Person enters ‘on territory’ procedures in the following cases: Person fulfils MS entry requirements under Art.6 SBC; is exempt from fulfilling entry requirements under Art.6(5) SBC; the pre-entry screening process (in cases where an individual decision authorising entry is required) is discontinued under Art.4(2) SR. Applicant is otherwise sur place.

Scenario 1: Person arrived regularly and is/was authorised to enter MS territory. ©ECRE

Accelerated procedure shall apply (Art. 40)
Deadline is 2 months with exception of applications “merely to delay or frustrate…” under Art 40(1)(d) when deadline is 8 days.
If case is complex or deadline expires: full examination follows (Art. 40(4)). Status granted or rejected (see boxes)

Yes

- Do grounds for an accelerated procedure apply pursuant to Art.40(1)(a)-(i) APR? Including 20% threshold. Limited exemptions for UAC (Art. 40(5))
  - Yes
    - Decision on admissibility shall be taken: is a request for IP found to be inadmissible under Art.36(1)(a)-(d) APR? Safe Third Country, FCA concepts and other grounds
    - No

- The application must be lodged within 10 days of registering.
The MS may prioritise the application. Are there grounds for the application to be prioritised under Art.33(5)(a) and (b)?
  - Yes
    - Regular Procedure: Application considered on its merits. Is the claim well founded?
  - No

- Rejection + Return procedure Art. 35a aAPR
  - Return decision as part of or simultaneously with rejection decision, applicant channelled to return procedure. Right to an effective remedy.
  - Yes

- Right to an effective remedy:
The applicant may exercise right to an effective remedy under Art. 53 aAPR in cases listed under Art.53(1)(a)-(e) aAPR. Rejection and return decisions to be appealed at same time. Deadlines 1 week or 2 weeks to 2 months.

No

- Irregular arrival is found: Person may enter screening, regular procedures or asylum border procedure. See Scenario 2.

- A full ex nunc examination of facts and points of law carried out Art. 53(2)
  - Automatic suspensive effect (of return decision) i.e. right to remain during appeal (Art.54 aAPR), unless grounds under Art.54(3)(a)-(e) aAPR apply inc. (Art. 40(1) and (5), border procedure, Art. 36(1)(a) and (c).

- Art.42(5) APR applies: Subsequent application is lodged: Do grounds under Art.42(4)(a)-(b) APR apply?
  - Yes
    - Subsequent application is assessed on its merits. Applicant granted leave to remain pending this examination.
  - No

- Subsequent application is assessed on its merits. Applicant granted leave to remain pending this examination.

- Subsequent application is rejected as inadmissible or manifestly unfounded. Art.35a aAPR applies.