



# UK Borders Act 2007

## 2007 CHAPTER 30

### *General*

PROSPECTIVE

#### **57 Money**

The following shall be paid out of money provided by Parliament—

- (a) any expenditure of a Minister of the Crown in consequence of this Act, and
- (b) any increase attributable to this Act in sums payable out of money provided by Parliament under another enactment.

PROSPECTIVE

#### **58 Repeals**

The enactments listed in the Schedule are repealed to the extent specified.

#### **59 Commencement**

- (1) Section 17 comes into force on the day on which this Act is passed.
- (2) The other preceding provisions of this Act shall come into force in accordance with provision made by the Secretary of State by order.
- (3) An order—
  - (a) may make provision generally or only for specified purposes,
  - (b) may make different provision for different purposes, and
  - (c) may include incidental, consequential or transitional provision.
- (4) In particular, transitional provision—

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- (a) in the case of an order commencing section 16, may permit the adding of a condition to leave given before the passing of this Act;
  - (b) in the case of an order commencing section 25, may permit an order to be made in proceedings instituted before the passing of this Act;
  - (c) in the case of an order commencing section 26, may permit an order or regulations to have effect in relation to property which came into the possession of an immigration officer or the Secretary of State before the passing of this Act;
  - (d) in the case of an order commencing section 32—
    - (i) may provide for the section to apply to persons convicted before the passing of this Act who are in custody at the time of commencement or whose sentences are suspended at the time of commencement;
    - (ii) may modify the application of the section in relation to those persons so as to disapply, or apply only to a specified extent, Condition 2.
- (5) An order shall be made by statutory instrument.

## 60 Extent

- (1) Sections <sup>F1</sup>... 25 and 31(1) and (2) extend to—
  - (a) England and Wales, and
  - (b) Northern Ireland.
- (2) Other provisions of this Act extend (subject to subsection (3)) to—
  - (a) England and Wales,
  - (b) Scotland, and
  - (c) Northern Ireland.
- (3) A provision of this Act which amends another Act shall (subject to subsection (1)) have the same extent as the relevant part of the amended Act (ignoring extent by virtue of an Order in Council).
- (4) Her Majesty may by Order in Council direct that a provision of this Act is to extend, with or without modification or adaptation, to—
  - (a) any of the Channel Islands;
  - (b) the Isle of Man.

### Textual Amendments

**F1** Words in s. 60(1) repealed (27.10.2014) by [Borders, Citizenship and Immigration Act 2009 \(c. 11\)](#), ss. 52(3), 58(3)(b), [Sch. Pts. 3](#); S.I. 2014/2634, art. 2(b)

### Modifications etc. (not altering text)

- C1** [S. 60\(4\)](#) power to extend (with modifications) (Channel Islands or Isle of Man) any amendments or repeals made to this Act by 2016 c. 19, to which this section relates (12.5.2016) by [Immigration Act 2016 \(c. 19\)](#), [ss.](#), 94(5), 95(7)(h) 95(6)
- C2** [S. 60\(4\)](#) modified (31.1.2017) by [Policing and Crime Act 2017 \(c. 3\)](#), [ss.](#) [182\(7\)](#), 183(5)(d), (e)
- C3** [S. 60\(4\)](#) power extended (28.4.2022) by [Nationality and Borders Act 2022 \(c. 36\)](#), [ss.](#) [86\(5\)\(6\)\(j\)](#), 87(3)(c)

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## 61 Citation

- (1) This Act may be cited as the UK Borders Act 2007.
- (2) A reference (in any enactment, including one passed or made before this Act) to “the Immigration Acts” is to—
  - (a) the Immigration Act 1971 (c. 77),
  - (b) the Immigration Act 1988 (c. 14),
  - (c) the Asylum and Immigration Appeals Act 1993 (c. 23),
  - (d) the Asylum and Immigration Act 1996 (c. 49),
  - (e) the Immigration and Asylum Act 1999 (c. 33),
  - (f) the Nationality, Immigration and Asylum Act 2002 (c. 41),
  - (g) the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19),
  - (h) the Immigration, Asylum and Nationality Act 2006 (c. 13),<sup>F2</sup>...
  - (i) this Act [<sup>F3</sup>, <sup>F4</sup> ...
  - (j) the Immigration Act 2014]<sup>F5</sup>, <sup>F6</sup>...
  - (k) the Immigration Act 2016]<sup>F7</sup>, <sup>F8</sup>...
  - (l) Part 1 of the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (and Part 3 so far as relating to that Part).]<sup>F9</sup>, and
  - (m) the Nationality and Borders Act 2022.]
- (3) Section 64(2) of the Immigration, Asylum and Nationality Act 2006 (meaning of “Immigration Acts”) shall cease to have effect.
- (4) In the definition of “The Immigration Acts” in Schedule 1 to the Interpretation Act 1978 (c. 30) (defined expressions) for “section 64 of the Immigration, Asylum and Nationality Act 2006” substitute “ section 61 of the UK Borders Act 2007 ”.

### Textual Amendments

- F2** Word in s. 61(2)(h) omitted (14.5.2014) by virtue of [Immigration Act 2014 \(c. 22\)](#), **ss. 73(5)(a)**, 75(1)
- F3** S. 61(2)(j) and preceding word inserted (14.5.2014) by [Immigration Act 2014 \(c. 22\)](#), **ss. 73(5)(b)**, 75(1)
- F4** Word in s. 61(2)(i) omitted (12.5.2016) by virtue of [Immigration Act 2016 \(c. 19\)](#), **ss. 92(5)(a)**, 94(5)
- F5** S. 61(2)(k) and preceding word inserted (12.5.2016) by [Immigration Act 2016 \(c. 19\)](#), **ss. 92(5)(b)**, 94(5)
- F6** Word in s. 61(2)(j) omitted (31.12.2020) by virtue of [Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(c. 20\)](#), **ss. 4(1)(a)**, 9(1) (with s. 4(2)); S.I. 2020/1279, reg. 4(b)
- F7** S. 61(2)(l) and word inserted (31.12.2020) by [Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(c. 20\)](#), **ss. 4(1)(b)**, 9(1) (with s. 4(2)); S.I. 2020/1279, reg. 4(b)
- F8** Word in s. 61(2)(k) omitted (28.4.2022) by virtue of [Nationality and Borders Act 2022 \(c. 36\)](#), **ss. 84(7)(a)**, 87(3)(c)
- F9** S. 61(2)(m) and word inserted (28.4.2022) by [Nationality and Borders Act 2022 \(c. 36\)](#), **ss. 84(7)(b)**, 87(3)(c)

### Modifications etc. (not altering text)

- C4** S. 61 extended (Guernsey) (with modifications) (coming into force in accordance with art. 1(1) of the amending S.I.) by [The Immigration \(Guernsey\) Order 2020 \(S.I. 2020/1560\)](#), arts. 1(1), 4, Sch. 3, **Sch. 3A**

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- C5** S. 61(1) extended (Jersey) (with modifications) (coming into force in accordance with art. 1(1) of the amending S.I.) by [The Immigration \(Biometric Registration\) \(Jersey\) Order 2018 \(S.I. 2018/619\)](#), arts. 1(1), 2, [Sch. 1](#)

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