

2023 No. 1008

IMMIGRATION

The Immigration (Notices) (Amendment) Regulations 2023

Made - - - - *14th September 2023*

Laid before Parliament *18th September 2023*

Coming into force - - *9th October 2023*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 105 and 112(3) of the Nationality, Immigration and Asylum Act 2002(a).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Immigration (Notices) (Amendment) Regulations 2023 and come into force on 9th October 2023.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendment of the Immigration (Notices) Regulations 2003

2. In regulation 7 of the Immigration (Notices) Regulations 2003(b) (service of notice), after paragraph (1) insert—

“(1A) A notice which has been uploaded to the electronic portal is deemed to have been sent electronically for the purposes of paragraph (1)(d).

(1B) Where the notice is uploaded to the electronic portal, the notice shall be deemed to have been received on the day on which the person who is the subject of the decision or a representative receives electronically a notification that the notice has been so uploaded.

(1C) In paragraphs (1A) and (1B), “electronic portal” means the online facility provided by the Home Office for the purpose of giving notices under this regulation.”.

14th September 2023

Chris Philp
Minister of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations amends the Immigration (Notices) Regulations 2003 (S.I. 2003/658) to clarify that notices required to be given under regulation 4 of those Regulations and

(a) 2002 c.41. Section 105 is amended by paragraph 48 of Schedule 9 to the Immigration Act 2014 (c. 22). Section 112(3) is amended by S.I. 2010/21.

(b) S.I. 2003/658. Regulation 7 is amended by S.I. 2008/684, 2013/793 and 2014/2768.

which are sent electronically under regulation 7 of those Regulations, include those notices which are uploaded to the electronic portal set up for that purpose by the Home Office. They also provide as to when notices which are so uploaded are deemed to have been received.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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£5.78

<http://www.legislation.gov.uk/id/uksi/2023/1008>

ISBN 978-0-34-825179-1



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