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**Changes to legislation:** Immigration, Asylum and Nationality Act 2006 is up to date with all changes known to be in force on or before 08 September 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)

## SCHEDULES

### SCHEDULE 1

Section 14

#### IMMIGRATION AND ASYLUM APPEALS: CONSEQUENTIAL AMENDMENTS

##### *Nationality, Immigration and Asylum Act 2002 (c. 41)*

- 1 The Nationality, Immigration and Asylum Act 2002 (appeals) shall be amended as follows.

**Commencement Information**

**I1** Sch. 1 para. 1 in force at 31.8.2006 by S.I. 2006/2226, art. 3, Sch. 1

- 2 In section 72(9) (serious criminal) after “, 83” insert “, 83A”.

**Commencement Information**

**I2** Sch. 1 para. 2 in force at 31.8.2006 by S.I. 2006/2226, art. 3, Sch. 1

- 3 In section 85(4) (matters to be considered) for “or 83(2)” substitute “, 83(2) or 83A(2)”.

**Commencement Information**

**I3** Sch. 1 para. 3 in force at 31.8.2006 by S.I. 2006/2226, art. 3, Sch. 1

- 4 In section 86(1) (determination of appeal) for “or 83.” substitute “, 83 or 83A.”

**Commencement Information**

**I4** Sch. 1 para. 4 in force at 31.8.2006 by S.I. 2006/2226, art. 3, Sch. 1

- 5 In section 87(1) (successful appeal: direction) for “or 83” substitute “, 83 or 83A”.

**Commencement Information**

**I5** Sch. 1 para. 5 in force at 31.8.2006 by S.I. 2006/2226, art. 3, Sch. 1

- 6 In section 97(1) and (3) (national security, &c.) for “or 83(2)” substitute “, 83(2) or 83A(2)”.

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**Commencement Information**

**I6** Sch. 1 para. 6 in force at 31.8.2006 by S.I. 2006/2226, art. 3, Sch. 1

7 In section 103A(1) (review of Tribunal's decision) for “or 83” substitute “ , 83 or 83A ”.

**Commencement Information**

**I7** Sch. 1 para. 7 in force at 31.8.2006 by S.I. 2006/2226, art. 3, Sch. 1

8 In section 103E(1) (appeal from Tribunal sitting as panel) for “or 83” substitute “ , 83 or 83A ”.

**Commencement Information**

**I8** Sch. 1 para. 8 in force at 31.8.2006 by S.I. 2006/2226, art. 3, Sch. 1

9 In section 106(1)(a) and (b) (rules) for “or 83” substitute “ , 83 or 83A ”.

**Commencement Information**

**I9** Sch. 1 para. 9 in force at 31.8.2006 by S.I. 2006/2226, art. 3, Sch. 1

10 In section 108(1)(a) (forged document: proceedings in private) for “or 83” substitute “ , 83 or 83A ”.

**Commencement Information**

**I10** Sch. 1 para. 10 in force at 31.8.2006 by S.I. 2006/2226, art. 3, Sch. 1

PROSPECTIVE

VALID FROM 15/02/2010

F11 .....

**Textual Amendments**

**F1** Sch. 1 para. 11 repealed (20.10.2014) by Immigration Act 2014 (c. 22), s. 75(3), Sch. 9 paras. 57(5), 60; S.I. 2014/2771, art. 2(e) (with arts. 9-11) (as amended (2.3.2015 and 6.4.2015) by S.I. 2015/371, arts. 1(2)(3), 7, 8; and with transitional provisions and savings in S.I. 2014/2928, art. 2 (which S.I. is revoked (6.4.2015) by S.I. 2015/371, arts. 1(3), 9))

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*Race Relations Act 1976 (c. 74)*

- 12 In section 57A(5) of the Race Relations Act 1976 (discrimination claims in immigration cases) in the definition of “immigration appellate body” for “an adjudicator appointed for the purposes of Part 5 of the 2002 Act, the Immigration Appeal Tribunal,” substitute “the Asylum and Immigration Tribunal,”.

**Commencement Information**

**I11** Sch. 1 para. 12 in force at 31.8.2006 by S.I. 2006/2226, art. 3, Sch. 1

*British Nationality Act 1981 (c. 61)*

- 13 In section 40A(3) of the British Nationality Act 1981 (deprivation of citizenship: appeal) for “or 83” substitute “ , 83 or 83A ”.

**Commencement Information**

**I12** Sch. 1 para. 13 in force at 31.8.2006 by S.I. 2006/2226, art. 3, Sch. 1

*Special Immigration Appeals Commission Act 1997 (c. 68)*

- 14 In section 2 of the Special Immigration Appeals Commission Act 1997 (jurisdiction: appeals)—
- (a) in subsection (1)(a) and (b) for “or 83(2)” substitute “ , 83(2) or 83A(2) ”,
  - (b) in subsection (2)(a)—
    - (i) after “3C” insert “ or 3D ”, and
    - (ii) for “(continuation of leave pending variation decision)” substitute “ continuation of leave ”, and
  - (c) in subsection (3)—
    - (i) for “an appeal against the rejection of a claim for asylum” substitute “ an appeal against a decision other than an immigration decision ”, and
    - (ii) after “83(2)” insert “ or 83A(2) ”.

**Commencement Information**

**I13** Sch. 1 para. 14 in force at 31.8.2006 by S.I. 2006/2226, art. 3, Sch. 1

SCHEDULE 2

Section 52

FEES: CONSEQUENTIAL AMENDMENTS

*British Nationality Act 1981 (c. 61)*

- 1 In section 41 of the British Nationality Act 1981 (regulations and Orders in Council)

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- (a) omit subsection (2), and
- (b) in subsection (3)—
  - (i) omit “or (2)”, and
  - (ii) omit paragraph (b).

**Commencement Information**

**I14** Sch. 2 para. 1 in force at 2.4.2007 by S.I. 2007/1109, art. 4

- 2 Section 42A of the British Nationality Act 1981 (registration and naturalisation: fee) shall cease to have effect.

**Commencement Information**

**I15** Sch. 2 para. 2 in force at 2.4.2007 by S.I. 2007/1109, art. 4

*Immigration and Asylum Act 1999 (c. 33)*

- 3 Sections 5 and 27 of the Immigration and Asylum Act 1999 (charges) shall cease to have effect.

**Commencement Information**

**I16** Sch. 2 para. 3 in force at 2.4.2007 by S.I. 2007/1109, art. 4

*Nationality, Immigration and Asylum Act 2002 (c. 41)*

- 4 In section 10(2) (right of abode: certificate of entitlement)—
- (a) paragraph (e) shall cease to have effect, and
  - (b) in paragraph (f) for “(a) to (e)” substitute “(a) to (d)”.

**Commencement Information**

**I17** Sch. 2 para. 4 in force at 2.4.2007 by S.I. 2007/1109, art. 4

- 5 Section 122(fee for work permit, &c.) shall cease to have effect.

**Commencement Information**

**I18** Sch. 2 para. 5 in force at 2.4.2007 by S.I. 2007/1109, art. 4

*Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)*

- 6 (1) Section 42 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (amount of fees) shall be amended as follows.
- (2) In subsection (1)—
- (a) for “In prescribing a fee for an application or process under a provision specified in subsection (2)” substitute “ In prescribing a fee under section 51

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of the Immigration, Asylum and Nationality Act 2006 (fees) in connection with a matter specified in subsection (2)”, and  
(b) omit “, with the consent of the Treasury,”.

(3) For subsection (2) substitute—

“(2) Those matters are—

- (a) anything done under, by virtue of or in connection with a provision of the British Nationality Act 1981 (c. 61) or of the former nationality Acts (within the meaning given by section 50(1) of that Act),
- (b) an application for leave to remain in the United Kingdom,
- (c) an application for the variation of leave to enter, or remain in, the United Kingdom,
- (d) section 10 of the Nationality, Immigration and Asylum Act 2002 (c. 41) (right of abode: certificate of entitlement),
- (e) a work permit, and
- (f) any other document which relates to employment and is issued for a purpose of immigration rules or in connection with leave to enter or remain in the United Kingdom.”

#### Commencement Information

**I19** Sch. 2 para. 6 in force at 7.3.2007 by S.I. 2007/467, art. 2

## SCHEDULE 3

Section 61

### REPEALS

#### Commencement Information

- I20** Sch. 3 in force at 16.6.2006 for specified purposes by S.I. 2006/1497, art. 3, Sch.
- I21** Sch. 3 in force at 31.8.2006 for specified purposes by S.I. 2006/2226, art. 3, Sch. 2 (with art. 4(5))
- I22** Sch. 3 in force at 2.4.2007 for specified purposes by S.I. 2007/1109, art. 5, Sch. (with art. 6)
- I23** Sch. 3 in force at 29.2.2008 for specified purposes by S.I. 2008/310, art. 2(2)(b)
- I24** Sch. 3 in force at 29.2.2008 for specified purposes by S.I. 2008/310, art. 2(1)(e)
- I25** Sch. 3 in force at 1.3.2008 for specified purposes by S.I. 2007/3138, art. 3(c)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Prison Act 1952 (c. 52)	Section 55(4A).
Immigration Act 1971 (c. 77)	In section 27, in paragraph (c) the words “as owner or agent of a ship or aircraft or”. Section 31A. Section 32(5). In Schedule 2, paragraph 4(2A).
British Nationality Act 1981	In section 40A(3), the word “and” before paragraph (d).

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	Section 41(2). In section 41(3)— (a) the words “or (2)”, and (b) paragraph (b). Section 42A.
Asylum and Immigration Act 1996 (c. 49)	Sections 8 and 8A.
Immigration and Asylum Act 1999 (c. 33)	Section 5. Section 27. In section 167(1), the definition of “the Immigration Acts”.
Anti-terrorism, Crime and Security Act 2001 (c. 24)	Section 33.
Nationality, Immigration and Asylum Act 2002 (c. 41)	Section 10(2)(e). Section 82(3). Section 110. Section 122. Section 158.
Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)	Section 25. In section 42(1) the words “, with the consent of the Treasury,”. Section 44.
Civil Partnership Act 2004 (c. 33)	Paragraph 2(3) of Schedule 23.

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