



# Immigration and Asylum Act 1999

## 1999 CHAPTER 33

### PART I

#### IMMIGRATION: GENERAL

##### *Removal from the United Kingdom*

#### **10 Removal of certain persons unlawfully in the United Kingdom**

- (1) A person who is not a British citizen may be removed from the United Kingdom, in accordance with directions given by an immigration officer, if—
  - (a) having only a limited leave to enter or remain, he does not observe a condition attached to the leave or remains beyond the time limited by the leave;
  - (b) he has obtained leave to remain by deception; or
  - (c) directions (“the first directions”) have been given for the removal, under this section, of a person (“the other person”) to whose family he belongs.
- (2) Directions may not be given under subsection (1)(a) if the person concerned has made an application for leave to remain in accordance with regulations made under section 9.
- (3) Directions may not be given under subsection (1)(c) unless the Secretary of State has given the person concerned written notice, not more than eight weeks after the other person left the United Kingdom in accordance with the first directions, that he intends to remove the person concerned from the United Kingdom.
- (4) If such a notice is sent by the Secretary of State by first class post, addressed to the person concerned’s last known address, it is to be taken to have been received by that person on the second day after the day on which it was posted.
- (5) Directions for the removal of a person under subsection (1)(c) cease to have effect if he ceases to belong to the family of the other person.
- (6) Directions under this section—
  - (a) may be given only to persons falling within a prescribed class;

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*Status: This is the original version (as it was originally enacted).*

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- (b) may impose any requirements of a prescribed kind.
- (7) In relation to any such directions, paragraphs 10, 11, 16 to 18, 21 and 22 to 24 of Schedule 2 to the 1971 Act (administrative provisions as to control of entry), apply as they apply in relation to directions given under paragraph 8 of that Schedule.
- (8) Directions for the removal of a person given under this section invalidate any leave to enter or remain in the United Kingdom given to him before the directions are given or while they are in force.
- (9) The costs of complying with a direction given under this section (so far as reasonably incurred) must be met by the Secretary of State.