

This draft Statutory Instrument supersedes the draft of the same title which was laid before Parliament and published on 29th January 2014 (ISBN 978-0-11-110894-9). It is being issued free of charge to all known recipients of that draft Statutory Instrument.

Draft Order laid before Parliament under section 20(2) of the Immigration, Asylum and Nationality Act 2006, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2014 No.

IMMIGRATION

The Immigration (Employment of Adults Subject to Immigration Control) (Maximum Penalty) (Amendment) Order 2014

*Made - - - - - ****

Coming into force in accordance with article 1(2)

The Secretary of State makes the following Order in exercise of the powers conferred by sections 15(2) and 20(1)(c) of the Immigration, Asylum and Nationality Act 2006⁽¹⁾.

In accordance with section 20(2) of that Act, a draft of this Order has been laid before and approved by a resolution of each House of Parliament.

Citation and commencement

1.—(1) This Order may be cited as the Immigration (Employment of Adults Subject to Immigration Control) (Maximum Penalty) (Amendment) Order 2014.

(2) This Order comes into force on 6th April 2014 if it is made before that date but, if it is made on or after that date, it comes into force on the day after the day on which it is made.

Amendment to the Immigration (Employment of Adults Subject to Immigration Control) (Maximum Penalty) Order 2008

2.—(1) In article 2 of the Immigration (Employment of Adults Subject to Immigration Control) (Maximum Penalty) Order 2008⁽²⁾ for “£10,000” substitute “£20,000”.

(2) The amendment made by paragraph (1) does not apply in respect of a penalty notice issued to an employer who has acted contrary to section 15(1) of the Immigration, Asylum and Nationality

(1) 2006 c.13. See section 25(d) for the definition of “prescribed”.

(2) S.I. 2008/132.

Act 2006 if, in respect of any employment to which the notice relates, the contravention occurred solely before the coming into force of this Order.

Date

Name
Minister of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Immigration (Employment of Adults Subject to Immigration Control) (Maximum Penalty) Order 2008 to increase the maximum penalty which may be imposed by the Secretary of State under section 15(2) of the Immigration, Asylum and Nationality Act 2006 on an employer who acts contrary to that section in the employment of an adult subject to immigration control. However, the effect of the transitional provision is that the amendment will not apply to any contravention which occurred solely before the coming into force of this Order.

An impact assessment of the effect that this instrument will have on the costs to business and the voluntary sector is annexed to the Explanatory Memorandum which is available alongside this instrument at www.legislation.gov.uk.