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STATUTORY INSTRUMENTS

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**2006 No. 2226**

The Immigration, Asylum and Nationality  
Act 2006 (Commencement No. 2) Order 2006

**Citation and interpretation**

1. This Order may be cited as the Immigration, Asylum and Nationality Act 2006 (Commencement No. 2) Order 2006.

2. In this Order, “the Act” means the Immigration, Asylum and Nationality Act 2006.

**Commencement**

3. Subject to article 4, the provisions of the Act specified in Schedule 1 to this Order shall come into force on 31st August 2006.

**Transitional provisions**

4.—(1) Sections 1 to 3 and section 5 of the Act shall apply only in respect of a decision made on or after 31st August 2006.

(2) The substitution of section 89 of the Nationality, Immigration and Asylum Act 2002<sup>(1)</sup> by section 6 of the Act shall not have effect in relation to a decision made before 31st August 2006.

(3) Section 3C of the Immigration Act 1971<sup>(2)</sup> (continuation of leave to enter or remain pending variation decision), as amended by section 11(1) to (4) of the Act, shall apply in relation to an application made before 31st August 2006, in respect of which no decision has been made before 31st August 2006, as it applies to such an application made on or after 31st August 2006.

(4) Section 3D of the Immigration Act 1971 (continuation of leave following revocation), as inserted by section 11(5) of the Act, shall apply only in relation to a decision made on or after 31st August 2006.

(5) Notwithstanding its repeal by sections 11(6) and 61 of the Act, section 82(3) of the Nationality, Immigration and Asylum Act 2002 shall continue to have effect in relation to a decision made before 31st August 2006.

(6) Where, immediately before 31st August 2006, a passport or other document produced or found in accordance with paragraph 4 of Schedule 2 to the Immigration Act 1971 is being examined or detained by an immigration officer under paragraph 4(2A) or paragraph 4(4) of that Schedule, paragraph 4(4) as substituted by section 27 of the Act shall apply to the examination or detention of those documents on or after 31st August 2006 as if it had been in force on the date on which the passport or other document was produced or found, and paragraph 4(2A) shall cease to have effect.

(7) Paragraph 4(5) of Schedule 2 to the Immigration Act 1971 as substituted by section 27 of the Act shall apply only where the examination under paragraph 2, 2A or 3 of that Schedule begins on or after 31st August 2006.

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(1) 2002 c. 41.

(2) 1971 c. 77.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(8) A certificate issued under section 33 of the Anti-terrorism, Crime and Security Act 2001<sup>(3)</sup> shall for the purpose of legal proceedings before the Special Immigration Appeals Commission be deemed to have been made under section 55 of the Act.

Home Office  
13th August 2006

*Scotland of Asthal*, Q.C.  
Minister of State

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<sup>(3)</sup> 2001 c.24.