



Immigration Act 2014

CHAPTER 22

IMMIGRATION ACT 2014

PART 1

REMOVAL AND OTHER POWERS

Removal

- 1 Removal of persons unlawfully in the United Kingdom
- 2 Restriction on removal of children and their parents etc
- 3 Independent Family Returns Panel

Powers of immigration officers

- 4 Enforcement powers

Detention and bail

- 5 Restrictions on detention of unaccompanied children
- 6 Pre-departure accommodation for families
- 7 Immigration bail: repeat applications and effect of removal directions

Biometrics

- 8 Provision of biometric information with immigration applications
- 9 Identifying persons liable to detention
- 10 Provision of biometric information with citizenship applications
- 11 Biometric immigration documents
- 12 Meaning of “biometric information”
- 13 Safeguards for children
- 14 Use and retention of biometric information

PART 2

APPEALS ETC

- 15 Right of appeal to First-tier Tribunal
- 16 Report by Chief Inspector on administrative review
- 17 Place from which appeal may be brought or continued
- 18 Review of certain deportation decisions by Special Immigration Appeals Commission
- 19 Article 8 of the ECHR: public interest considerations

PART 3

ACCESS TO SERVICES ETC

CHAPTER 1

RESIDENTIAL TENANCIES

Key interpretation

- 20 Residential tenancy agreement
- 21 Persons disqualified by immigration status or with limited right to rent

Penalty notices

- 22 Persons disqualified by immigration status not to be leased premises
- 23 Penalty notices: landlords
- 24 Excuses available to landlords
- 25 Penalty notices: agents
- 26 Excuses available to agents
- 27 Eligibility period
- 28 Penalty notices: general

Objections, appeals and enforcement

- 29 Objection
- 30 Appeals
- 31 Enforcement

Codes of practice

- 32 General matters
- 33 Discrimination

General

- 34 Orders
- 35 Transitional provision
- 36 Crown application
- 37 Interpretation

CHAPTER 2

OTHER SERVICES ETC

National Health Service

- 38 Immigration health charge
- 39 Related provision: charges for health services

Bank accounts

- 40 Prohibition on opening current accounts for disqualified persons
- 41 Regulation by Financial Conduct Authority
- 42 “Bank” and “building society”
- 43 Power to amend

Work

- 44 Appeals against penalty notices
- 45 Recovery of sums payable under penalty notices

Driving licences

- 46 Grant of driving licences: residence requirement
- 47 Revocation of driving licences on grounds of immigration status

PART 4

MARRIAGE AND CIVIL PARTNERSHIP

CHAPTER 1

REFERRAL AND INVESTIGATION OF PROPOSED MARRIAGES AND CIVIL PARTNERSHIPS

Investigation

- 48 Decision whether to investigate
- 49 Exempt persons
- 50 Conduct of investigation
- 51 Investigations: supplementary

Referral

- 52 Referral of proposed marriages and civil partnerships in England and Wales

Scotland and Northern Ireland

- 53 Extension of scheme to Scotland and Northern Ireland
- 54 Supplementary provision

CHAPTER 2

SHAM MARRIAGE AND CIVIL PARTNERSHIP

- 55 Meaning of “sham marriage” and “sham civil partnership”
- 56 Duty to report suspicious marriages and civil partnerships

CHAPTER 3

OTHER PROVISIONS

Status: This is the original version (as it was originally enacted).

Persons not relevant nationals etc: marriage on superintendent registrar's certificates

- 57 Solemnization of marriage according to rites of Church of England
- 58 Requirement as to giving of notice of marriage or civil partnership

Information

- 59 Information

Miscellaneous

- 60 Regulations about evidence
- 61 Notices
- 62 Interpretation of this Part

PART 5

OVERSIGHT

Office of the Immigration Services Commissioner

- 63 Immigration advisers and immigration service providers

Police Ombudsman for Northern Ireland

- 64 Police Ombudsman for Northern Ireland

PART 6

MISCELLANEOUS

Citizenship

- 65 Persons unable to acquire citizenship: natural father not married to mother
- 66 Deprivation if conduct seriously prejudicial to vital interests of the UK

Embarkation checks

- 67 Embarkation checks

Fees

- 68 Fees
- 69 Fees orders and fees regulations: supplemental
- 70 Power to charge fees for attendance services in particular cases

Welfare of children

- 71 Duty regarding the welfare of children

PART 7

FINAL PROVISIONS

- 72 Financial provision
- 73 Transitional and consequential provision
- 74 Orders and regulations
- 75 Commencement
- 76 Extent

77 Short title

SCHEDULES

SCHEDULE 1 — Enforcement powers

- 1 Power to escort detained persons
- 2 Power to search detained persons
- 3 Entry and search of premises
- 4 In sections 28J(11) and 28K(14) of the Immigration Act 1971...
- 5 General power to use reasonable force

SCHEDULE 2 — Meaning of biometric information

- 1 Immigration Act 1971 (c. 77)
- 2 Immigration and Asylum Act 1999 (c. 33)
- 3 Nationality, Immigration and Asylum Act 2002 (c. 41)
- 4 (1) Section 127 of that Act (voluntary provision of physical...
- 5 Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)

SCHEDULE 3 — Excluded residential tenancy agreements

- 1 Social housing
- 2 (1) This paragraph applies for the purposes of paragraph 1....
- 3 Care homes
- 4 Hospitals and hospices
- 5 Other accommodation relating to healthcare provision
- 6 Hostels and refuges
- 7 Accommodation from or involving local authorities
- 8 Accommodation provided by virtue of immigration provisions
- 9 Mobile homes
- 10 Tied accommodation
- 11 Student accommodation
- 12 An agreement under which accommodation is provided to a student...
- 13 Long leases
- 14 Interpretation

SCHEDULE 4 — Referral of proposed marriages and civil partnerships in England and Wales

PART 1 — MARRIAGE

- 1 Introduction
- 2 Supply of additional information and evidence
- 3 (1) After section 27 insert— Entry of particulars in notice...
- 4 After section 27D insert— Additional information if party not relevant...
- 5 In section 28 (declaration to accompany notice of marriage), in...
- 6 (1) Section 28A (power to require evidence) is amended in...
- 7 After section 28A insert— Provision of evidence (1) A notice of marriage under section 27 must, in...
- 8 Referral to Secretary of State
- 9 Before Schedule 4 insert— SCHEDULE 3A Modifications if proposed marriage...
- 10 Notice period
- 11 Marriage referred to Secretary of State: issue of certificates
- 12 Certificates

Status: This is the original version (as it was originally enacted).

- 13 One party resident in Scotland
- 14 Proof of certain matters not necessary to validity of marriages
- 15 Regulations etc
- 16 Offences
- 17 Relevant nationals
 - PART 2 — CIVIL PARTNERSHIP
- 18 Introduction
- 19 Supply of additional information and evidence
- 20 After section 8 insert— Additional information if party not relevant...
- 21 For section 9 substitute— Evidence (1) A notice of proposed civil partnership under section 8...
- 22 Notice period
- 23 (1) Section 12 (power to shorten the waiting period) is...
- 24 Referral to Secretary of State
- 25 After Schedule 3 insert— SCHEDULE 3A Modifications if proposed civil...
- 26 Civil partnership referred to Secretary of State: issue of civil partnership schedule
- 27 Relevant nationals
- 28 Regulations and orders
- 29 Proof of certain matters not necessary to validity of civil partnership

- SCHEDULE 5 — Sham marriage and civil partnership: administrative regulations
 - 1 Introduction
 - 2 Notices
 - 3 Evidence
 - 4 Change of address
 - 5 Referral
 - 6 Applications for shortening of waiting period

- SCHEDULE 6 — Information
 - PART 1 — DISCLOSURE OF INFORMATION ETC WHERE PROPOSED MARRIAGE OR CIVIL PARTNERSHIP REFERRED TO SECRETARY OF STATE
 - 1 (1) This paragraph applies if— (a) a superintendent registrar refers...
 - PART 2 — DISCLOSURE OF INFORMATION ETC FOR IMMIGRATION PURPOSES ETC
 - 2 Disclosures by registration officials
 - 3 A registration official may disclose to another registration official—
 - 4 Disclosures by the Secretary of State
 - PART 3 — DISCLOSURE OF INFORMATION ETC FOR PREVENTION OF CRIME ETC
 - 5 (1) A registration official may— (a) disclose any information held...
 - PART 4 — GENERAL PROVISIONS
 - 6 Limitations on powers
 - 7 No breach of confidentiality etc
 - 8 Retention, copying and disposal of documents
 - 9 Saving for existing powers
 - 10 Meaning of “registration official”

- SCHEDULE 7 — Immigration advisers and immigration service providers
 - 1 Introductory
 - 2 Removal of Commissioner’s power of exemption from registration
 - 3 Waiver of fees for registration

- 4 Cancellation of registration by Commissioner
- 5 Suspension of registration
- 6 Inspections
- 7 Complaints and investigations
- 8 Power of entry and inspection

SCHEDULE 8 — Embarkation checks

PART 1 — FUNCTIONS EXERCISABLE BY DESIGNATED PERSONS

- 1 Introduction
- 2 Examinations by designated person
- 3 Information and documents
- 4 Embarkation cards
- 5 Designations
- 6 Directions to carriers and operators of ports

PART 2 — OTHER PROVISION

- 7 Offences

SCHEDULE 9 — Transitional and consequential provision

PART 1 — PROVISION RELATING TO REMOVAL

- 1 Immigration Act 1971 (c. 77)
- 2 Special Immigration Appeals Commission Act 1997 (c. 68)
- 3 Nationality, Immigration and Asylum Act 2002 (c. 41)
- 4 Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (c. 19)
- 5 Immigration, Asylum and Nationality Act 2006 (c. 13)
- 6 Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)
- 7 Consequential repeals

PART 2 — PROVISION RELATING TO DETENTION AND BAIL

- 8 Prison Act 1952 (c. 52)
- 9 Immigration Act 1971 (c. 77)
- 10 Special Immigration Appeals Commission Act 1997 (c. 68)
- 11 Northern Ireland Act 1998 (c. 47)
- 12 Immigration and Asylum Act 1999 (c. 33)
- 13 Nationality, Immigration and Asylum Act 2002 (c. 41)
- 14 Safeguarding Vulnerable Groups Act 2006 (c. 47)
- 15 Corporate Manslaughter and Corporate Homicide Act 2007 (c. 19)
- 16 UK Borders Act 2007 (c. 30)

PART 3 — PROVISION RELATING TO BIOMETRICS

- 17 Immigration and Asylum Act 1999 (c. 33)
- 18 Anti-terrorism, Crime and Security Act 2001 (c. 24)
- 19 Nationality, Immigration and Asylum Act 2002 (c. 41)

PART 4 — PROVISION RELATING TO APPEALS

- 20 Immigration Act 1971 (c. 77)
- 21 (1) Section 3C (continuation of leave pending variation decision) is...
- 22 (1) Section 3D (continuation of leave following revocation) is amended...
- 23 In Schedule 2 (administrative provisions as to control on entry...
- 24 In Schedule 3 (supplementary provisions as to deportation), in paragraph...
- 25 British Nationality Act 1981 (c. 61)
- 26 Special Immigration Appeals Commission Act 1997 (c. 68)
- 27 Immigration and Asylum Act 1999 (c. 33)
- 28 Section 23 (monitoring refusals of entry clearance) is repealed.
- 29 (1) Section 141 (fingerprinting) is amended as follows.

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- 30 Nationality, Immigration and Asylum Act 2002 (c. 41)
 31 In section 72 (serious criminal), in subsection (9)(a)—
 32 In section 79 (deportation order: appeal), in subsection (1) for...
 33 For the heading to Part 5, substitute “Appeals in respect...
 34 In section 85 (matters to be considered)—
 35 Section 85A (matters to be considered: new evidence: exceptions) is...
 36 In section 86 (determination of appeal)— (a) in subsection (1),...
 37 Sections 87 to 91 are repealed.
 38 (1) Section 94 (appeal from within the United Kingdom) is...
 39 In section 94A (European Common List of Safe Countries of...
 40 Section 95 (appeal from outside the United Kingdom: removal) is...
 41 (1) Section 96 (earlier right of appeal) is amended as...
 42 In section 97 (national security etc)— (a) in subsection (1),...
 43 In section 97A (national security: deportation)— (a) in
 subsection (2B),...
 44 Section 97B (variation of leave on grounds of public good:...
 45 Section 98 (other grounds of public good) is repealed.
 46 In section 99— (a) in the heading, for “Sections 97...
 47 (1) Section 104 (pending appeal) is amended as follows.
 48 (1) Section 105 (notice of immigration decision) is amended as...
 49 In section 106 (rules)— (a) in subsection (3), omit “,...
 50 In section 107 (practice directions), in subsection (3), omit “,...
 51 In section 108 (forged documents: proceedings in private), in
 subsection...
 52 In section 112 (regulations etc)— (a) omit subsection (3A);
 53 (1) Section 113 (interpretation) is amended as follows.
 54 Section 115 (appeal from within United Kingdom: unfounded human
 rights...
 55 For section 120 (requirement to state additional grounds for
 application)...
 56 Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (c. 19)
 57 Immigration, Asylum and Nationality Act 2006 (c. 13)
 58 UK Borders Act 2007 (c. 30)
 59 Equality Act 2010 (c. 15)
 60 Consequential repeals
 PART 5 — PROVISION RELATING TO EMPLOYMENT
 61 Immigration, Asylum and Nationality Act 2006 (c. 13)
 PART 6 — PROVISION RELATING TO DRIVING LICENCES
 62 Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1))
 63 Road Traffic Act 1988 (c. 52)
 64 Road Safety Act 2006 (c. 49)
 65 Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10))
 PART 7 — PROVISION RELATING TO MARRIAGE AND CIVIL PARTNERSHIP
 66 Transitional provision
 PART 8 — PROVISION RELATING TO IMMIGRATION ADVISERS AND
 IMMIGRATION SERVICE PROVIDERS
 67 Transitional provision
 68 (1) In the provisions listed in sub-paragraph (2)—
 69 (1) The provisions listed in paragraph 68(2) (apart from paragraph...
 PART 9 — PROVISION RELATING TO PERSONS UNABLE TO ACQUIRE
 NATIONALITY BECAUSE NATURAL FATHER NOT MARRIED TO
 MOTHER
 70 British Nationality Act 1981

- 71 British Nationality (General) Regulations 2003
 - PART 10 — PROVISION RELATING TO EMBARKATION CHECKS
- 72 Transitional provision
 - PART 11 — PROVISION RELATING TO FEES
- 73 Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)
- 74 Immigration, Asylum and Nationality Act 2006 (c. 13)
- 75 UK Borders Act 2007 (c. 30)
- 76 Consequential repeals