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STATUTORY INSTRUMENTS

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**2002 No. 2811**

**The Nationality, Immigration and Asylum  
Act 2002 (Commencement No. 1) Order 2002**

**Citation and interpretation**

1.—(1) This Order may be cited as the Nationality, Immigration and Asylum Act 2002 (Commencement No. 1) Order 2002.

(2) In this Order, “the 1999 Act” means the Immigration and Asylum Act 1999(1) and “the 2002 Act” means the Nationality, Immigration and Asylum Act 2002.

**Commencement**

2. The provisions of the 2002 Act specified in column 1 of the Schedule to this Order shall come into force on the date specified in column 2 of that Schedule but where a particular purpose is specified in relation to any such provision in column 3 of that Schedule, the provision concerned shall come into force on that date only for that purpose.

**Transitional provision**

3. Until Part V of the 2002 Act (immigration and asylum appeals) comes into force, the substitution of section 11 of the 1999 Act (removal of asylum claimants under standing arrangements with member states) by section 80 of the 2002 Act (removal of asylum-seeker to third country) shall take effect as if subsections (2) to (4) of section 11, as substituted, were not in force, and subsections (2) and (3) of section 11, as they were before the substitution, continued in force.

4. The amendments of the 1999 Act made by paragraphs 1 to 12, and 15 to 17 of Schedule 8 to the 2002 Act (carriers' liability) shall not apply in respect of a penalty notice (within the meaning of section 35(2) of the 1999 Act) which was issued to a person before the commencement of those paragraphs.

5. The amendment of the 1999 Act made by section 140(1) of the 2002 Act (Immigration Services Commissioner) shall not apply in respect of an investigation begun by the Commissioner under paragraph 5 (5) of Schedule 5 to the 1999 Act before the commencement of the said section 140(1).

6. Until section 134 of the 2002 Act (employer) comes into force, the insertion by section 154 of the 2002 Act (power to search for evidence) of section 28FB in the Immigration Act 1971(2) (search for personnel records: with warrant) shall take effect as if the said section 28FB were not yet in force.

Home Office  
13th November 2002

*Filkin*  
Parliamentary Under-Secretary of State

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(1) 1999 c. 33.  
(2) 1971 c. 77.