



Nationality, Immigration and Asylum Act 2002

2002 CHAPTER 41

PART 8

GENERAL

162 Commencement

- (1) Subject to subsections (2) to (5), the preceding provisions of this Act shall come into force in accordance with provision made by the Secretary of State by order.
- (2) The following provisions shall come into force on the passing of this Act—
 - (a) section 6,
 - (b) section 7,
 - (c) section 10(1) to (4) and (6),
 - (d) section 11,
 - (e) section 15 (and Schedule 2),
 - (f) section 16,
 - (g) section 35(1)(h),
 - (h) section 38,
 - (i) section 40(1),
 - (j) section 41(1),
 - (k) section 42,
 - (l) section 43,
 - (m) section 48,
 - (n) section 49,
 - (o) section 50,
 - (p) section 56,
 - (q) section 58,
 - (r) section 59,

Changes to legislation: Nationality, Immigration and Asylum Act 2002, Section 162 is up to date with all changes known to be in force on or before 05 April 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

- (s) section 61,
 - (t) section 67,
 - (u) section 69,
 - (v) section 70,
 - (w) section 115 and paragraph 29 of Schedule 7 (and the relevant entry in Schedule 9),
 - (x) section 157, and
 - (y) section 160.
- (3) Section 5 shall have effect in relation to—
- (a) an application made after the passing of this Act, and
 - (b) an application made, but not determined, before the passing of this Act.
- (4) Section 8 shall have effect in relation to—
- (a) an application made on or after a date appointed by the Secretary of State by order, and
 - (b) an application made, but not determined, before that date.
- (5) Section 9 shall have effect in relation to a child born on or after a date appointed by the Secretary of State by order.
- (6) An order under subsection (1) may—
- (a) make provision generally or for a specified purpose only (which may include the purpose of the application of a provision to or in relation to a particular place or area);
 - (b) make different provision for different purposes;
 - (c) include transitional provision;
 - (d) include savings;
 - (e) include consequential provision;
 - (f) include incidental provision.
- (7) An order under this section must be made by statutory instrument.

Subordinate Legislation Made

- P1** S. 162(1)(6) power partly exercised: different dates appointed for specified provisions by [S.I. 2002/2811](#), art. 2, **Sch.**; different dates appointed for specified provisions and purposes by [S.I. 2003/1](#), art. 2, Sch; 10.2.2003 for specified provisions and purposes by [S.I. 2003/249](#), art. 2, Sch.; different dates appointed for specified provisions and purposes by [S.I. 2003/754](#), art. 2, Sch. 1 (as amended by [S.I. 2003/1040](#), [S.I. 2003/1339](#) and [S.I. 2003/2993](#)); 8.4.2003 by [S.I. 2003/1040](#), art. 1; 9.6.2003 by [S.I. 2003/1339](#), art. 2; 19.11.2003 by [S.I. 2003/2993](#), art. 2; 1.1.2004 for specified provisions by [S.I. 2003/3156](#), art. 2 (with arts. 3, 4); 1.5.2004 for specified provision by [S.I. 2004/1201](#), art. 2; different dates appointed for specified provisions by [S.I. 2004/1707](#), arts. 2, 3; 10.12.2004 for specified provision by [S.I. 2004/2998](#), art. 2; 1.11.2005 for specified provision by [S.I. 2005/2782](#), {art. 3(1)} (subject to art. 3(2))
- P2** S. 162(1) power exercised: 30.7.2003 appointed for specified provisions by [S.I. 2003/1747](#), art. 2; 21.12.2006 appointed for specified provision by [S.I. 2006/3144](#), art. 2
- P3** S. 162(1)(5) power exercised: different dates appointed for specified provisions and purposes by [S.I. 2006/1498](#), arts. 2, 3
- P4** S. 162(4) power fully exercised: 1.4.2003 appointed by [S.I. 2003/754](#), art. 2(2)

Changes to legislation:

Nationality, Immigration and Asylum Act 2002, Section 162 is up to date with all changes known to be in force on or before 05 April 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.

[View outstanding changes](#)

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

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

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

- s. 18(1)(1A) substituted for s. 18(1) by [2016 c. 19 Sch. 11 para. 31\(2\)](#)
- s. 22A inserted by [2022 c. 36 s. 13\(7\)](#)
- s. 27(ba) inserted by [2022 c. 36 s. 13\(10\)](#)
- s. 51(2)(d) and word inserted by [2016 c. 19 Sch. 11 para. 26\(6\)](#)
- s. 55(2)(aa) inserted by [2016 c. 19 Sch. 11 para. 26\(7\)](#)
- s. 62(3A) inserted by [2023 c. 37 s. 11\(8\)](#)
- s. 80A(5A) inserted by [2023 c. 37 s. 10\(8\)](#)
- s. 82A inserted by [2022 c. 36 s. 23\(1\)](#)
- s. 94(6B) inserted by [2006 c. 13 s. 13](#)
- s. 106(2)(ua) inserted by [2007 c. 30 s. 19\(3\)](#)
- s. 107(2A) inserted by [2022 c. 36 Sch. 3 para. 5\(a\)](#)
- s. 126(2A) inserted by [S.I. 2019/745 reg. 12\(3\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). [Reg. 12\(2\)\(3\)](#) omitted immediately before IP completion day by virtue of [S.I. 2020/1309](#), regs. 1(2)(a), 48)
- [Sch. 3 para. 1\(1\)\(ga\)](#) inserted by [2016 c. 19 Sch. 12 para. 2\(2\)](#) (This Act is amended by [S.I. 2020/1309](#), [Sch. 1 para. 3\(a\)](#))
- [Sch. 3 para. 1\(2A\)](#) inserted by [2016 c. 19 Sch. 12 para. 2\(4\)](#) (This Act is amended by [S.I. 2020/1309](#), [Sch. 1 para. 3\(b\)](#))
- [Sch. 3 para. 1A](#) inserted by [2016 c. 19 Sch. 12 para. 3](#)
- [Sch. 3 para. 2\(1\)\(ca\)](#) inserted by [2016 c. 19 Sch. 12 para. 4\(3\)](#)
- [Sch. 3 para. 2A](#) inserted by [2016 c. 19 Sch. 12 para. 5](#)
- [Sch. 3 para. 3A-3C](#) inserted by [2016 c. 19 Sch. 12 para. 6](#)
- [Sch. 3 para. 7B7C](#) and cross-headings inserted by [2016 c. 19 Sch. 12 para. 9](#)
- [Sch. 3 para. 10A10B](#) inserted by [2016 c. 19 Sch. 12 para. 10](#) (This Act is amended by [S.I. 2020/1309](#), [Sch. 1 para. 3\(c\)](#))
- [Sch. 3 para. 15\(aa\)](#) inserted by [2016 c. 19 Sch. 12 para. 14\(2\)](#)
- [Sch. 3 para. 15\(d\)-\(f\)](#) inserted by [2016 c. 19 Sch. 12 para. 14\(4\)](#)
- [Sch. 3 para. 7C\(1\)\(c\)](#) word substituted by [S.I. 2019/745 reg. 12\(5\)\(d\)](#) (This amendment not applied to [legislation.gov.uk](#). [Reg. 12\(5\)\(a\)\(c\)\(d\)](#) omitted immediately before IP completion day by virtue of [S.I. 2020/1309](#), regs. 1(2)(a), 48)
- [Sch. 5 para. 3\(1\)](#) [Sch. 5 para. 3](#) renumbered as [Sch. 5 para. 3\(1\)](#) by [2005 c. 4 Sch. 4 para. 407\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). The "original amending provision" is already fully in force, see [Sch. 4 paras. 361, 407\(5\)](#))
- [Sch. 5 para. 3\(2\)-\(4\)](#) inserted by [2005 c. 4 Sch. 4 para. 407\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). The "original amending provision" is already fully in force, see [Sch. 4 paras. 361, 407\(5\)](#))
- [Sch. 5 para. 3\(1\)](#) words inserted by [2005 c. 4 Sch. 4 para. 407\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). The "original amending provision" is already fully in force, see [Sch. 4 paras. 361, 407\(5\)](#))