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SCHEDULES

SCHEDULE 2

ADMINISTRATIVE PROVISIONS AS TO CONTROL ON ENTRY ETC.

Modifications etc. (not altering text)

- C1** Sch. 2 modified (10.6.1991) by [Criminal Justice \(International Co-operation\) Act 1990 \(c. 5, SIF 39:1\), s. 6\(6\)\(b\)](#); S.I. 1991/1072, art. 2, [Sch. Pt. I](#)
- C1** Sch. 2 modified (2.8.1993) by S.I. 1993/1813, arts. 7(1), 1, [Sch. 4 para. 1\(11\)](#) (as amended: (1.12.1997) by S.I. 1994/1405, art. 8, [Sch. 4 para. 11](#); (30.7.2000) by S.I. 2000/1775, arts. 1, [2\(2\)](#); (25.5.2001) by S.I. 2001/1544, arts. 1(2), [6\(3\)](#) (as itself amended (2.1.2008) by S.I. 2007/3579, [art. 2\(2\)\(3\)](#)); (5.8.2014) by S.I. 2014/1814, arts. 1, [2\(3\)\(4\)](#); and (30.9.2020) by S.I. 2020/915, arts. 1(2), [5\(5\)](#))
Sch. 2 extended (with modifications): (Guernsey) (1.8.1993) by S.I. 1993/1796, art. 3(1), [Sch. 1 Pt. 1](#); (Jersey) (1.8.1993) by S.I. 1993/1797, art. 3(1), [Sch. 1 Pt. 1](#) (as amended (17.10.2012) by S.I. 2012/2593, arts. 1, [2\(2\)](#))
Sch. 2 applied (20.7.1994) by S.I. 1994/1895, [art. 20\(2\)](#)
Sch. 2 amended (2.10.2000) by 1999 c. 33, s. 66; S.I. 2000/2444, art. 2, [Sch. 1](#) (subject to transitional provisions in [art. 3](#), [Sch. 2 para. 2](#))
Sch. 2 extended (10.2.2003) (with modifications) by 2002 c. 41, s. 62(3) (with s. 159); S.I. 2003/1, [art. 2](#), [Sch. 2](#), [Sch.](#)
Sch. 2 amended (1.4.2003) by 2002 c. 41, s. 68 (with s. 159); S.I. 2003/754, art. 2, [Sch. 1](#) (with transitional provisions in [arts. 3, 4](#), [Sch. 2](#)) (as amended by S.I. 2003/1040 and S.I. 2003/1339)
- C1** Sch. 2 applied by [The Immigration \(European Economic Area\) Regulations 2006 \(S.I. 2006/1003\)](#), reg. 24(4) (as substituted (1.6.2009) by [The Immigration \(European Economic Area\) \(Amendment\) Regulations 2009 \(S.I. 2009/1117\)](#), reg. 2, [Sch. 1 para. 10\(c\)](#))

PART II

EFFECT OF APPEALS

Modifications etc. (not altering text)

- C1** Sch. 2 Pt. II amended (26.7.1993) by 1993 c. 23, s. 8(6), [Sch. 2 para. 9](#); S.I. 1993/1655, [art. 2](#)
Sch. 2 Pt. II extended (with modifications) (Isle of Man) (1.4.1997) by S.I. 1997/275, [art. 2\(1\)](#), [Sch.](#)
Sch. 2 Pt. II: power to modify conferred (11.6.1998) by 1997 c. 68, s. 5(4)(a); S.I. 1998/1336, [art. 2](#)
Sch. 2 Pt. II extended (3.8.1998) by 1997 c. 68, s. 2, [Sch. 2 paras. 3\(1\), 4](#); S.I. 1998/1892, [art. 2](#)

Grant of bail pending appeal

- 29 (1) Where a person (in the following provisions of this Schedule referred to as “an appellant”) has an appeal pending under [F1Part 5 of the Nationality, Immigration and Asylum Act 2002] and is for the time being detained under Part I of this Schedule, he may be released on bail in accordance with this paragraph.

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- (2) An immigration officer not below the rank of chief immigration officer or a police officer not below the rank of inspector may release an appellant on his entering into a recognizance or, in Scotland, bail bond conditioned for his appearance before [^{F2}the First-tier Tribunal] at a time and place named in the recognizance or bail bond.
- (3) [^{F3}the First-tier Tribunal] may release an appellant on his entering into a recognizance or, in Scotland, bail bond conditioned for his appearance before [^{F4}the Tribunal] or the [^{F5}Immigration Appeal Tribunal] at a time and place named in the recognizance or bail bond; ^{F6} . . .
- (4) ^{F7}
- (5) The conditions of a recognizance or bail bond taken under this paragraph may include conditions appearing to the person fixing the bail to be likely to result in the appearance of the appellant at the time and place named; and any recognizance shall be with or without sureties as that person may determine.
- (6) In any case in which [^{F8}the First-tier Tribunal] has power or is required by this paragraph to release an appellant on bail, [^{F9}the Tribunal] may, instead of taking the bail, fix the amount and conditions of the bail (including the amount in which any sureties are to be bound) with a view to its being taken subsequently by any such person as may be specified by [^{F10}the Tribunal]; and on the recognizance or bail bond being so taken the appellant shall be released.

Textual Amendments

- F1** Words in Sch. 2 para. 29(1) substituted (1.4.2003) by 2002 c. 41, s. 114, Sch. 7 para. 6(a) (with s. 159); S.I. 2003/754, art. 2, Sch. 1 (with transitional provisions in arts. 3, 4, Sch. 2 (as amended by S.I. 2003/1040 and 2003/1339))
- F2** Words in Sch. 2 para. 29(2) substituted (15.2.2010) by [The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010 \(S.I. 2010/21\)](#), art. 1, **Sch. 1 para. 2** (with Sch. 4)
- F3** Words in Sch. 2 para. 29(3) substituted (15.2.2010) by [The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010 \(S.I. 2010/21\)](#), art. 1, **Sch. 1 para. 2** (with Sch. 4)
- F4** Words in Sch. 2 para. 29(3) substituted (4.4.2005) by [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), s. 26, **Sch. 2 para. 1(4)(b)(ii)**; S.I. 2005/565, art. 2 (with arts. 3-9)
- F5** Words in Sch. 2 para. 29 substituted (1.4.2003) by 2002 c. 41, s. 114, Sch. 7 para. 6(b) (with s. 159); S.I. 2003/754, art. 2, Sch. 1 (with transitional provisions in arts. 3, 4, Sch. 2 (as amended by S.I. 2003/1040 and 2003/1339))
- F6** Words in Sch. 2 para. 29(3) omitted (4.4.2005) by virtue of and repealed (prosp.) by [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), ss. 26, 47, **Sch. 2 para. 1(4)(b)(iii)**, **Sch. 4**; S.I. 2005/565, art. 2 (with arts. 3-9)
- F7** Sch. 2 para. 29(4) omitted (4.4.2005) by virtue of and repealed (prosp.) by [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), ss. 26, 47, **Sch. 2 para. 1(4)(c)**, **Sch. 4**; S.I. 2005/565, art. 2 (with arts. 3-9)
- F8** Words in Sch. 2 para. 29(6) substituted (15.2.2010) by [The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010 \(S.I. 2010/21\)](#), art. 1, **Sch. 1 para. 2** (with Sch. 4)
- F9** Words in Sch. 2 para. 29(6) substituted (4.4.2005) by [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), s. 26, **Sch. 2 para. 1(4)(d)(ii)**; S.I. 2005/565, art. 2 (with arts. 3-9)
- F10** Words in Sch. 2 para. 29(6) substituted (4.4.2005) by [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), s. 26, **Sch. 2 para. 1(4)(d)(iii)**; S.I. 2005/565, art. 2 (with arts. 3-9)

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Modifications etc. (not altering text)

- C1** Sch. 2 para. 29 modified (retrospectively and temp.) by [Immigration Act 2016 \(c. 19\), ss. 61\(3\)-\(5\), 94\(3\)](#) (with [s. 61\(6\)](#))
- C2** Sch. 2 para. 29 amended (1.9.1996) by [1996 c. 49, s. 3\(6\)](#); [S.I. 1996/2053, art. 2, Sch. Pt. II](#)
Sch. 2 para. 29 applied (2.10.2000 with application as mentioned in regs. 9, 28) by [S.I. 2000/2326, reg. 32\(6\)\(7\)](#) (as substituted (1.4.2003) for [reg. 34\(6\)\(10\)](#) by [S.I. 2003/549, reg. 2\(8\)](#) (with [reg. 3](#)))
Sch. 2 para. 29 modified (3.8.1998) by [1997 c. 68, s. 3, Sch. 3 para. 4](#); [S.I. 1998/1892, art. 2](#)
- C3** Sch. 2 para. 29(1) excluded (14.3.2003) by [The Nationality, Immigration and Asylum Act 2002 \(Commencement No. 4\) Order 2003 \(S.I. 2003/754\), arts. 3, 4, Sch. 2 para. 2\(10\)\(b\)\(i\)](#)
- C4** Sch. 2 para. 29(5)(6) applied (1.9.1996) by [1993 c. 23, s. 9A](#) (as inserted (1.9.1996) by [1996 c. 49, s. 12\(2\), Sch. 3 para. 3](#); [S.I. 1996/2053, art. 2, Sch. Pt. II](#))

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