



UK Borders Act 2007

2007 CHAPTER 30

Deportation of criminals

34 Timing

- (1) Section 32(5) requires a deportation order to be made at a time chosen by the Secretary of State.
- (2) A deportation order may not be made under section 32(5) while an appeal or further appeal against the conviction or sentence by reference to which the order is to be made—
 - (a) has been instituted and neither withdrawn nor determined, or
 - (b) could be brought.
- (3) For the purpose of subsection (2)(b)—
 - (a) the possibility of an appeal out of time with permission shall be disregarded, and
 - (b) a person who has informed the Secretary of State in writing that the person does not intend to appeal shall be treated as being no longer able to appeal.
- (4) The Secretary of State may withdraw a decision that section 32(5) applies, or revoke a deportation order made in accordance with section 32(5), for the purpose of—
 - (a) taking action under the Immigration Acts or rules made under section 3 of the Immigration Act 1971 (c. 77) (immigration rules), and
 - (b) subsequently taking a new decision that section 32(5) applies and making a deportation order in accordance with section 32(5).