

Status: Point in time view as at 20/10/2014.

Changes to legislation: Immigration Act 2014, PART 1 is up to date with all changes known to be in force on or before 30 August 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)

SCHEDULES

SCHEDULE 9 **U.K.**

TRANSITIONAL AND CONSEQUENTIAL PROVISION

PART 1 **U.K.**

PROVISION RELATING TO REMOVAL

Immigration Act 1971 (c. 77)

- 1 In Schedule 2 to the Immigration Act 1971 (administrative provisions as to control on entry etc), in paragraph 11, after “immigration officer” insert “ or the Secretary of State ”.

Commencement Information

- I1** Sch. 9 para. 1 in force at 20.10.2014 by [S.I. 2014/2771](#), **art. 2(e)** (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))
- I2** Sch. 9 para. 1 in force at 20.10.2014 by [S.I. 2014/2771](#), **art. 4(g)**

Special Immigration Appeals Commission Act 1997 (c. 68)

- 2 In section 2 of the Special Immigration Appeals Commission Act 1997 (jurisdiction: appeals), in subsection (2), after paragraph (c) insert—
“(ca) section 78A of that Act (restriction on removal of children and their parents),”.

Commencement Information

- I3** Sch. 9 para. 2 in force at 28.7.2014 by [S.I. 2014/1820](#), **art. 3(cc)**

Nationality, Immigration and Asylum Act 2002 (c. 41)

- 3 (1) The Nationality, Immigration and Asylum Act 2002 is amended as follows.
- (2) In section 62 (detention by Secretary of State)—
- (a) in subsection (1)—
- (i) in paragraph (a), after “under” insert “ section 10 of the Immigration and Asylum Act 1999 (removal of persons unlawfully in the United Kingdom) or ”;
- (ii) in paragraph (b), for “paragraphs” substitute “ provisions ”;
- (b) in subsection (2), for “that Act” substitute “ the Immigration Act 1971 ”;

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(c) omit subsections (5) and (6).

(3) In section 76 (revocation of leave to enter or remain)—

- (a) in subsection (2), omit paragraphs (b) and (c);
- (b) in subsection (4), omit the definition of “removed”.

Commencement Information

- I4** Sch. 9 para. 3 in force at 20.10.2014 by [S.I. 2014/2771](#), **art. 2(e)** (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))

Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (c.19)

- 4 In section 8(7) of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (claimant's credibility; definitions), in paragraph (d) of the definition of “immigration decision”, omit “(1)(a), (b), (ba) or (c)”.

Commencement Information

- I5** Sch. 9 para. 4 in force at 20.10.2014 by [S.I. 2014/2771](#), **art. 2(e)** (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))

Immigration, Asylum and Nationality Act 2006 (c. 13)

- 5 In the Immigration, Asylum and Nationality Act 2006, section 47 (removal of persons with statutorily extended leave) is repealed.

Commencement Information

- I6** Sch. 9 para. 5 in force at 20.10.2014 by [S.I. 2014/2771](#), **art. 2(e)** (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))

Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)

- 6 In Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (civil legal services), in paragraph 19(10), in the definition of “removal directions”, omit paragraph (e).

Commencement Information

- I7** Sch. 9 para. 6 in force at 20.10.2014 by [S.I. 2014/2771](#), **art. 2(e)** (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))

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Consequential repeals

- 7 The provisions shown in the table below are repealed in consequence of the amendments made by section 1 and this Part of this Schedule.

| <i>Title</i> | <i>Extent of repeal</i> |
|--|--|
| Nationality, Immigration and Asylum Act 2002 | Section 73(2) to (4). Section 74. Section 75(4). Section 76(7). |
| Immigration, Asylum and Nationality Act 2006 | Section 48. |
| Crime and Courts Act 2013 | Section 51(3). |
| Immigration Act 2014 | In Schedule 1, paragraph 2(3) and (4). |

Commencement Information

- 18** Sch. 9 para. 7 in force at 20.10.2014 by [S.I. 2014/2771](#), [art. 2\(e\)](#) (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))

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