



Immigration and Asylum Act 1999

1999 CHAPTER 33

PART I

IMMIGRATION: GENERAL

Removal from the United Kingdom

[^{F1}10A Removal: general notice requirements

- (1) This section applies to a person who is liable to removal under section 10; but see sections 10C to 10E for the circumstances in which such a person may be removed otherwise than in accordance with this section.
- (2) The person may be removed if—
 - (a) the Secretary of State or an immigration officer has given the person—
 - (i) a notice of intention to remove (see subsection (3)), and
 - (ii) a notice of departure details (see subsection (4)), and
 - (b) any notice period has expired.
- (3) A notice of intention to remove is a written notice which—
 - (a) states that the person is to be removed,
 - (b) sets out the notice period, (see subsection (7)), and
 - (c) states the destination to which the person is to be removed.
- (4) A notice of departure details under this section is a written notice which—
 - (a) states the date on which the person is to be removed,
 - (b) states the destination to which the person is to be removed and any stops that are expected to be made on the way to that destination, and
 - (c) if subsection (6) applies, sets out the notice period (see subsection (7)).
- (5) The notice of intention to remove and the notice of departure details may be combined.
- (6) This subsection applies if the notice of departure details states, under subsection (4) (b)—

Changes to legislation: Immigration and Asylum Act 1999, Section 10A is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) a destination which is different to the destination stated under subsection (3) (c) in the notice of intention to remove, or
- (b) any stops that were not stated in the notice of intention to remove, other than a stop in—
 - (i) the United Kingdom, or
 - (ii) a country that is for the time being specified in Part 2 of Schedule 3 to the Asylum and Immigration (Treatment of Claimants, etc) Act 2004.
- (7) The notice period must be no shorter than the period of five working days beginning with the day after the day on which the person is given the notice.
- (8) At any time before the person is removed, the Secretary of State or an immigration officer may replace a notice of departure details under this section.
- (9) This section is subject to section 10B (failed removals).
- (10) In this section “working day” means a day other than a Saturday, a Sunday, Christmas Day, Good Friday or a bank holiday under the Banking and Financial Dealings Act 1971 in the part of the United Kingdom where the person is when they are given the notice.]

Textual Amendments

- F1** Ss. 10A-10E inserted (20.11.2023 except for the insertion of s. 10D(1)-(7)) by [Nationality and Borders Act 2022 \(c. 36\)](#), [ss. 46\(7\), 87\(1\)](#); [S.I. 2023/1130](#), [reg. 2\(b\)](#) (with [reg. 3](#))

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 10(12) inserted by 2023 c. 37 s. 10(6)
- s. 40(1)-(1C) substituted for s. 40(1) by 2022 c. 36 s. 76(2)
- s. 40(4A)(4B) inserted by 2022 c. 36 s. 76(5)
- s. 72(10) repealed by 2004 c. 19 Sch. 4
- s. 94(2A)-(2C) inserted by 2016 c. 19 Sch. 11 para. 3(3)
- s. 94(2D) inserted by 2016 c. 19 Sch. 11 para. 7(4)
- s. 94(3)(3A) substituted for s. 94(3) by 2002 c. 41 s. 44(4) (This amendment is repealed (prosp.) by 2016 c. 19, Sch. 11 para. 41)
- s. 94(3A)-(3D) inserted by 2016 c. 19 Sch. 11 para. 3(5)
- s. 95A inserted by 2016 c. 19 Sch. 11 para. 9
- s. 96(1A) inserted by 2016 c. 19 Sch. 11 para. 10(3)
- s. 97(3A)(b)(iv) inserted by 2022 c. 36 s. 13(2)(c)(ii)
- s. 97(8)(9) inserted by 2016 c. 19 Sch. 11 para. 11(4)
- s. 98A inserted by 2016 c. 19 Sch. 11 para. 13
- s. 98A(5) inserted by 2022 c. 36 s. 13(4)
- s. 103(4)(a) words substituted by 2004 c. 19 s. 10(4)(b)
- s. 103(5)(b) word substituted by S.I. 2008/2833 Sch. 3 para. 183(ii)
- s. 103A(1) words substituted by 2004 c. 19 s. 10(5)
- s. 103A(1) heading words substituted by 2004 c. 19 s. 10(5)
- s. 103A(1) words substituted by S.I. 2008/2833 Sch. 3 para. 184
- s. 125(2)(ba) inserted by 2016 c. 19 Sch. 11 para. 22(3)(b)
- s. 146(2)(za) inserted by 2016 c. 19 s. 44(9)
- s. 166(5)(ca) substituted for word in s. 166(5)(c) by 2016 c. 19 Sch. 11 para. 24(2)
- s. 166(5A)(5B) inserted by 2016 c. 19 Sch. 11 para. 24(3)
- s. 166(6)(aa) substituted for word in s. 166(6)(a) by 2016 c. 19 Sch. 11 para. 24(4)
- Sch. 2 para. 21 modified by 2002 c. 41 s. 23(2)(a)
- Sch. 3 para. 2(5) modified by 2002 c. 41 s. 23(2)(b)