



Immigration, Asylum and Nationality Act 2006

2006 CHAPTER 13

Claimants and applicants

47 Removal: persons with statutorily extended leave

- (1) Where a person's leave to enter or remain in the United Kingdom is extended by section 3C(2)(b) or 3D(2)(a) of the Immigration Act 1971 (c. 77) (extension pending appeal), the Secretary of State may decide that the person is to be removed from the United Kingdom, in accordance with directions to be given by an immigration officer if and when the leave ends.
- (2) Directions under this section may impose any requirements of a kind prescribed for the purpose of section 10 of the Immigration and Asylum Act 1999 (c. 33) (removal of persons unlawfully in United Kingdom).
- (3) In relation to directions under this section, paragraphs 10, 11, 16 to 18, 21 and 22 to 24 of Schedule 2 to the Immigration Act 1971 (administrative provisions as to control of entry) apply as they apply in relation to directions under paragraph 8 of that Schedule.
- (4) The costs of complying with a direction given under this section (so far as reasonably incurred) must be met by the Secretary of State.
- (5) A person shall not be liable to removal from the United Kingdom under this section at a time when section 7(1)(b) of the Immigration Act 1971 (Commonwealth and Irish citizens ordinarily resident in United Kingdom) would prevent a decision to deport him.
- (6) In section 82(2) of the Nationality, Immigration and Asylum Act 2002 (c. 41) (right of appeal: general) after paragraph (h) insert—
 - “(ha) a decision that a person is to be removed from the United Kingdom by way of directions under section 47 of the Immigration, Asylum and Nationality Act 2006 (removal: persons with statutorily extended leave).”.

Status: This is the original version (as it was originally enacted).

- (7) In section 92(2) of that Act (appeal from within United Kingdom) after “(f)” insert “, (ha)”.
- (8) In section 94(1A) of that Act (appeal from within United Kingdom: unfounded claim) for “or (e)” substitute “(e) or (ha)”.