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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is the first commencement order made under the Crime and Courts Act 2013 (“the Act”). Article 2 brings into force on 8th May 2013 the specified order making powers, the interpretation provisions in Part 1 and section 51 of the Crime and Courts Act 2013. Section 51 makes some technical amendments to the immigration appeals provisions in the Nationality, Immigration and Asylum Act 2002 (“the 2002 Act”), and amends section 47 of the Immigration, Asylum and Nationality Act 2006 to facilitate combined appeals.

Article 3 brings into force on 27th May 2013 the further specified provisions of Part 1 of the Act. These provisions include those enabling the National Crime Agency to be formed, the Director General to be appointed by the Secretary of State, the annual plan to be issued and for consultation to take place on the Framework Document. These provisions also provide for the National Crime Agency to be exempt from the Freedom of Information Act 2000.

Article 4 brings into force on 25th June 2013 the further specified provisions in the Act. These provisions include sections 52 and 53, which remove a full right of appeal against refusal of entry clearance for family visitors and an in-country right of appeal against an application to vary leave under section 82(2)(e) of the 2002 Act if the Secretary of State certifies the decision on the grounds that it is non-conducive to the public good. It also commences section 54, which enables the Secretary of State to certify that the removal of an appellant pending the outcome of the appellant’s appeal in respect of a deportation order would not breach the appellant’s human rights. Some of the provisions in section 55 and Schedule 21 of the Act are also being brought into force on this date, which provide immigration officers with powers in relation to criminal investigations and ensure that persons who are detained in Scotland on suspicion of having committed immigration or nationality offences have the right to free legal assistance.