

*Status: This version of this provision is prospective.*

*Changes to legislation: Criminal Justice and Immigration Act 2008, Section 135 is up to date with all changes known to be in force on or before 11 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*



# Criminal Justice and Immigration Act 2008

## 2008 CHAPTER 4

### PART 10

#### SPECIAL IMMIGRATION STATUS

PROSPECTIVE

#### 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.
- <sup>F1</sup>(3) .....
- (4) Any <sup>F2</sup>... 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.

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(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).

<sup>F3</sup>(7) .....

**Textual Amendments**

- F1** S. 135(3) omitted (1.6.2009) by virtue of [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 288(a)** (with Sch. 5)
- F2** Word in s. 135(4) omitted (1.6.2009) by virtue of [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 288(b)** (with Sch. 5)
- F3** S. 135(7) repealed (2.3.2009) by [Housing and Regeneration Act 2008 \(c. 17\)](#), s. 325(1), Sch. 15 para. 25, **Sch. 16**; S.I. 2009/415, art. 4(a)

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**Changes and effects yet to be applied to :**

- s. 135(5) words substituted by [2016 c. 19 Sch. 11 para. 4\(e\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)