

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

**Changes to legislation:** *Criminal Justice and Immigration Act 2008, Section 136 is up to date with all changes known to be in force on or before 20 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*



# Criminal Justice and Immigration Act 2008

## 2008 CHAPTER 4

### PART 10

#### SPECIAL IMMIGRATION STATUS

PROSPECTIVE

#### 136 End of designation

- (1) Designation lapses if the designated person—
  - (a) is granted leave to enter or remain in the United Kingdom,
  - <sup>F1</sup>(b) .....
  - (c) leaves the United Kingdom, or
  - (d) is made the subject of a deportation order under section 5 of the Immigration Act 1971 (c. 77).
- (2) After designation lapses support may not be provided by virtue of section 134, subject to the following exceptions.
- (3) Exception 1 is that, if designation lapses under subsection (1)(a) <sup>F2</sup> ..., support may be provided in respect of a period which—
  - (a) begins when the designation lapses, and
  - (b) ends on a date determined in accordance with an order of the Secretary of State.
- (4) Exception 2 is that, if designation lapses under subsection (1)(d), support may be provided in respect of—
  - (a) any period during which an appeal against the deportation order may be brought (ignoring any possibility of an appeal out of time with permission),

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- (b) any period during which an appeal against the deportation order is pending, and
- (c) after an appeal ceases to be pending, such period as the Secretary of State may specify by order.

#### Textual Amendments

- F1** S. 136(1)(b) omitted (31.12.2020) by virtue of The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020 (S.I. 2020/1309), regs. 1(2), **18(3)(a)**
- F2** Words in s. 136(3) omitted (31.12.2020) by virtue of The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020 (S.I. 2020/1309), regs. 1(2), **18(3)(b)**

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

- s. 136(1)(b) words substituted by [S.I. 2019/745 reg. 18\(3\)](#) (This amendment not applied to legislation.gov.uk. Reg. 18 omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)

**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\(3\)](#)