
STATUTORY INSTRUMENTS

2007 No. 3138 (C. 126)

IMMIGRATION

**The Immigration, Asylum and Nationality
Act 2006 (Commencement No. 7) Order 2007**

Made - - - - 30th October 2007

The Secretary of State makes the following Order in exercise of the powers conferred by section 62 of the Immigration, Asylum and Nationality Act 2006⁽¹⁾.

Citation and interpretation

1.—(1) This Order may be cited at the Immigration, Asylum and Nationality Act 2006 (Commencement No. 7) Order 2007.

(2) In this Order “the 2006 Act” means the Immigration, Asylum and Nationality Act 2006.

Commencement

2. The following provisions of the 2006 Act shall come into force on 5th November 2007—

- (a) section 15 (penalty for employment of adult subject to immigration control) for the purposes of making an order under subsections (2), (3) and (7);
- (b) section 16 (objection to penalty for employment of adult subject to immigration control) for the purposes of making an order under subsections (3) and (5);
- (c) sections 20 (orders) and 25 (interpretation);
- (d) section 31 (provision of information to immigration officers) for the purposes of making an order under paragraphs 27(2) and 27B of Schedule 2 to the Immigration Act 1971⁽²⁾ as amended by that provision;
- (e) section 32 (passenger and crew information: police powers)⁽³⁾ for the purposes of making an order under subsection (5)(a);

⁽¹⁾ 2006 c. 13.

⁽²⁾ 1971 c. 77. Paragraph 27(2) of Schedule 2 to the Immigration Act 1971 has been substituted by section 31 of the 2006 Act. Paragraph 27B of Schedule 2 to the Immigration Act 1971 was inserted by section 18 of the Immigration and Asylum Act 1999 (c. 33) and subsequently amended by section 16 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19) and section 31 of the 2006 Act.

⁽³⁾ Section 32 of the 2006 Act has been amended by section 14 of, and Schedule 15 to, the Police and Justice Act 2006 (c. 48) but that amendment is not yet in force.

- (f) section 36 (duty to share information)(4) for the purposes of making an order under subsection (4);
 - (g) section 37 (information sharing: code of practice) for the purposes of laying a draft code before Parliament and making an order under subsection (2);
 - (h) section 38 (disclosure of information for security purposes)(5) for the purposes of making an order under subsection (4); and
 - (i) section 50(4) and (5) (amendment to nationality and immigration procedure).
3. The following provisions of the 2006 Act shall come into force on 31st December 2007—
- (a) sections 34 (offence: failure to provide information), 35 (power of Revenue and Customs to obtain information) and 39 (disclosure to law enforcement agencies);
 - (b) sections 31, 32, 36, 37 and 38 to the extent to which they are not already in force; and
 - (c) in Schedule 3 (repeals) the entry relating to section 27 of the Immigration Act 1971 (offences by persons connected with ships or aircraft or with ports).

Home Office
30th October 2007

Liam Byrne
Minister of State

(4) Section 36 of the 2006 Act has been amended by section 14 of, and Schedule 15 to, the Police and Justice Act 2006 but that amendment is not yet in force.

(5) Section 38 of the 2006 Act has been amended by section 14 of the Police and Justice Act 2006 but that amendment is not yet in force.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Immigration, Asylum and Nationality Act 2006. The provisions specified in article 2 are brought into force on 5th November 2007 (in some cases for the purposes of making secondary legislation only) and those specified in article 3 are brought into force on 31st December 2007.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|---|-----------------------------|-----------------|
| Section 1 (variation of leave to enter or remain) | 31.08.2006 | 2006/2226 |
| Section 2 (removal) | 31.08.2006 | 2006/2226 |
| Section 3 (grounds of appeal) | 31.08.2006 | 2006/2226 |
| Section 5 (failure to provide documents) | 31.08.2006 | 2006/2226 |
| Section 6 (refusal of leave to enter) | 31.08.2006 | 2006/2226 |
| Section 7 (deportation) | 31.08.2006 | 2006/2226 |
| Section 8 (legal aid) | 30.04.2007 | 2007/1109 |
| Section 9 (abandonment of appeal) | 13.11.2006 | 2006/2838 |
| Section 10 (grants) | 16.06.2006 | 2006/1497 |
| Section 11 (continuation of leave) | 31.08.2006 | 2006/2226 |
| Section 14 (consequential amendments) | 31.08.2006 | 2006/2226 |
| Section 19 (code of practice) | 31.08.2006 | 2006/2226 |
| Section 23 (discrimination: code of practice) | 31.08.2006 | 2006/2226 |
| Section 27 (documents produced or found) | 31.08.2006 | 2006/2226 |
| Section 28 (fingerprinting) | 31.08.2006 | 2006/2226 |
| Section 29 (attendance for fingerprinting) | 31.08.2006 | 2006/2226 |
| Section 30 (proof of right of abode) | 16.06.2006 | 2006/1497 |
| Section 40 (searches: contracting out) | 31.06.2006 | 2006/2226 |
| Section 41 (section 40: supplemental) | 31.06.2006 | 2006/2226 |
| Section 42 (information: embarking passengers) | 31.06.2006 | 2006/2226 |
| Section 43 (accommodation) | 16.06.2006 | 2006/1497 |
| Section 45 (integration loans) | 30.06.2006 | 2006/2226 |

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|---|-----------------------------|-----------------|
| Section 46 (inspection of detention facilities) | 31.08.2006 | 2006/2226 |
| Section 48 (removal: cancellation of leave) | 16.06.2006 | 2006/1497 |
| Section 49 (capacity to make nationality application) | 31.06.2006 | 2006/2226 |
| Section 50 (procedure) (partially) | 31.01.2007 | 2007/182 |
| Section 51 (fees) | 31.01.2007 | 2007/182 |
| Section 52 (fees: supplemental) (partially) | 31.01.2007 | 2007/182 |
| Section 52(7) (fees: supplemental) (to extent not already in force) | 02.04.2007 | 2007/1109 |
| Section 53 (arrest pending deportation) | 31.06.2006 | 2006/2226 |
| Section 54 (refugee convention: construction) | 31.06.2006 | 2006/2226 |
| Section 55 (refugee convention: certification) | 31.06.2006 | 2006/2226 |
| Section 56 (deprivation and citizenship) | 16.06.2006 | 2006/1497 |
| Section 57 (deprivation and right of abode) | 16.06.2006 | 2006/1497 |
| Section 58 (acquisition of British nationality) | 04.12.2006 | 2006/2838 |
| Section 59 (detained persons: national minimum wage) | 31.06.2006 | 2006/2226 |
| Section 60 (money) | 16.06.2006 | 2006/1497 |
| Section 61 (repeals) (partially) | 16.06.2006 | 2006/1497 |
| | 31.06.2006 | 2006/2226 |
| | 02.04.2007 | 2007/1109 |
| Schedule 1 (partially) | 31.08.2006 | 2006/2226 |
| Schedule 2 (partially) | 07.03.2007 | 2007/467 |
| Schedule 2 (to the extent not already in force) | 02.04.2007 | 2007/1109 |
| Schedule 3 (partially) | 16.06.2006 | 2006/1497 |
| | 31.08.2006 | 2006/2226 |
| | 07.03.2007 | 2007/467 |
| | 02.04.2007 | 2007/1109 |