

**2007 No. 845 (C. 33)**

**IMMIGRATION, NORTHERN IRELAND**

**The Asylum and Immigration (Treatment of Claimants, etc.) Act  
2004 (Commencement No. 1) (Northern Ireland) Order 2007**

*Made* - - - -

*9th March 2007*

The Lord Chancellor makes the following Order in exercise of the powers conferred upon him by section 48(3)(a) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004<sup>(a)</sup>:

1. This Order may be cited as the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (Commencement No. 1) (Northern Ireland) Order 2007.

2. The insertion of section 103D into the Nationality, Immigration and Asylum Act 2002<sup>(b)</sup>, made by section 26(6) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, shall come into force in Northern Ireland on 30 April 2007.

Signed by authority of the Lord Chancellor

9th March 2007

*Bridget Prentice,*  
Parliamentary Under-Secretary of State,  
Department for Constitutional Affairs

---

(a) 2004 c. 19.  
(b) 2002 c. 41.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Section 26(6) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 inserted section 103D into the Nationality, Immigration and Asylum Act 2002. That insertion was commenced in England and Wales on 4th April 2005. This Order now commences the insertion in Northern Ireland.

The note below sets out those provisions in the 2004 Act which have previously been commenced in the United Kingdom, including Northern Ireland.

### NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (assisting unlawful immigration)	1st October 2004	2004/2523
Section 3 (immigration documents: forgery)	1st October 2004	2004/2999
Section 4 (trafficking people for exploitation)	1st December 2004	2004/2999
Section 5 (section 4: supplemental)	1st December 2004	2004/2999
Section 6 (employment)	1st October 2004	2004/2523
Section 7 (advice of Director of Public Prosecutions)	1st December 2004	2004/2999
Section 8(7), (10) and (11) (claimant's credibility) (for the purpose of enabling the Secretary of State to exercise the power to make subordinate legislation under section 8(7))	1st October 2004	2004/2523
Section 8, insofar as it was not already in force	1st January 2005	2004/3398
Section 9 (failed asylum seekers: withdrawal of support)	1st December 2004	2004/2999
Section 10(1), (2), (6) and (7) (failed asylum seekers: accommodation)	1st December 2004	2004/2999
Section 10(3), (4) and (5) (failed asylum seekers: accommodation)	31st March 2005	2005/372
Section 11 (accommodation for asylum seekers: local connection)	4th January 2005	2004/2999
Section 13 (integration loan for refugees)	29th June 2006	2006/1517
Section 14 (immigration officer: power of arrest)	1st December 2004	2004/2999
Section 15 (fingerprinting)	1st October 2004	2004/2523
Section 17 (retention of documents)	1st December 2004	2004/2999
Section 18 (control of entry)	1st October 2004	2004/2523
Section 19(2) and (3) (England and Wales) and section 20(3) and (4) (England and Wales: supplemental) (for the purpose of enabling the Secretary of State to exercise the powers to make subordinate legislation under section 19(2)(a) and (3)(c))	1st December 2004	2004/2999
Section 19(4) (for the purpose of enabling the Registrar General to issue guidance under section 19(4)(d))	1st December 2004	2004/2999

Sections 19 to 24, insofar as they were not already in force	1st February 2005	2004/3398
Section 21(2) and (3) (Scotland) and section 22(2) and (3) (Scotland: supplemental) (for the purpose of enabling the Secretary of State to exercise the powers to make subordinate legislation under section 21(2)(a) and (3)(c))	1st December 2004	2004/2999
Section 21(5) (Scotland) (for the purpose of enabling the Secretary of State to issue guidance under section 21(5) and to consult with the Registrar General for Scotland for that purpose)	1st December 2004	2004/2999
Section 23(2) and (3) (Northern Ireland) and section 24(2) and (4) (Northern Ireland: supplemental) (for the purpose of enabling the Secretary of State to exercise the powers to make subordinate legislation under section 23(2)(a) and (b) and (3)(c))	1st December 2004	2004/2999
Section 23(6) (Northern Ireland) (for the purpose of enabling the Secretary of State to issue guidance under section 23(6)(d) and to consult with the Registrar General for Northern Ireland for that purpose)	1st December 2004	2004/2999
Section 25 (application for permission under section 19(3)(b), 21(3)(b) or 23(3)(b))	1st December 2004	2004/2999
Section 26 (unification of appeal system) and Schedules 1 (new Schedule 4 to the Nationality, Immigration and Asylum Act 2002) and 2 (Asylum and Immigration Tribunal: consequential amendments and transitional provision) except that the insertion of section 103D into the Nationality, Immigration and Asylum Act 2002 by section 26(6) did not come into force in Northern Ireland	4th April 2005	2005/565
Section 27 (unfounded human rights or asylum claim)	1st October 2004	2004/2523
Section 28 (appeal from within the United Kingdom)	1st October 2004	2004/2523
Section 29 (entry clearance)	1st October 2004	2004/2523
Section 30 (earlier right of appeal)	1st October 2004	2004/2523
Section 31 (seamen and aircrews: right of appeal)	1st October 2004	2004/2523
Section 33 (removing asylum seeker to safe country) and Schedule 3 (removal of asylum seeker to safe country)	1st October 2004	2004/2523
Section 34 (detention pending deportation)	1st October 2004	2004/2523
Section 36 (electronic monitoring)	1st October 2004	2004/2523
Section 37 (provision of immigration services)	1st October 2004	2004/2523
Section 38 (Immigration Services Commissioner: power of entry)	1st October 2004	2004/2523
Section 39 (offence of advertising services)	1st October 2004	2004/2523
Section 40 (appeal to Immigration Services Tribunal)	1st October 2004	2004/2523

Section 41 (professional bodies)	1st October 2004	2004/2523
Section 42 (amount of fees)	1st October 2004	2004/2523
Section 43 (transfer of leave stamps)	1st October 2004	2004/2523
Section 44 (interpretation: “the Immigration Acts”)	1st October 2004	2004/2523
Section 45 (interpretation: immigration officer)	1st October 2004	2004/2523
Section 46 (money)	1st October 2004	2004/2523
Section 47 and Schedule 4 (repeals), the entries relating to section 8(9) of the Asylum and Immigration Act 1996, sections 11, 12, 85(1) and 87(3)(f) of the Immigration and Asylum Act 1999 and paragraph 1(1) of Schedule 6 to that Act and sections 80, 93 and 94(4)(a) to (j) of the Nationality, Immigration and Asylum Act 2002.	1st October 2004	2004/2523

**£3.00**

© Crown copyright 2007

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s Stationery Office and Queen’s Printer of Acts of Parliament.

E0465 3/2007 170465T 19585