



Immigration Act 2016

2016 CHAPTER 19

PART 1

LABOUR MARKET AND ILLEGAL WORKING

CHAPTER 1

LABOUR MARKET

Supplementary provision

31 Consequential and related amendments

Schedule 3 (consequential and related amendments) has effect.

32 Regulations under Chapter 1

- (1) Regulations under section 3 or 14 must not prescribe a requirement, function or offence if provision imposing the requirement, conferring the function or creating the offence falls within subsection (3).
- (2) Regulations under section 11 must not confer a function if provision doing so falls within subsection (3).
- (3) Provision falls within this subsection if—
 - (a) it would be within the legislative competence of the Scottish Parliament if contained in an Act of that Parliament,
 - (b) it would be within the legislative competence of the National Assembly for Wales if contained in an Act of that Assembly, or
 - (c) it would be within the legislative competence of the Northern Ireland Assembly if contained in an Act of that Assembly made without the consent of the Secretary of State.

Status: This is the original version (as it was originally enacted).

- (4) Regulations under section 3, 11 or 14 may make such provision amending, repealing or revoking any provision of any enactment, including this Chapter, as the Secretary of State considers appropriate in consequence of the regulations.

33 Interpretation of Chapter 1

In this Chapter—

“the Director” has the meaning given by section 1;

“enactment” includes—

- (a) an enactment contained in subordinate legislation within the meaning of the Interpretation Act 1978;
- (b) an enactment contained in, or in an instrument made under, an Act of the Scottish Parliament;
- (c) an enactment contained in, or in an instrument made under, a Measure or Act of the National Assembly for Wales;
- (d) an enactment contained in, or in an instrument made under, Northern Ireland legislation;

“enforcing authority” has the meaning given by section 14;

“financial year” means a period of 12 months ending with 31 March;

“HMRC Commissioners” means the Commissioners for Her Majesty’s Revenue and Customs;

“labour market enforcement functions” has the meaning given by section 3;

“LME order” has the meaning given by section 18;

“LME undertaking” has the meaning given by section 14;

“non-compliance in the labour market” has the meaning given by section 3;

“the respondent” has the meaning given by section 18;

“strategy” has the meaning given by section 2;

“subject” has the meaning given by section 14;

“trigger offence” has the meaning given by section 14.