



# UK Borders Act 2007

## 2007 CHAPTER 30

### *Deportation of criminals*

#### **32 Automatic deportation**

- (1) In this section “foreign criminal” means a person—
  - (a) who is not a British citizen [<sup>F1</sup>or an Irish citizen],
  - (b) who is convicted in the United Kingdom of an offence, and
  - (c) to whom Condition 1 or 2 applies.
- (2) Condition 1 is that the person is sentenced to a period of imprisonment of at least 12 months.
- (3) Condition 2 is that—
  - (a) the offence is specified by order of the Secretary of State under section 72(4) (a) of the Nationality, Immigration and Asylum Act 2002 (c. 41) (serious criminal), and
  - (b) the person is sentenced to a period of imprisonment.
- (4) For the purpose of section 3(5)(a) of the Immigration Act 1971 (c. 77), the deportation of a foreign criminal is conducive to the public good.
- (5) The Secretary of State must make a deportation order in respect of a foreign criminal (subject to section 33).
- (6) The Secretary of State may not revoke a deportation order made in accordance with subsection (5) unless—
  - (a) he thinks that an exception under section 33 applies,
  - (b) the application for revocation is made while the foreign criminal is outside the United Kingdom, or
  - (c) section 34(4) applies.
- (7) Subsection (5) does not create a private right of action in respect of consequences of non-compliance by the Secretary of State.

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*Changes to legislation: There are currently no known outstanding effects for the UK Borders Act 2007, Section 32. (See end of Document for details)*

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#### **Textual Amendments**

- F1** Words in s. 32(1)(a) inserted (31.12.2020) by [The Immigration, Nationality and Asylum \(EU Exit\) Regulations 2019 \(S.I. 2019/745\)](#), regs. 1(2), **17(2)**; 2020 c. 1, Sch. 5 para. 1(1)
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#### **Commencement Information**

- I1** S. 32 in force at 1.8.2008 for specified purposes by [S.I. 2008/1818](#), art. 2(a), **Sch.** (with art. 3)

**Changes to legislation:**

There are currently no known outstanding effects for the UK Borders Act 2007, Section 32.