

SCHEDULE 2

Transitional provisions

Transitional provision relating to the Immigration Act 1971

2.—(1) Section 3C of the 1971 Act (continuation of leave pending variation decision) shall apply in relation to an application made before 1st May 2008, in respect of which no decision has been made on or before 1st May 2008, as it applies to such an application made after 1st May 2008.

(2) Section 3D of the 1971 Act (continuation of leave following revocation) shall apply only in relation to a decision made on or after 1st May 2008.

(3) Section 5 of the 1971 Act (procedure for, and further provisions as to, deportation) shall continue to have effect in relation to any person on whom the Governor has, before 1st May 2008, served a notice of his decision to make a deportation order; and, for the purposes of that section, such a person shall be taken to be a person who is liable to deportation under section 3(5) of the 1971 Act.

(4) Section 13 of the 1971 Act (appeals against exclusion from the Isle of Man) shall continue to have effect where the decision to refuse leave to enter the Isle of Man, or to refuse a certificate of entitlement or an entry clearance, was made before 1st May 2008.

(5) Section 14 of the 1971 Act (appeals against conditions) shall continue to have effect where the decision to vary, or the refuse to vary, the limited leave to enter or remain was made before 1st May 2008.

(6) Section 15 of the 1971 Act (appeals in respect of deportation orders) shall continue to have effect where the decision to refuse to revoke a deportation order was made before 1st May 2008.

(7) Section 16 of the 1971 Act (appeals against validity of directions for removal) shall continue to have effect where the directions for a person's removal from the Isle of Man were given before 1st May 2008.

(8) Section 17 of the 1971 Act (appeals against removal on objection to destination) shall continue to have effect where the directions for a person's removal from the Isle of Man were given, or the notice specifying the destination of his removal was served, before 1st May 2008.

(9) Section 21 (references of cases by Governor for further consideration) shall continue to have effect where the Governor has referred a matter for consideration under that section before 1st May 2008.

(10) Where an appeal is made under Part II of the 1971 Act—

(a) paragraph 28 of Schedule 2 to the 1971 Act (stay on directions for removal) shall continue to have effect;

(b) the following provisions of the 1971 Act shall not have effect—

(i) paragraph 29(1) of Schedule 2 (grant of bail pending appeal);

(ii) paragraph 3 of Schedule 3 (effect of appeals).