



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)

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- (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** 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)
- C2** 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)
- C3** S. 8B(1)(2)(3): power to modify conferred (6.7.2020 at 1.00 p.m.) by The Global Human Rights Sanctions Regulations 2020 (S.I. 2020/680), regs. 1(2), 24

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- C4** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Democratic People's Republic of Korea (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/411), regs. 1(2), **98(1)**; S.I. 2019/627, reg. 7(2); 2020 c. 1, Sch. 5 para. 1(1)
- C5** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Yemen (Sanctions) (EU Exit) (No. 2) Regulations 2020 (S.I. 2020/1278), regs. 1(2), **38(1)**; S.I. 2020/1514, reg. 20(2)
- C6** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Democratic Republic of the Congo (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/433), regs. 1(2), **38(1)**; S.I. 2019/627, reg. 5(2); 2020 c. 1, Sch. 5 para. 1(1)
- C7** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Libya (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/1665), regs. 1(3), **55**
- C8** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Mali (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/705), regs. 1(2), **24(1)**; S.I. 2020/1514, reg. 13(2)
- C9** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Russia (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/855), regs. 1(2), **69**; 2020 c. 1, Sch. 5 para. 1(1)
- C10** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Burundi (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/1142), regs. 1(2), **22(1)**; S.I. 2020/1514, reg. 2(2)
- C11** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Syria (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/792), regs. 1(3), **68**; 2020 c. 1, Sch. 5 para. 1(1)
- C12** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Cyber (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/597), regs. 1(2), **22**; S.I. 2020/1514, reg. 6(2)
- C13** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Guinea (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/1145), regs. 1(2), **22**; S.I. 2020/1514, reg. 3(2)
- C14** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Unauthorised Drilling Activities in the Eastern Mediterranean (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/1474), regs. 1(2), **23**; S.I. 2020/1514, reg. 24(2)
- C15** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Venezuela (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/135), regs. 1(2), **40(1)**; S.I. 2019/627, reg. 3(2); 2020 c. 1, Sch. 5 para. 1(1)
- C16** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Misappropriation (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/1468), regs. 1(2), **23(1)**; S.I. 2020/1514, **reg. 23(2)**
- C17** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/600), regs. 1(2), **37(1)**; S.I. 2019/627, reg. 12(2); 2020 c. 1, Sch. 5 para. 1(1)
- C18** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/573), regs. 1(2), **33(1)**; S.I. 2019/627, reg. 11(2); 2020 c. 1, Sch. 5 para. 1(1)
- C19** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The South Sudan (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/438), regs. 1(2), **38(1)**; S.I. 2019/627, reg. 6(2); 2020 c. 1, Sch. 5 para. 1(1)
- C20** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Chemical Weapons (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/618), regs. 1(2), **23(1)**; S.I. 2019/627, reg. 14(2); 2020 c. 1, Sch. 5 para. 1(1)
- C21** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Bosnia and Herzegovina (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/608), regs. 1(2), **23(1)**; S.I. 2020/1514, reg. 7(2)
- C22** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Central African Republic (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/616), regs. 1(2), **38**; S.I. 2020/1514, reg. 10(2)
- C23** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Iran (Sanctions) (Nuclear) (EU Exit) Regulations 2019 (S.I. 2019/461), regs. 1(2), **45(1)**; S.I. 2019/627, reg. 8(2); 2020 c. 1, Sch. 5 para. 1(1)
- C24** S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Zimbabwe (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/604), regs. 1(2), **38(1)**; S.I. 2019/627, reg. 13(2); 2020 c. 1, Sch. 5 para. 1(1)

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- C25** S. 8B(1)-(3): power to modify conferred (31.12.2020) by [The Republic of Guinea-Bissau \(Sanctions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/554\)](#), regs. 1(2), **23(1)**; [S.I. 2019/627](#), reg. 10(2); 2020 c. 1, Sch. 5 para. 1(1)
- C26** S. 8B(1)-(3): power to modify conferred (31.12.2020) by [The Sudan \(Sanctions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/753\)](#), regs. 1(2), **39(1)**; [S.I. 2020/1514](#), reg. 15(2)
- C27** S. 8B(1)-(3): power to modify conferred (31.12.2020) by [The Nicaragua \(Sanctions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/610\)](#), regs. 1, **22**; [S.I. 2020/1514](#), reg. 8(2)
- C28** S. 8B(1)-(3): power to modify conferred (31.12.2020) by [The Burma \(Sanctions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/136\)](#), regs. 1(2), **40(1)**; [S.I. 2019/627](#), reg. 4(2); 2020 c. 1, Sch. 5 para. 1(1)
- C29** S. 8B(1)-(3): power to modify conferred (31.12.2020) by [The Somalia \(Sanctions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/642\)](#), regs. 1(2), **52(1)**; [S.I. 2020/1514](#), reg. 12(2)
- C30** S. 8B(1)-(3): power to modify conferred (31.12.2020) by [The Iran \(Sanctions\) \(Human Rights\) \(EU Exit\) Regulations 2019 \(S.I. 2019/134\)](#), regs. 1(2), **40(1)**; [S.I. 2019/627](#), reg. 2(2); 2020 c. 1, Sch. 5 para. 1(1)
- C31** S. 8B(1)-(3): power to modify conferred (26.4.2021 at noon) by [The Global Anti Corruption Sanctions Regulations 2021 \(S.I. 2021/488\)](#), regs. 1(2), **23(1)**
- C32** S. 8B(1)-(3): power to modify conferred (29.4.2021 at 5.00 pm) by [The Myanmar \(Sanctions\) Regulations 2021 \(S.I. 2021/496\)](#), regs. 1(3), **49**
- C33** S. 8B(1)-(3) power to modify conferred (14.12.2021) by [The Burundi \(Sanctions\) Regulations 2021 \(S.I. 2021/1404\)](#), regs. 1(2), **23**

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