

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

2023 No.

IMMIGRATION

The Immigration (Employment of Adults Subject to Immigration Control) (Maximum Penalty) (Amendment) Order 2023

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, commencement and extent

1.—(1) This Order may be cited as the Immigration (Employment of Adults Subject to Immigration Control) (Maximum Penalty) (Amendment) Order 2023.

(2) This Order comes into force on 22nd January 2024 or, if later, on the twenty-first day after the day on which it is made.

(3) This Order extends to England and Wales, Scotland and Northern Ireland.

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) Order 2008(2) for “£20,000” substitute “£60,000”(3).

(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 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.

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

(2) [S.I. 2008/132](#).

(3) The maximum penalty at article 2 of [S.I. 2008/132](#) was previously amended by [S.I. 2014/1262](#).

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Immigration (Employment of Adults Subject to Immigration Control) (Maximum Penalty) (Amendment) Order 2024 No. 82*

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.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary sector or public sector is foreseen.