



Nationality, Immigration and Asylum Act 2002

2002 CHAPTER 41

PART 4

DETENTION AND REMOVAL

Detention

67 Construction of reference to person liable to detention

- (1) This section applies to the construction of a provision which—
 - (a) does not confer power to detain a person, but
 - (b) refers (in any terms) to a person who is liable to detention under a provision of the Immigration Acts.
- (2) The reference shall be taken to include a person if the only reason why he cannot be detained under the provision is that—
 - (a) he cannot presently be removed from the United Kingdom, because of a legal impediment connected with the United Kingdom's obligations under an international agreement,
 - (b) practical difficulties are impeding or delaying the making of arrangements for his removal from the United Kingdom, or
 - (c) practical difficulties, or demands on administrative resources, are impeding or delaying the taking of a decision in respect of him.
- (3) This section shall be treated as always having had effect.