

*These notes refer to the Immigration Act 2014
(c.22) which received Royal Assent on 14 May 2014*

IMMIGRATION ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Removal and other powers

Section 2: Restriction on removal of children and their parents etc

44. This section inserts a new section 78A into the 2002 Act to restrict the removal of children and their parent or carer unless certain conditions are met. Subsection (1) describes what constitutes a case of this type. Subsection (2) prohibits a child and their relevant parent or carer from being removed or required to leave the UK during a period of 28 days from when the relevant appeal rights are exhausted. Subsection (3) defines when the relevant appeals rights will be considered to be exhausted. Subsection (4) describes the actions that may nevertheless be taken during the 28 day period. Subsection (5) defines the meaning of “child” and the meaning of “being removed from or required to leave” used in this section.