



# Nationality, Immigration and Asylum Act 2002

## CHAPTER 41

### NATIONALITY, IMMIGRATION AND ASYLUM ACT 2002

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**SCHEDULES****SCHEDULE 1 — Citizenship Ceremony, Oath and Pledge**

- 1 The following shall be substituted for section 42 of the...
- 2 The following shall be substituted for Schedule 5 to the...
- 3 Section 41 of the British Nationality Act 1981 (c. 61)...
- 4 For subsection (1)(d) substitute— (d) for the time within which...
- 5 In subsection (2)(c)— (a) for “the taking there of any...
- 6 In subsection (3)(a) for “taking of oaths of allegiance” substitute...
- 7 After subsection (3) insert— (3A) Regulations under subsection (1)(d)  
to...
- 8 The Secretary of State may make a payment to a...
- 9 (1) A local authority must— (a) comply with a requirement...

**SCHEDULE 2 — Nationality: Repeal of Spent Provisions**

- 1 The following provisions of the British Nationality Act 1981 (c....
- 2 Nothing in this Schedule has any effect in relation to...

**SCHEDULE 3 — Withholding and Withdrawal of Support**

- 1 Ineligibility for support
- 2 Exceptions
- 3 Paragraph 1 does not prevent the exercise of a power...
- 4 First class of ineligible person: refugee status abroad
- 5 Second class of ineligible person: citizen of other EEA State
- 6 Third class of ineligible person: failed asylum-seeker
- 7 Fourth class of ineligible person: person unlawfully in United Kingdom
- 8 Travel assistance
- 9 Temporary accommodation
- 10 (1) The Secretary of State may make regulations providing for...
- 11 Assistance and accommodation: general
- 12 (1) Regulations may, in particular, provide that if a person...
- 13 Offences

- 14 Information
- 15 Power to amend Schedule
- 16 Orders and regulations
- 17 Interpretation

SCHEDULE 4 — Immigration and Asylum Appeals: Adjudicators

- 1 Term of office
- 2 Proceedings
- 3 The Chief Adjudicator may determine— (a) that a specified appeal...
- 4 An adjudicator shall undertake duties allocated to him by the...
- 5 Staff
- 6 Money
- 7 The Lord Chancellor may pay compensation to a person who...

SCHEDULE 5 — The Immigration Appeal Tribunal

- 1 Membership
- 2 (1) A member— (a) may resign by notice in writing...
- 3 Presidency
- 4 (1) The Lord Chancellor shall appoint one legally qualified member...
- 5 Proceedings
- 6 The Tribunal may sit in more than one division.
- 7 (1) The jurisdiction of the Tribunal may be exercised by...
- 8 Staff
- 9 Money
- 10 The Lord Chancellor may pay compensation to a person who...
- 11 Interpretation: legally qualified member

SCHEDULE 6 — Immigration and Asylum Appeals: Transitional Provision

- 1 “Commencement”
- 2 Adjudicator
- 3 Tribunal
- 4 Earlier appeal
- 5 Saving

SCHEDULE 7 — Immigration and Asylum Appeals: Consequential Amendments

- 1 Immigration Act 1971 (c. 77)
- 2 In paragraph 2A(9) of Schedule 2 to that Act (control...
- 3 In paragraph 4(4) of that Schedule (examination and detention of...
- 4 In paragraph 8(2) of that Schedule (time within which directions...
- 5 In paragraph 25 of that Schedule (rules) for “section 22...
- 6 In paragraph 29 of that Schedule (bail pending appeal)—
- 7 In paragraph 2(2) of Schedule 3 to that Act (deportation)...
- 8 For paragraph 3 of that Schedule (deportation: effect of appeal)...
- 9 House of Commons Disqualification Act 1975 (c. 24)
- 10 Northern Ireland Assembly Disqualification Act 1975 (c. 25)
- 11 Race Relations Act 1976 (c. 74)
- 12 Section 57A (immigration cases) shall be amended as follows—
- 13 In section 62(1)(ba) (persistent discrimination) for “Part IV of the...
- 14 In section 65(7)(b) (help for aggrieved person) for “Part IV...
- 15 In section 66 (assistance by Commission)— (a) in subsection (8)...
- 16 Courts and Legal Services Act 1990 (c. 41)
- 17 Tribunals and Inquiries Act 1992 (c. 53)
- 18 Judicial Pensions and Retirement Act 1993 (c. 8)

- 19 In Schedule 5 to that Act (retirement provisions: the relevant...
- 20 Special Immigration Appeals Commission Act 1997 (c. 68)
- 21 Section 2A of that Act (human rights) shall cease to...
- 22 Section 4 of that Act (determination of appeals) shall cease...
- 23 In section 5 of that Act (procedure)—
- 24 Section 7A of that Act (pending appeals) shall cease to...
- 25 In paragraph 5 of Schedule 1 to that Act—
- 26 Schedule 2 to that Act shall cease to have effect....
- 27 Immigration and Asylum Act 1999 (c. 33)
- 28 In section 53(4) of that Act (bail) for “this Act”...
- 29 (1) Paragraph 9 of Schedule 4 to that Act (appeals:...
- 30 Anti-terrorism, Crime and Security Act 2001 (c. 24)
- 31 Proceeds of Crime Act 2002 (c. 29)
- 32 In paragraph 4 of Schedule 4 to that Act (lifestyle...
- 33 The following shall be substituted for paragraph 4 of Schedule...

#### SCHEDULE 8 — Carriers' Liability

- 1 The Immigration and Asylum Act 1999 (c. 33) shall be...
- 2 (1) Section 32 (penalty for carrying clandestine entrant) shall be...
- 3 After section 32 insert— Level of penalty: code of practice...
- 4 The heading of section 33 (code of practice) becomes “Prevention...
- 5 In section 33(2)(b) omit “both Houses of”.
- 6 (1) Section 34 (defence) shall be amended as follows.
- 7 (1) Section 35 (notification and objection) shall be amended as...
- 8 After section 35 insert— Appeal (1) A person may appeal to the court  
against a...
- 9 (1) Section 36 (detention of vehicle) shall be amended as...
- 10 After section 36 insert— Detention in default of payment (1) This  
section applies where a person to whom a...
- 11 (1) Section 37 (effect of detention of transporter) shall be...
- 12 Section 39 (rail freight) shall cease to have effect.
- 13 For section 40 (charge in respect of passenger without proper...
- 14 Section 42 (power to detain vehicle, &c. carrying person without...
- 15 In section 43 (interpretation) (which becomes subsection (1))—
- 16 (1) Schedule 1 (sale of transporter) shall be amended as...
- 17 (1) This paragraph applies to a code of practice which—...

#### SCHEDULE 9 — Repeals