
STATUTORY INSTRUMENTS

2018 No. 66

The Magistrates' Courts (Immigration Act 2014) (Freezing Orders) Rules 2018

Application for a freezing order

- 3.—(1) An application for a freezing order under section 40D of the 2014 Act must—
- (a) state the name, date of birth and address of the respondent;
 - (b) explain why the respondent has been determined to be a disqualified person;
 - (c) specify the account in respect of which the freezing order is sought;
 - (d) explain the connection of the respondent to the specified account;
 - (e) identify any other persons by or for whom the specified account is operated and explain the connection of any person so identified to the specified account;
 - (f) state whether the Secretary of State considers that the order sought should, if made, be made subject to any exceptions, and if so, specify those exceptions.
- (2) If the application is made without notice pursuant to section 40D(5) of the 2014 Act, the application must also state the reasons why it is necessary for the application to be made without notice having been given.
- (3) If the application is made on notice—
- (a) a copy must be given by the Secretary of State to the respondent and to any persons within paragraph (1)(e);
 - (b) the Secretary of State must confirm in writing to the court that this has been done and provide to the court details of the address or addresses of each person to whom a copy of the application has been given; and
 - (c) notice of the date of the hearing must be given by the court to the Secretary of State and to each person to whom a copy of the application has been given.
- (4) Notice of any order made, and a copy of the order, must be given by the Secretary of State, as soon as reasonably practicable after the making of the order, to the respondent and any person within paragraph (1)(e).