



Criminal Justice and Immigration Act 2008

2008 CHAPTER 4

PART 10

SPECIAL IMMIGRATION STATUS

135 Support: supplemental

- (1) A reference in an enactment to Part VI of the 1999 Act or to a provision of that Part includes a reference to that Part or provision as applied by section 134 above; and for that purpose—
 - (a) a reference to section 96 shall be treated as including a reference to section 134(3) above,
 - (b) a reference to a provision of section 96 shall be treated as including a reference to the corresponding provision of section 134(3), and
 - (c) a reference to asylum-seekers shall be treated as including a reference to designated persons.
- (2) A provision of Part VI of the 1999 Act which requires or permits the Secretary of State to have regard to the temporary nature of support shall be treated, in the application of Part VI by virtue of section 134 above, as requiring the Secretary of State to have regard to the nature and circumstances of support by virtue of that section.
- (3) Rules under section 104 of the 1999 Act (appeals) shall have effect for the purposes of Part VI of that Act as it applies by virtue of section 134 above.
- (4) Any other instrument under Part VI of the 1999 Act—
 - (a) may make provision in respect of that Part as it applies by virtue of section 134 above, as it applies otherwise than by virtue of that section, or both, and
 - (b) may make different provision for that Part as it applies by virtue of section 134 above and as it applies otherwise than by virtue of that section.

Status: This is the original version (as it was originally enacted).

- (5) In the application of paragraph 9 of Schedule 8 to the 1999 Act (regulations: notice to quit accommodation) the reference in paragraph (2)(b) to the determination of a claim for asylum shall be treated as a reference to ceasing to be a designated person.
- (6) The Secretary of State may by order repeal, modify or disapply (to any extent) section 134(4).
- (7) An order under section 10 of the Human Rights Act 1998 (c. 42) (power to remedy incompatibility) which amends a provision mentioned in subsection (6) of section 134 above may amend or repeal that subsection.