



Immigration Act 2014

2014 CHAPTER 22

PART 1

REMOVAL AND OTHER POWERS

Detention and bail

7 Immigration bail: repeat applications and effect of removal directions

(1) Schedule 2 to the Immigration Act 1971 (administrative provisions as to control on entry etc) is amended as follows.

(2) In paragraph 22 (bail) at the end insert—

“(4) A person must not be released on bail in accordance with this paragraph without the consent of the Secretary of State if—

- (a) directions for the removal of the person from the United Kingdom are for the time being in force, and
- (b) the directions require the person to be removed from the United Kingdom within the period of 14 days starting with the date of the decision on whether the person should be released on bail.”

(3) In paragraph 25—

- (a) the existing paragraph is re-numbered as sub-paragraph (1);
- (b) in that sub-paragraph, for “may” substitute “must”;
- (c) after that sub-paragraph insert—

“(2) Tribunal Procedure Rules must secure that, where the First-tier Tribunal has decided not to release a person on bail under paragraph 22, the Tribunal is required to dismiss without a hearing any further application by the person for release on bail (whether under paragraph 22 or otherwise) that is made during the period of 28 days starting with the date of the Tribunal’s decision, unless the

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person demonstrates to the Tribunal that there has been a material change in circumstances.”

- (4) In paragraph 29 (grant of bail pending appeal), in sub-paragraph (1), at the end insert “(and paragraph 22 does not apply)”.
- (5) In paragraph 30 (restrictions on grant of bail pending appeal), in sub-paragraph (1)—
 - (a) after “if” insert “— (a)”;
 - (b) for “or the power to give such directions is for the time being exercisable” substitute “and
 - (b) the directions require the person to be removed from the United Kingdom within the period of 14 days starting with the date of the decision on whether the person should be released on bail.””
- (6) After paragraph 33, insert—
 - “33A (1) Tribunal Procedure Rules must make provision with respect to applications to the First-tier Tribunal under paragraphs 29 to 33 and matters arising out of such applications.
 - (2) Tribunal Procedure Rules must secure that, where the First-tier Tribunal has decided not to release a person on bail under paragraph 29, the Tribunal is required to dismiss without a hearing any further application by the person for release on bail (whether under paragraph 29 or otherwise) that is made during the period of 28 days starting with the date of the Tribunal’s decision, unless the person demonstrates to the Tribunal that there has been a material change in circumstances.”