted by [2016 c. 19 Sch. 12 para. 10](#) (This Act is amended by [S.I. 2020/1309](#), [Sch. 1 para. 3\(c\)](#))
- [Sch. 3 para. 15\(aa\)](#) inserted by [2016 c. 19 Sch. 12 para. 14\(2\)](#)
- [Sch. 3 para. 15\(d\)-\(f\)](#) inserted by [2016 c. 19 Sch. 12 para. 14\(4\)](#)
- [Sch. 3 para. 7C\(1\)\(c\)](#) word substituted by [S.I. 2019/745 reg. 12\(5\)\(d\)](#) (This amendment not applied to [legislation.gov.uk](#). [Reg. 12\(5\)\(a\)\(c\)\(d\)](#) omitted immediately before IP completion day by virtue of [S.I. 2020/1309](#), regs. 1(2)(a), 48)
- [Sch. 5 para. 3\(1\)](#) [Sch. 5 para. 3](#) renumbered as [Sch. 5 para. 3\(1\)](#) by [2005 c. 4 Sch. 4 para. 407\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). The "original amending provision" is already fully in force, see [Sch. 4 paras. 361, 407\(5\)](#))
- [Sch. 5 para. 3\(2\)-\(4\)](#) inserted by [2005 c. 4 Sch. 4 para. 407\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). The "original amending provision" is already fully in force, see [Sch. 4 paras. 361, 407\(5\)](#))
- [Sch. 5 para. 3\(1\)](#) words inserted by [2005 c. 4 Sch. 4 para. 407\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). The "original amending provision" is already fully in force, see [Sch. 4 paras. 361, 407\(5\)](#))