



Immigration Act 1971

1971 CHAPTER 77

PART I

REGULATION OF ENTRY INTO AND STAY IN UNITED KINGDOM

[^{F1}8B Persons excluded from the United Kingdom under [^{F2}certain instruments].

- (1) An excluded person must be refused—
 - (a) leave to enter the United Kingdom;
 - (b) leave to remain in the United Kingdom [^{F3}(and any leave given to a person who is an excluded person is invalid)].
- (2) A person's leave to enter or remain in the United Kingdom is cancelled on his becoming an excluded person.

[^{F4}(3) Any exemption of a person from the provisions of this Act under section 8(1), (2) or (3) does not apply while the person is an excluded person.]

[^{F5}(4) "Excluded person" means—

- (a) a person named by or under, or of a description specified in, an instrument falling within subsection (5), or
 - (b) a person who under regulations under section 1 of the Sanctions and Anti-Money Laundering Act 2018 is an excluded person for the purposes of this section (see section 4 of that Act).]
- (5) [^{F6}An instrument falls within this subsection] if it is a resolution of the Security Council of the United Nations or an instrument made by the Council of the European Union and it—
- (a) requires that a person is not to be admitted to the United Kingdom (however that requirement is expressed); or
 - (b) recommends that a person should not be admitted to the United Kingdom (however that recommendation is expressed).

[Subsection (1), (2) or (3) does not apply to a person if—
^{F7}(5A)

Status: Point in time view as at 22/11/2018. This version of this provision has been superseded.

Changes to legislation: Immigration Act 1971, Section 8B is up to date with all changes known to be in force on or before 08 July 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)

- (a) the application of that subsection to that person would be contrary to the United Kingdom's obligations under—
- (i) the Human Rights Convention (within the meaning given by section 167(1) of the Immigration and Asylum Act 1999), or
 - (ii) the Refugee Convention (within the meaning given by that provision),
- or
- (b) [^{F8}the person is within subsection (4)(a) and not within subsection (4)(b) and has been exempted from the application of subsection (1), (2) or (3), as the case may be,] under a process applying by virtue of the instrument falling within subsection (5).]

[In relation to any person within subsection (4)(b), subsections (1) to (3) are subject ^{F9}(5B) to any exception created under, or direction given by virtue of, section 15(4) of the Sanctions and Anti-Money Laundering Act 2018 (power to create exceptions etc).]

^{F10}(6)

^{F10}(7)

^{F10}(8)]

Textual Amendments

- F1** S. 8B inserted (1.3.2000) by 1999 c. 33, s. 8; S.I. 2000/168, art. 2, Sch. (which amending provision is extended (with modifications) to Jersey (5.6.2003) by S.I. 2003/1252, art. 2, Sch.)
- F2** Words in s. 8B heading substituted (22.11.2018) by Sanctions and Anti-Money Laundering Act 2018 (c. 13), s. 64(2), Sch. 3 para. 1(2) (with ss. 52(3), 53, 58); S.I. 2018/1213, reg. 2(f)
- F3** Words in s. 8B(1)(b) inserted (12.7.2016) by Immigration Act 2016 (c. 19), ss. 76(4), 94(1); S.I. 2016/603, reg. 3(n)
- F4** S. 8B(3) substituted (12.7.2016) by Immigration Act 2016 (c. 19), ss. 76(5), 94(1); S.I. 2016/603, reg. 3(n)
- F5** S. 8B(4) substituted (22.11.2018) by Sanctions and Anti-Money Laundering Act 2018 (c. 13), s. 64(2), Sch. 3 para. 1(3) (with ss. 52(3), 53, 58); S.I. 2018/1213, reg. 2(f)
- F6** Words in s. 8B(5) substituted (12.7.2016) by Immigration Act 2016 (c. 19), ss. 76(7), 94(1); S.I. 2016/603, reg. 3(n)
- F7** S. 8B(5A) inserted (12.7.2016) by Immigration Act 2016 (c. 19), ss. 76(8), 94(1); S.I. 2016/603, reg. 3(n)
- F8** Words in s. 8B(5A)(b) substituted (22.11.2018) by Sanctions and Anti-Money Laundering Act 2018 (c. 13), s. 64(2), Sch. 3 para. 1(4) (with ss. 52(3), 53, 58); S.I. 2018/1213, reg. 2(f)
- F9** S. 8B(5B) inserted (22.11.2018) by Sanctions and Anti-Money Laundering Act 2018 (c. 13), s. 64(2), Sch. 3 para. 1(5) (with ss. 52(3), 53, 58); S.I. 2018/1213, reg. 2(f)
- F10** Ss. 8B(6)-(8) omitted (12.7.2016) by virtue of Immigration Act 2016 (c. 19), ss. 76(9), 94(1); S.I. 2016/603, reg. 3(n)

Modifications etc. (not altering text)

- C1** Ss. 1-9, 11 extended (with modifications) (Guernsey) (1.8.1993) by The Immigration (Guernsey) Order 1993 (S.I. 1993/1796), arts. 1, 3(1), Sch. 1 Pt. 1
- C2** S. 8B: power to modify conferred (22.11.2018) by Sanctions and Anti-Money Laundering Act 2018 (c. 13), ss. 15(4), 64(2) (with ss. 52(3), 53, 58); S.I. 2018/1213, reg. 2(a)
- C3** S. 8B(1)(2)(3): power to disapply conferred (22.11.2018) by Sanctions and Anti-Money Laundering Act 2018 (c. 13), ss. 48(4)(e), 64(2) (with ss. 52(3), 53, 58); S.I. 2018/1213, reg. 2(b)

Status:

Point in time view as at 22/11/2018. This version of this provision has been superseded.

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