



Immigration Act 2016

CHAPTER 19

IMMIGRATION ACT 2016

PART 1

LABOUR MARKET AND ILLEGAL WORKING

CHAPTER 1

LABOUR MARKET

Director of Labour Market Enforcement

- 1 Director of Labour Market Enforcement
- 2 Labour market enforcement strategy
- 3 Non-compliance in the labour market etc: interpretation
- 4 Annual and other reports
- 5 Publication of strategy and reports
- 6 Information gateways
- 7 Information gateways: supplementary
- 8 Information hub
- 9 Restriction on exercising functions in relation to individual cases

Gangmasters and Labour Abuse Authority

- 10 Renaming of Gangmasters Licensing Authority
- 11 Functions in relation to labour market
- 12 PACE powers in England and Wales for labour abuse prevention officers
- 13 Relationship with other agencies: requests for assistance

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

Labour market enforcement undertakings

- 14 Power to request LME undertaking
- 15 Measures in LME undertakings
- 16 Duration
- 17 Further provision about giving notice under section 14

Labour market enforcement orders

- 18 Power to make LME order on application
- 19 Applications
- 20 Power to make LME order on conviction
- 21 Measures in LME orders
- 22 Further provision about LME orders
- 23 Variation and discharge
- 24 Appeals

LME undertakings and orders: supplementary

- 25 Code of practice
- 26 Investigative functions
- 27 Offence
- 28 Offences by bodies corporate
- 29 Application to unincorporated associations
- 30 Application to partnerships

Supplementary provision

- 31 Consequential and related amendments
- 32 Regulations under Chapter 1
- 33 Interpretation of Chapter 1

CHAPTER 2

ILLEGAL WORKING

Offences

- 34 Offence of illegal working
- 35 Offence of employing illegal worker

Illegal working in licensed premises

- 36 Licensing Act 2003: amendments relating to illegal working

Illegal working in relation to private hire vehicles etc

- 37 Private hire vehicles etc

Illegal working notices and orders

- 38 Illegal working closure notices and illegal working compliance orders

PART 2

ACCESS TO SERVICES

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

Residential tenancies

- 39 Offence of leasing premises
- 40 Eviction
- 41 Order for possession of dwelling-house
- 42 Extension to Wales, Scotland and Northern Ireland

Driving

- 43 Powers to carry out searches relating to driving licences
- 44 Offence of driving when unlawfully in the United Kingdom

Bank accounts

- 45 Bank accounts

PART 3

ENFORCEMENT

Powers of immigration officers etc

- 46 Powers in connection with examination, detention and removal
- 47 Search of premises in connection with imposition of civil penalty
- 48 Seizure and retention in relation to offences
- 49 Duty to pass on items seized under section 48
- 50 Retention of things seized under Part 3 of the Immigration Act 1971
- 51 Search for nationality documents by detainee custody officers etc
- 52 Seizure of nationality documents by detainee custody officers etc
- 53 Amendments relating to sections 51 and 52
- 54 Amendments to search warrant provisions
- 55 Supply of information to Secretary of State
- 56 Detention etc. by immigration officers in Scotland
- 57 Powers to take fingerprints etc. from dependants
- 58 Interpretation of Part

Detention and bail

- 59 Guidance on detention of vulnerable persons
- 60 Limitation on detention of pregnant women
- 61 Immigration bail

Power to cancel leave

- 62 Power to cancel leave extended under section 3C of the Immigration Act 1971

PART 4

APPEALS

- 63 Appeals within the United Kingdom: certification of human rights claims
- 64 Continuation of leave: repeals
- 65 Deemed refusal of leave to enter: repeals

PART 5

SUPPORT ETC FOR CERTAIN CATEGORIES OF MIGRANT

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

Support

- 66 Support for certain categories of migrant
- 67 Unaccompanied refugee children: relocation and support
- 68 Availability of local authority support

Transfer of responsibility for relevant children

- 69 Transfer of responsibility for relevant children
- 70 Duty to provide information for the purposes of transfers of responsibility
- 71 Request for transfer of responsibility for relevant children
- 72 Scheme for transfer of responsibility for relevant children
- 73 Extension to Wales, Scotland and Northern Ireland

PART 6

BORDER SECURITY

- 74 Penalties relating to airport control areas
- 75 Maritime enforcement
- 76 Persons excluded from the United Kingdom under international obligations

PART 7

LANGUAGE REQUIREMENTS FOR PUBLIC SECTOR WORKERS

- 77 English language requirements for public sector workers
- 78 Meaning of “public authority”
- 79 Power to expand meaning of person working for public authority
- 80 Duty to issue codes of practice
- 81 Procedure for codes of practice
- 82 Application of Part to Wales
- 83 Interpretation of Part
- 84 Crown application

PART 8

FEES AND CHARGES

Immigration

- 85 Immigration skills charge

Passports and civil registration

- 86 Power to make passport fees regulations
- 87 Passport fees regulations: supplemental
- 88 Power to charge for passport validation services
- 89 Civil registration fees

PART 9

MISCELLANEOUS AND GENERAL

Welfare of children

- 90 Duty regarding the welfare of children

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

Final provisions

- 91 Financial provisions
- 92 Transitional and consequential provision
- 93 Regulations
- 94 Commencement
- 95 Extent
- 96 Short title

SCHEDULES

SCHEDULE 1 — Persons to whom Director etc may disclose information

Authorities with functions in connection with the labour market or the work place etc

The Secretary of State. HMRC Commissioners. A person by whom,...

Law enforcement and border security

A chief officer of police for a police area in...

Local government

A county or district council in England. A London borough...

Health bodies

The Care Quality Commission. A National Health Service trust established...

Other

The Independent Anti-slavery Commissioner. A Northern Ireland department.

SCHEDULE 2 — Functions in relation to labour market

Employment Agencies Act 1973 (c. 35)

- 1 The Employment Agencies Act 1973 is amended as follows.
- 2 Before section 9 insert— Appointment of officers (1) The Secretary of State may— (a) appoint officers to...
- 3 (1) Section 9 (inspection) is amended as follows.

National Minimum Wage Act 1998 (c. 39)

- 4 The National Minimum Wage Act 1998 is amended as follows....
- 5 In section 13 (appointment of officers for enforcement)—
- 6 In section 14 (powers of officers) before subsection (1) insert—...
- 7 In section 15 (information obtained by officers)—

Modern Slavery Act 2015 (c.30)

- 8 The Modern Slavery Act 2015 is amended as follows.
- 9 Before section 12 (but after the italic heading before it)...

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

- 10 (1) Section 15 (slavery and trafficking prevention orders on application)...
- 11 In section 19(7) (requirement to provide name and address)—
- 12 (1) Section 20 (variation, renewal and discharge) is amended as...
- 13 (1) Section 23 (slavery and trafficking risk orders) is amended...
- 14 In section 26(7) (requirement to provide name and address)—
- 15 (1) Section 27 (variation, renewal and discharge) is amended as...
- 16 After section 30 (offences) insert— Enforcement by Gangmasters and Labour...
- 17 In section 33 (guidance), in subsection (1) for “and the...

SCHEDULE 3 — Consequential and related amendments

Public Records Act 1958 (c. 51)

- 1 In the Public Records Act 1958, in Schedule 1 (definition...

Parliamentary Commissioner Act 1967 (c. 13)

- 2 In the Parliamentary Commissioner Act 1967, in Schedule 2 (departments...

Superannuation Act 1972 (c. 11)

- 3 In the Superannuation Act 1972, in Schedule 1 (kinds of...

Employment Agencies Act 1973 (c. 35)

- 4 (1) Section 9 of the Employment Agencies Act 1973 (inspection)...

House of Commons Disqualification Act 1975 (c. 24)

- 5 In the House of Commons Disqualification Act 1975, in Schedule...

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 6 In the Northern Ireland Assembly Disqualification Act 1975, in Schedule...

National Minimum Wage Act 1998 (c. 39)

- 7 (1) Section 15 of the National Minimum Wage Act 1998...

Regulation of Investigatory Powers Act 2000 (c. 23)

- 8 In the Regulation of Investigatory Powers Act 2000, in Schedule...

Freedom of Information Act 2000 (c. 36)

- 9 In the Freedom of Information Act 2000, in Schedule 1...

Police Reform Act 2002 (c. 30)

- 10 The Police Reform Act 2002 is amended as follows.
- 11 In section 10 (general functions of the Independent Police Complaints...
- 12 After section 26C insert— Labour abuse prevention officers (1) The Secretary of State may make regulations conferring functions...

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

Gangmasters (Licensing) Act 2004 (c. 11)

- 13 The Gangmasters (Licensing) Act 2004 is amended as follows.
- 14 In the italic heading before section 1, for “Gangmasters Licensing...
- 15 In section 1 (Gangmasters Licensing Authority)— (a) in the heading,...
- 16 In section 2 (directions etc by the Secretary of State),...
- 17 In section 3 (work to which Act applies)—
- 18 In section 8 (general power of Authority to make rules)—...
- 19 In section 14 (offences: supplementary provisions) after subsection (2) insert—...
- 20 In section 15 (enforcement and compliance officers) after subsection (6)...
- 21 In section 16 (powers of officers) before subsection (1) insert—...
- 22 In section 17 (entry by warrant) before subsection (1) insert—...
- 23 (1) Section 19 (information relating to gangmasters) is amended as...
- 24 (1) Schedule 2 (application of Act to Northern Ireland) is...

Pensions Act 2004 (c. 35)

- 25 In the Pensions Act 2004, in Schedule 3 (certain permitted...

Natural Environment and Rural Communities Act 2006 (c. 16)

- 26 In the Natural Environment and Rural Communities Act 2006, in...

Regulatory Enforcement and Sanctions Act 2008 (c. 13)

- 27 In the Regulatory Enforcement and Sanctions Act 2008, in Schedule...

Modern Slavery Act 2015 (c. 30)

- 28 The Modern Slavery Act 2015 is amended as follows.
- 29 In section 52 (duty to notify Secretary of State about...
- 30 At the beginning of Part 7, after the italic heading...
- 31 Omit section 55 (review of Gangmasters Licensing Authority).
- 32 In section 58 (regulations), in subsection (4), after paragraph (j)...
- 33 In section 60 (extent)— (a) in subsection (1), after “section...
- 34 In Schedule 3 (public authorities under duty to co-operate with...
- 35 After Schedule 4 insert— SCHEDULE 4A Information gateways: specified persons...

Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 (c. 2) (N.I.)

- 36 In the Human Trafficking and Exploitation (Criminal Justice and Support...

SCHEDULE 4 — Licensing Act 2003: amendments relating to illegal working

PART 1 — ENTITLEMENT TO WORK IN THE UNITED KINGDOM

- 1 After section 192 of the Licensing Act 2003 insert— Entitlement...

PART 2 — PREMISES LICENCES

- 2 Part 3 of the Licensing Act 2003 (premises licences) is...
- 3 In section 13(4) (meaning of “responsible authority”), after paragraph (h)...
- 4 (1) Section 16 (applicant for premises licence) is amended as...
- 5 In section 27 (death, incapacity, insolvency etc of licence holder),...

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

- 6 (1) Section 42 (application for transfer of premises licence) is...
- 7 (1) Section 44(5) (determination of transfer application) is amended as...
- 8 (1) Section 45 (notification of determination under section 44) is...
- 9 (1) Section 47 (interim authority notice following death etc of...
- 10 (1) Section 48 (cancellation of interim authority notice following
police...
- 11 In section 50 (reinstatement of licence on transfer following death...
- PART 3 — PERSONAL LICENCES
- 12 Part 6 of the Licensing Act 2003 (personal licences) is...
- 13 (1) Section 113 (meaning of “relevant offence” and “foreign offence”)...
- 14 (1) Section 115 (period of validity of personal licence) is...
- 15 (1) Section 120 (determination of application for grant) is amended...
- 16 (1) Section 122 (notification of determinations) is amended as follows....
- 17 (1) Section 123 (duty to notify licensing authority of convictions...
- 18 (1) Section 124 (convictions coming to light after grant) is...
- 19 (1) Section 125(3) (form of personal licence) is amended as...
- 20 (1) Section 132 (licence holder's duty to notify licensing authority...
- 21 In Schedule 4 (personal licence: relevant offences), after paragraph 7...
- PART 4 — RIGHTS OF ENTRY
- 22 (1) Section 179 of the Licensing Act 2003 (rights of...
- PART 5 — APPEALS
- 23 Schedule 5 to the Licensing Act 2003 (appeals) is amended...
- 24 (1) Paragraph 6 (transfer of licence) is amended as follows....
- 25 (1) Paragraph 7 (interim authority notice) is amended as follows....
- 26 In paragraph 9 (general provision about appeals under Part 1...
- 27 (1) Paragraph 17 (personal licences) is amended as follows.
- 28 At the end insert— PART 4 Questions about leave to...
- PART 6 — GENERAL
- 29 In section 10 of the Licensing Act 2003, (sub-delegation of...
- 30 (1) Section 193 of the Licensing Act 2003 (other definitions)...
- 31 In section 194 of the Licensing Act 2003 (index of...
- 32 In the Police Reform and Social Responsibility Act 2011, omit...
- PART 7 — TRANSITIONAL PROVISION
- 33 The amendments of sections 13, 16, 42, 47 and 120...
- 34 The amendment of section 27 of the Licensing Act 2003...
- 35 The amendments of section 115 of the Licensing Act 2003...
- 36 The amendment of Schedule 4 to the Licensing Act 2003...

SCHEDULE 5 — Private hire vehicles etc

London Hackney Carriages Act 1843 (c. 86)

- 1 (1) Section 18 of the London Hackney Carriages Act 1843...

Metropolitan Public Carriage Act 1869 (c. 115)

- 2 The Metropolitan Public Carriage Act 1869 is amended as follows....
- 3 In section 8(7) (driver's licence to be in force for...
- 4 After section 8 insert— Drivers' licences for persons subject to...

Plymouth City Council Act 1975 (c. xx)

- 5 The Plymouth City Council Act 1975 is amended as follows....
- 6 After section 2 insert— Persons disqualified by reason of immigration...

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

- 7 (1) Section 9 (licensing of drivers of private hire vehicles)...
- 8 In section 11(1) (drivers' licences for hackney carriages and private...
- 9 After section 11 insert— Drivers' licences for persons subject to...
- 10 (1) Section 13 (licensing of operators of private hire vehicles)...
- 11 After section 13 insert— Operators' licences for persons subject to...
- 12 (1) Section 17 (qualification for drivers of hackney carriages) is...
- 13 (1) Section 19 (suspension and revocation of drivers' licences) is...
- 14 (1) Section 20 (suspension and revocation of operators' licences) is...
- 15 After section 20 insert— Return of licences suspended or revoked...
- 16 In section 37 (appeals) after subsection (2) insert—

Local Government (Miscellaneous Provisions) Act 1976 (c. 57)

- 17 The Local Government (Miscellaneous Provisions) Act 1976 is amended as...
- 18 (1) Section 51 (licensing of drivers of private hire vehicles)...
- 19 In section 53(1) (drivers' licences for hackney carriages and private...
- 20 After section 53 insert— Drivers' licences for persons subject to...
- 21 (1) Section 55 (licensing of operators of private hire vehicles)...
- 22 After section 55 insert— Operators' licences for persons subject to...
- 23 (1) Section 59 (qualification for drivers of hackney carriages) is...
- 24 (1) Section 61 (suspension and revocation of drivers' licences) is...
- 25 (1) Section 62 (suspension and revocation of operators' licences) is...
- 26 After section 62 insert— Return of licences suspended or revoked...
- 27 In section 77 (appeals) after subsection (3) insert—
- 28 After section 79 insert— Persons disqualified by reason of immigration...

Civic Government (Scotland) Act 1982 (c. 45)

- 29 The Civic Government (Scotland) Act 1982 is amended as follows....
- 30 In section 13 (taxi and private hire car driving licences)...
- 31 After section 13 insert— Persons disqualified by reason of immigration...
- 32 (1) Schedule 1 (licensing - further provisions as to the...

Road Traffic Offenders (Northern Ireland) Order 1996 (SI 1996/1320 (NI 10))

- 33 (1) Part 1 of Schedule 1 to the Road Traffic...

Private Hire Vehicles (London) Act 1998 (c. 34)

- 34 The Private Hire Vehicles (London) Act 1998 is amended as...
- 35 In section 1(1) (meaning of “private hire vehicle” etc)—
- 36 (1) Section 3 (London operator's licences) is amended as follows....
- 37 After section 3 insert— London PHV operator's licences for persons...
- 38 (1) Section 13 (London PHV driver's licences) is amended as...
- 39 After section 13 insert— London PHV driver's licences for persons...
- 40 (1) Section 16 (power to suspend or revoke licences) is...
- 41 In section 25 (appeals) after subsection (7) insert—
- 42 (1) Section 32 (regulations) is amended as follows.
- 43 After section 35 insert— Persons disqualified by reason of immigration...
- 44 In section 36 (interpretation) at the appropriate place insert— “operate”...

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

Taxis Act (Northern Ireland) 2008 (c. 4)

- 45 The Taxis Act (Northern Ireland) 2008 is amended as follows....
 46 (1) Section 2 (operator's licences) is amended as follows.
 47 After section 2 insert— Operator's licences for persons subject to...
 48 (1) Section 23 (taxi driver's licences) is amended as follows....
 49 After section 23 insert— Taxi driver's licences for persons subject...
 50 (1) Section 26 (power to suspend, revoke or curtail licences)...
 51 In section 32 (return of licences etc) after subsection (5)...
 52 In section 34 (appeals) after subsection (5) insert—
 53 After section 56 insert— Persons disqualified by reason of immigration...

Transitional provision

- 54 (1) Subject to sub-paragraph (2), an amendment made by any...
 55 (1) Subject to sub-paragraphs (2) and (3), an amendment made...
 56 (1) Section 19(1) of the Plymouth City Council Act 1975...

SCHEDULE 6 — Illegal working closure notices and illegal working compliance orders

Illegal working closure notices

- 1 (1) An immigration officer of at least the rank of...
 2 (1) An illegal working closure notice must—

Cancellation of illegal working closure notices

- 3 (1) An immigration officer may by the issue of a...

Service of notices

- 4 (1) A notice under paragraph 1, 2 or 3 must...

Illegal working compliance orders

- 5 (1) Whenever an illegal working closure notice is issued an...

Illegal working compliance orders: adjournment of hearing

- 6 (1) This paragraph applies where an application has been made...

Extension of illegal working compliance orders

- 7 (1) An immigration officer may apply to the court for...

Variation or discharge of illegal working compliance orders

- 8 (1) An application may be made to the court under...

Notice and orders: appeals

- 9 (1) An appeal against a decision— (a) to make, extend...

Notices and orders: enforcement

- 10 (1) Where access to premises is prohibited or restricted by...

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

Notices and orders: offences

- 11 (1) A person who without reasonable excuse remains on or...

Access to other premises

- 12 (1) Where— (a) access to premises is prohibited or restricted...

Reimbursement of costs

- 13 (1) Where the Secretary of State incurs expenditure for the...

Exemption from liability

- 14 (1) Each of the following— (a) the Secretary of State,...

Compensation

- 15 (1) A person who claims to have incurred financial loss...

Guidance

- 16 (1) The Secretary of State may issue guidance about the...

Interpretation

- 17 (1) In this Schedule— “court”, except where the context otherwise...

Amendment of Licensing Act 2003

- 18 After section 167(1) of the Licensing Act 2003 insert—

SCHEDULE 7 — Bank accounts

- 1 The Immigration Act 2014 is amended as follows.
2 After section 40 (prohibition on opening current accounts for disqualified...
3 (1) Section 41 (regulation by Financial Conduct Authority) is amended...
4 In section 42 (meaning of “bank” and “building society”), in...
5 (1) Section 43 (power to amend) is amended as follows....
6 In section 74 (orders and regulations), in subsection (2) (statutory...
7 (1) Section 18 of the Civil Jurisdiction and Judgments Act...

SCHEDULE 8 — Amendments to search warrant provisions

Immigration Act 1971 (c. 77)

- 1 The Immigration Act 1971 is amended as follows.
2 (1) Section 28D (entry and search of premises) is amended...
3 (1) Section 28FB (search for personnel records with warrant) is...
4 (1) Section 28J (search warrants: safeguards) is amended as follows....
5 (1) Section 28K (execution of warrants) is amended as follows....
6 (1) Paragraph 25A of Schedule 2 (search of premises for...

UK Borders Act 2007 (c. 30)

- 7 (1) Section 45 of the UK Borders Act 2007 (search...

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

SCHEDULE 9 — Duty to supply nationality documents to Secretary of State:
persons to whom duty applies

This is the new Schedule A1 to the Immigration and...

SCHEDULE 10 — Immigration bail

PART 1 — MAIN PROVISIONS

Power to grant immigration bail

- 1 (1) The Secretary of State may grant a person bail...

Conditions of immigration bail

- 2 (1) Subject to sub-paragraph (2), if immigration bail is granted...

Exercise of power to grant immigration bail

- 3 (1) The Secretary of State or the First-tier Tribunal must...

Electronic monitoring condition

- 4 (1) In this Schedule an “electronic monitoring condition” means a...

Financial condition

- 5 (1) In this Schedule a “financial condition” means a condition...

Power to vary bail conditions

- 6 (1) Subject to this paragraph and to paragraphs 7 and...

Removal etc of electronic monitoring condition: bail managed by Secretary of State

- 7 (1) This paragraph applies to a person who—

Amendment etc of electronic monitoring condition: bail managed by First-tier Tribunal

- 8 (1) This paragraph applies to a person who—

Powers of Secretary of State to enable person to meet bail conditions

- 9 (1) Sub-paragraph (2) applies where— (a) a person is on...

Arrest for breach of immigration bail

- 10 (1) An immigration officer or a constable may arrest without...

Duty to arrange consideration of bail

- 11 (1) Subject as follows, the Secretary of State must arrange...

Tribunal Procedure Rules

- 12 (1) Tribunal Procedure Rules must make provision with respect to...

Transitional provision

- 13 (1) Regulations under section 92(1) may, in particular, provide for...

PART 2 — AMENDMENTS TO OTHER ACTS

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

Immigration Act 1971 (c. 77)

- 14 The Immigration Act 1971 is amended as follows.
15 In section 11(1) (construction of references to entry)—
16 (1) Section 24 (illegal entry and other similar offences) is...
17 (1) Section 28 (proceedings for offences) is amended as follows....
18 In section 28B(5) (meaning of “relevant offence”) for “(e) or...
19 In section 28D(4) (meaning of “relevant offence”) for “(e) or...
20 In Schedule 2 (administrative provisions as to control on entry...
21 (1) Schedule 3 (supplementary provisions as to deportation) is amended...

Special Immigration Appeals Commission Act 1997 (c. 68)

- 22 The Special Immigration Appeals Commission Act 1997 is amended as...
23 In section 3(1) (jurisdiction: bail) for “Schedule 2 to the...
24 (1) Section 5 (procedure in relation to jurisdiction under sections...
25 For Schedule 3 substitute— SCHEDULE 3 Bail: Modifications of Schedule...

Immigration and Asylum Act 1999 (c. 33)

- 26 The Immigration and Asylum Act 1999 is amended as follows....
27 In section 10(9) (removal of persons unlawfully in the United...
28 In section 53 (applications for bail in immigration cases) omit...
29 In section 95(9A) (support for asylum seekers etc: matters to...
30 (1) Section 141 (fingerprinting: persons temporarily admitted to the United...

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

- 31 The Nationality, Immigration and Asylum Act 2002 is amended as...
32 (1) Section 23 (power for residence restriction to include requirement...
33 In section 30 (conditions of residence at accommodation centres) in...
34 (1) Section 62 (detention by the Secretary of State) is...
35 Omit sections 68 (bail) and 69 (reporting restriction: travel expenses)...
36 (1) Section 70 (power for residence restriction to take account...
37 (1) Section 71 (asylum seeker: residence etc restriction) is amended...

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

- 38 In the Asylum and Immigration (Treatment of Claimants, etc) Act...

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

- 39 In section 24 of the Immigration, Asylum and Nationality Act...

UK Borders Act 2007 (c. 30)

- 40 (1) Section 36 of the UK Borders Act 2007 (detention)...

Criminal Justice and Immigration Act 2008 (c. 4)

- 41 The Criminal Justice and Immigration Act 2008 is amended as...
42 In section 132(4) (special immigration status: effect of designation) in...

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

- 43 In section 133 (special immigration status: conditions) for subsections (3)...

SCHEDULE 11 — Support for certain categories of migrant
PART 1 — AMENDMENTS OF THE IMMIGRATION ACTS

Abolition of power to support certain categories of migrant

- 1 Section 4 of the Immigration and Asylum Act 1999 (provision...
2 In consequence of the repeal made by paragraph 1—

Power to support people making further submissions in relation to protection claims

- 3 (1) Section 94 of the Immigration and Asylum Act 1999...
4 In consequence of the repeal made by paragraph 3(2)(b)—

Power to support failed asylum-seekers

- 5 Part 6 of the Immigration and Asylum Act 1999 (support...
6 The heading of the Part becomes “ Support for asylum-seekers,...
7 (1) Section 94 (interpretation of Part 6) is amended as...
8 In section 95 (persons for whom support may be provided),...
9 After section 95 insert— Support for failed asylum-seekers, etc who...
10 (1) Section 96 (ways in which support may be provided)...
11 (1) Section 97 (supplemental) is amended as follows.
12 In section 98, the heading becomes “ Temporary support for...
13 After section 98 insert— Temporary support for failed asylum-seekers,
etc...
14 (1) Section 99 (provision of support by local authorities) is...
15 In section 100 (local authority and other assistance for Secretary...
16 In section 101 (reception zones), in subsection (3), after “section...
17 In section 112 (recovery of expenditure on support: misrepresentation
etc),...
18 In section 113 (recovery of expenditure on support from sponsor),...
19 (1) Section 114 (overpayments) is amended as follows.
20 In section 118 (housing authority accommodation), in subsection (1)(b),
for...
21 (1) Section 122 (support for children) is amended as follows....
22 (1) Section 125 (entry of premises) is amended as follows....
23 In section 127 (requirement to supply information about redirection of...
24 (1) Section 166 (regulations and orders) is amended as follows....
25 In section 26A of the Immigration Act 1971 (registration card),...
26 (1) The Nationality, Immigration and Asylum Act 2002 is amended...
27 In section 9 of the Asylum and Immigration (Treatment of...
28 In the Immigration, Asylum and Nationality Act 2006, omit section...
29 In section 40 of the UK Borders Act 2007 (supply...
30 In Schedule 3 to the Immigration Act 2014 (excluded residential...

Accommodation centres: definition of “asylum-seeker” etc

- 31 (1) Section 18 of the Nationality, Immigration and Asylum Act...
32 (1) In consequence of the amendment made by paragraph 31(3),...
33 In consequence of the amendments made by paragraph 31, the...
34 In section 16 (establishment of accommodation centres), in
subsection (3)(b),...

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

- 35 In section 21(3), for “claim for asylum” substitute “ protection...
- 36 In section 29 (facilities), in subsection (1)(c), for “claim for...
- 37 (1) Section 55 (late claim for asylum: refusal of support)...
- 38 In section 70 (induction), in the definition of “asylum-seeker” in...
- 39 (1) Section 71 (asylum-seeker: residence, etc restriction) is amended as...
- 40 In Schedule 3 (withholding and withdrawal of support), in paragraph...

Repeal of uncommenced provisions

- 41 The following provisions of the Nationality, Immigration and Asylum Act...
 - 42 In Schedule 15 to the National Health Service (Wales) Act...
 - 43 In Schedule 3 to the National Health Service (Consequential Provisions)...
 - 44 In section 21 of the Care Act 2014, for subsections...
 - 45 In section 46 of the Social Services and Well-being (Wales)...
- PART 2 — TRANSITIONAL AND SAVING PROVISION
- 46 (1) The repeals made by paragraphs 1 and 2 do...
 - 47 (1) The repeal made by paragraph 7(5) does not apply...
 - 48 Schedule 3 to the Nationality, Immigration and Asylum Act 2002...

SCHEDULE 12 — Availability of local authority support

- 1 Schedule 3 to the Nationality, Immigration and Asylum Act 2002...
- 2 (1) Paragraph 1 (ineligibility for support) is amended as follows...
- 3 After paragraph 1 insert— (1) A person to whom this paragraph applies is not...
- 4 (1) Paragraph 2(1) (exceptions) is amended as follows.
- 5 After paragraph 2 insert— (1) Paragraph 1(1)(g) or (ga) does not prevent the provision...
- 6 After paragraph 3 insert— Notwithstanding paragraph 3, paragraph 1(1) (g) prevents a local authority in...
- 7 In paragraph 6 (third class of ineligible person: failed asylum-seeker),...
- 8 In paragraph 7 (fourth class of ineligible person: person unlawfully...
- 9 Before paragraph 8 insert— Sixth class of ineligible person: person...
- 10 After paragraph 10 insert— Accommodation and subsistence etc:
England (1) The Secretary of State may make regulations providing for...
- 11 In paragraph 11 (assistance and accommodation: general), in the words...
- 12 In paragraph 13 (offences), in sub-paragraphs (1)(b) and (2)(a), for...
- 13 In paragraph 14 (information), in sub-paragraphs (1) and (2), for...
- 14 (1) Paragraph 15 (power to amend Schedule 3) is amended...
- 15 (1) Paragraph 16 (orders and regulations) is amended as follows...
- 16 In Schedule 3 to the Immigration Act 2014 (excluded residential...

SCHEDULE 13 — Penalties relating to airport control areas

This is the Part 1A of Schedule 2 to the...

SCHEDULE 14 — Maritime enforcement

- 1 The Immigration Act 1971 is amended as follows.
- 2 In section 25(1) (offence of assisting unlawful immigration to member...
- 3 In section 25A (helping an asylum-seeker to enter United Kingdom)...

Status: Point in time view as at 12/07/2016.

Changes to legislation: Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)

- 4 In section 25B (assisting entry to United Kingdom in breach...
- 5 In section 28 (proceedings) after subsection (2) insert—
- 6 In section 28A(3) (arrest without warrant) in paragraphs (a) and...
- 7 After Part 3 insert— PART 3A Maritime enforcement Enforcement powers...
- 8 After Schedule 4 insert— SCHEDULE 4A Enforcement powers in relation...

SCHEDULE 15 — Civil registration fees

PART 1 — POWERS TO MAKE REGULATIONS FOR THE CHARGING OF FEES

Marriage Act 1949 (c. 76)

- 1 Before section 72 of the Marriage Act 1949 (but after...

Births and Deaths Registration Act 1953 (c. 20)

- 2 Before section 39 of the Births and Deaths Registration Act...

Registration Service Act 1953 (c. 37)

- 3 After section 19A of the Registration Service Act 1953 insert—...

Civil Partnership Act 2004 (c. 33)

- 4 (1) Section 34 of the Civil Partnership Act 2004 (fees)...

Marriage (Same Sex Couples) Act 2013 (c. 30)

- 5 In section 9 of the Marriage (Same Sex Couples) Act...

PART 2 — CONSEQUENTIAL AND RELATED AMENDMENTS

Places of Worship Registration Act 1855 (c. 81)

- 6 For section 5 of the Places of Worship Registration Act...

Savings Banks Act 1887 (c. 40)

- 7 In section 10 of the Savings Banks Act 1887 (price...

Marriage Act 1949 (c. 76)

- 8 The Marriage Act 1949 is amended as follows.
- 9 In section 27 (notice of marriage) omit subsections (6) and...
- 10 In section 31 (marriage under certificate without licence)—
- 11 In section 41 (registration of buildings: marriage of a man...
- 12 In section 43D (regulations about registration of buildings) in subsection...
- 13 In section 51 (fees of registrars for attending marriages)—
- 14 In section 57 (quarterly returns to superintendent registrar) omit subsection...
- 15 In section 63 (searches in register books) in subsection (1),...
- 16 In section 64 (searches of indexes kept by superintendent registrars)...
- 17 In section 65 (searches of indexes kept by Registrar General)...
- 18 In section 65A (searches and records of information: additional provision)...
- 19 In section 74 (regulations) in subsection (1)(b), after “this Act”...

Status: Point in time view as at 12/07/2016.

Changes to legislation: *Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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)*

20 In section 78 (interpretation) in subsection (1), in the definition...

Births and Deaths Registration Act 1953 (c. 20)

- 21 The Births and Deaths Registration Act 1953 is amended as...
- 22 In section 13 (registration of name of child or of...
- 23 In section 30 (searches of indexes kept by Registrar General)—...
- 24 In section 31 (searches of indexes kept by superintendent registrars)...
- 25 In section 32 (searches in registers kept by registrars) omit...
- 26 In section 33 (short certificate of birth) in subsection (1),...
- 27 In section 33A (short certificate of death)—
- 28 In section 34A (searches and records of information: additional provision)...
- 29 In section 39 (regulations made by the Registrar General) in...
- 30 In section 39A (regulations made by the Minister: further provisions) —...
- 31 In section 41 (interpretation) in subsection (1), in the definition...

Registration Service Act 1953 (c. 37)

32 Omit section 16 of the Registration Service Act 1953 (general...

Factories Act 1961 (c. 34)

33 In section 178 of the Factories Act 1961 (certificates of...

Public Expenditure and Receipts Act 1968 (c. 14)

34 In Schedule 3 to the Public Expenditure and Receipts Act...

Marriage (Registrar General's Licence) Act 1970 (c. 34)

35 Omit section 17 of the Marriage (Registrar General's Licence) Act...

Social Security Administration Act 1992 (c. 5)

36 (1) Section 124 of the Social Security Administration Act 1992...

Education Act 1996 (c. 56)

37 (1) Section 564 of the Education Act 1996 (certificates of...

Status:

Point in time view as at 12/07/2016.

Changes to legislation:

Immigration Act 2016 is up to date with all changes known to be in force on or before 21 September 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.