



Nationality, Immigration and Asylum Act 2002

2002 CHAPTER 41

PART 4

DETENTION AND REMOVAL

Temporary release

71 Asylum-seeker: residence, &c. restriction

- (1) This section applies to—
 - (a) a person who makes a claim for asylum at a time when he has leave to enter or remain in the United Kingdom, and
 - (b) a dependant of a person within paragraph (a).
- (2) The Secretary of State or an immigration officer may impose on a person to whom this section applies any restriction which may be imposed under paragraph 21 of Schedule 2 to the Immigration Act 1971 (c. 77) (control of entry: residence, reporting and occupation restrictions) on a person liable to detention under paragraph 16 of that Schedule.
- (3) Where a restriction is imposed on a person under subsection (2)—
 - (a) the restriction shall be treated for all purposes as a restriction imposed under paragraph 21 of that Schedule, and
 - (b) if the person fails to comply with the restriction he shall be liable to detention under paragraph 16 of that Schedule.
- (4) A restriction imposed on a person under this section shall cease to have effect if he ceases to be an asylum-seeker or the dependant of an asylum-seeker.
- (5) In this section—

“asylum-seeker” has the same meaning as in section 70,

Status: This is the original version (as it was originally enacted).

“claim for asylum” has the same meaning as in section 18, and

“dependant” means a person who appears to the Secretary of State to be making a claim or application in respect of residence in the United Kingdom by virtue of being a dependant of another person.

(6) Regulations under subsection (5)—

- (a) may make different provision for different circumstances,
- (b) must be made by statutory instrument, and
- (c) shall be subject to annulment in pursuance of a resolution of either House of Parliament.