



Counter-Terrorism and Security Act 2015

2015 CHAPTER 6

PART 1

TEMPORARY RESTRICTIONS ON TRAVEL

CHAPTER 2

TEMPORARY EXCLUSION FROM THE UNITED KINGDOM

Permit to return

5 Permit to return

- (1) A “permit to return” is a document giving an individual (who is subject to a temporary exclusion order) permission to return to the United Kingdom.
- (2) The permission may be made subject to a requirement that the individual comply with conditions specified in the permit to return.
- (3) The individual’s failure to comply with a specified condition has the effect of invalidating the permit to return.
- (4) A permit to return must state—
 - (a) the time at which, or period of time during which, the individual is permitted to arrive on return to the United Kingdom;
 - (b) the manner in which the individual is permitted to return to the United Kingdom; and
 - (c) the place where the individual is permitted to arrive on return to the United Kingdom.
- (5) Provision made under subsection (4)(a) or (c) may, in particular, be framed by reference to the arrival in the United Kingdom of a specific flight, sailing or other transport service.

Status: This is the original version (as it was originally enacted).

- (6) Provision made under subsection (4)(b) may, in particular, state—
- (a) a route,
 - (b) a method of transport,
 - (c) an airline, shipping line or other passenger carrier, or
 - (d) a flight, sailing or other transport service,
- which the individual is permitted to use to return to the United Kingdom.
- (7) The Secretary of State may not issue a permit to return except in accordance with section 6 or 7.
- (8) It is for the Secretary of State to decide the terms of a permit to return (but this is subject to section 6(3)).

6 Issue of permit to return: application by individual

- (1) If an individual applies to the Secretary of State for a permit to return, the Secretary of State must issue a permit within a reasonable period after the application is made.
- (2) But the Secretary of State may refuse to issue the permit if—
- (a) the Secretary of State requires the individual to attend an interview with a constable or immigration officer at a time and a place specified by the Secretary of State, and
 - (b) the individual fails to attend the interview.
- (3) Where a permit to return is issued under this section, the relevant return time must fall within a reasonable period after the application is made.
- (4) An application is not valid unless it is made in accordance with the procedure for applications specified by the Secretary of State.
- (5) In this section—
- “application” means an application made by an individual to the Secretary of State for a permit to return to be issued;
- “relevant return time” means—
- (a) the time at which the individual is permitted to arrive on return to the United Kingdom (in a case where the permit to return states such a time), or
 - (b) the start of the period of time during which the individual is permitted to arrive on return to the United Kingdom (in a case where the permit to return states such a period).

7 Issue of permit to return: deportation or urgent situation

- (1) The Secretary of State must issue a permit to return to an individual if the Secretary of State considers that the individual is to be deported to the United Kingdom.
- (2) The Secretary of State may issue a permit to return to an individual if—
- (a) the Secretary of State considers that, because of the urgency of the situation, it is expedient to issue a permit to return even though no application has been made under section 6, and
 - (b) there is no duty to issue a permit to return under subsection (1).

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

- (3) Subsection (1) or (2) applies whether or not any request has been made to issue the permit to return under that provision.

8 Permit to return: supplementary provision

- (1) The Secretary of State may vary a permit to return.
- (2) The Secretary of State may revoke a permit to return issued to an individual only if—
- (a) the permit to return has been issued under section 6 and the individual asks the Secretary of State to revoke it;
 - (b) the permit to return has been issued under section 7(1) and the Secretary of State no longer considers that the individual is to be deported to the United Kingdom;
 - (c) the permit to return has been issued under section 7(2) and the Secretary of State no longer considers that, because of the urgency of the situation, the issue of the permit to return is expedient;
 - (d) the Secretary of State issues a subsequent permit to return to the individual; or
 - (e) the Secretary of State considers that the permit to return has been obtained by misrepresentation.
- (3) The making of an application for a permit to return to be issued under section 6 (whether or not resulting in a permit to return being issued) does not prevent a subsequent application from being made.
- (4) The issuing of a permit to return (whether or not resulting in the individual's return to the United Kingdom) does not prevent a subsequent permit to return from being issued (whether or not the earlier permit is still in force).