

Changes to legislation: Immigration Act 2014, PART 1 is up to date with all changes known to be in force on or before 04 March 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

SCHEDULES

SCHEDULE 9

TRANSITIONAL AND CONSEQUENTIAL PROVISION

Modifications etc. (not altering text)

- C1** Sch. 9 extended (with modifications) to Guernsey (coming into force in accordance with art. 1 of the amending S.I.) by [The Immigration \(Guernsey\) Order 2015 \(S.I. 2015/1533\)](#), arts. 1, 5, **Sch. 2** (with art. 6)
- C1** Sch. 9 extended in part (with modifications) to Jersey (coming into force in accordance with art. 1(1) of the amending S.I.) by [The Immigration \(Jersey\) Order 2015 \(S.I. 2015/1532\)](#), arts. 1(1), 2(2), **Sch. 2** (with art. 2(3))

PART 1

PROVISION RELATING TO REMOVAL

Immigration Act 1971 (c. 77)

- 1 In Schedule 2 to the Immigration Act 1971 (administrative provisions as to control on entry etc), in paragraph 11, after “immigration officer” insert “ or the Secretary of State ”.

Commencement Information

- I1** Sch. 9 para. 1 in force at 20.10.2014 by [S.I. 2014/2771](#), **art. 2(e)** (with arts. 9-11) (as amended (2.3.2015 and 6.4.2015) by [S.I. 2015/371](#), arts. 1(2)(3), 7, 8; and with transitional provisions and savings in [S.I. 2014/2928](#), art. 2 (which S.I. is revoked (6.4.2015) by [S.I. 2015/371](#), arts. 1(3), 9))
- I2** Sch. 9 para. 1 in force at 20.10.2014 by [S.I. 2014/2771](#), **art. 4(g)**

Special Immigration Appeals Commission Act 1997 (c. 68)

- 2 In section 2 of the Special Immigration Appeals Commission Act 1997 (jurisdiction: appeals), in subsection (2), after paragraph (c) insert—
“(ca) section 78A of that Act (restriction on removal of children and their parents),”.

Commencement Information

- I3** Sch. 9 para. 2 in force at 28.7.2014 by [S.I. 2014/1820](#), **art. 3(cc)**

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Nationality, Immigration and Asylum Act 2002 (c. 41)

- 3 (1) The Nationality, Immigration and Asylum Act 2002 is amended as follows.
- (2) In section 62 (detention by Secretary of State)—
- (a) in subsection (1)—
 - (i) in paragraph (a), after “under” insert “ section 10 of the Immigration and Asylum Act 1999 (removal of persons unlawfully in the United Kingdom) or ”;
 - (ii) in paragraph (b), for “paragraphs” substitute “ provisions ”;
 - (b) in subsection (2), for “that Act” substitute “ the Immigration Act 1971 ”;
 - (c) omit subsections (5) and (6).
- (3) In section 76 (revocation of leave to enter or remain)—
- (a) in subsection (2), omit paragraphs (b) and (c);
 - (b) in subsection (4), omit the definition of “removed”.

Commencement Information

- I4** Sch. 9 para. 3 in force at 20.10.2014 by [S.I. 2014/2771](#), **art. 2(e)** (with [arts. 9-11](#)) (as amended (2.3.2015 and 6.4.2015) by [S.I. 2015/371](#), arts. 1(2)(3), 7, 8; and with transitional provisions and savings in [S.I. 2014/2928](#), art. 2 (which S.I. is revoked (6.4.2015) by [S.I. 2015/371](#), arts. 1(3), 9))

Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (c.19)

- 4 In section 8(7) of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (claimant's credibility; definitions), in paragraph (d) of the definition of “immigration decision”, omit “(1)(a), (b), (ba) or (c)”.

Commencement Information

- I5** Sch. 9 para. 4 in force at 20.10.2014 by [S.I. 2014/2771](#), **art. 2(e)** (with [arts. 9-11](#)) (as amended (2.3.2015 and 6.4.2015) by [S.I. 2015/371](#), arts. 1(2)(3), 7, 8; and with transitional provisions and savings in [S.I. 2014/2928](#), art. 2 (which S.I. is revoked (6.4.2015) by [S.I. 2015/371](#), arts. 1(3), 9))

Immigration, Asylum and Nationality Act 2006 (c. 13)

- 5 In the Immigration, Asylum and Nationality Act 2006, section 47 (removal of persons with statutorily extended leave) is repealed.

Commencement Information

- I6** Sch. 9 para. 5 in force at 20.10.2014 by [S.I. 2014/2771](#), **art. 2(e)** (with [arts. 9-11](#)) (as amended (2.3.2015 and 6.4.2015) by [S.I. 2015/371](#), arts. 1(2)(3), 7, 8; and with transitional provisions and savings in [S.I. 2014/2928](#), art. 2 (which S.I. is revoked (6.4.2015) by [S.I. 2015/371](#), arts. 1(3), 9))

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Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)

- 6 In Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (civil legal services), in paragraph 19(10), in the definition of “removal directions”, omit paragraph (e).

Commencement Information

- I7** Sch. 9 para. 6 in force at 20.10.2014 by [S.I. 2014/2771](#), **art. 2(e)** (with [arts. 9-11](#)) (as amended (2.3.2015 and 6.4.2015) by [S.I. 2015/371](#), arts. 1(2)(3), 7, 8; and with transitional provisions and savings in [S.I. 2014/2928](#), art. 2 (which S.I. is revoked (6.4.2015) by [S.I. 2015/371](#), arts. 1(3), 9))

Consequential repeals

- 7 The provisions shown in the table below are repealed in consequence of the amendments made by section 1 and this Part of this Schedule.

<i>Title</i>	<i>Extent of repeal</i>
Nationality, Immigration and Asylum Act 2002	Section 73(2) to (4). Section 74. Section 75(4). Section 76(7).
Immigration, Asylum and Nationality Act 2006	Section 48.
Crime and Courts Act 2013	Section 51(3).
Immigration Act 2014	In Schedule 1, paragraph 2(3) and (4).

Commencement Information

- I8** Sch. 9 para. 7 in force at 20.10.2014 by [S.I. 2014/2771](#), **art. 2(e)** (with [arts. 9-11](#)) (as amended (2.3.2015 and 6.4.2015) by [S.I. 2015/371](#), arts. 1(2)(3), 7, 8; and with transitional provisions and savings in [S.I. 2014/2928](#), art. 2 (which S.I. is revoked (6.4.2015) by [S.I. 2015/371](#), arts. 1(3), 9))

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2014/2771 by [S.I. 2015/371 art. 78](#)
- specified provision(s) savings for earlier commencing SI 2014/2771 by [S.I. 2014/2928 art. 2](#) (Amendment already reflected in Appended Commentary in EXTOES for 2014 SI2771.)

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):

- s. 21(4A) inserted by [S.I. 2019/745 reg. 21\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(2)(3) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- s. 27(7) inserted by [S.I. 2019/745 reg. 21\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(2)(3) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- s. 70A(6A) inserted by [S.I. 2019/745 reg. 21\(7\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(7) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- Sch. 3 para. 8A inserted by [2016 c. 19 Sch. 12 para. 16](#)