

SCHEDULES

SCHEDULE 10

IMMIGRATION BAIL

PART 2

AMENDMENTS TO OTHER ACTS

Immigration Act 1971 (c. 77)

- 17 (1) Section 28 (proceedings for offences) is amended as follows.
- (2) In subsection (1) for “24” substitute “24(3)”.
- (3) After that subsection insert—
- “(1A) Where the offence is one to which, under section 24(3A), an extended time limit for prosecutions is to apply, then—
- (a) an information relating to the offence may in England and Wales be tried by a magistrates’ court if it is laid—
 - (i) within the period of six months beginning with the date of the commission of the offence, or
 - (ii) within the period of three months beginning with the date when the person is first arrested for the offence or under paragraph 10 of Schedule 10 to the Immigration Act 2016 (arrest for breach of bail condition), if that period expires after the end of the period mentioned in sub-paragraph (i),
 - (b) summary proceedings for the offence may in Scotland be commenced—
 - (i) within the period of six months beginning with the date of the commission of the offence, or
 - (ii) within the period of three months beginning with the date when the person is first arrested for the offence or under paragraph 10 of Schedule 10 to the Immigration Act 2016 (arrest for breach of bail condition), if that period expires after the end of the period mentioned in sub-paragraph (i), and
 - (c) a complaint charging the commission of an offence under this paragraph may in Northern Ireland be heard and determined by a magistrates’ court if it is made—
 - (i) within the period of six months beginning with the date of the commission of the offence, or
 - (ii) within the period of three months beginning with the date when the person is first arrested for the offence or under

Status: This is the original version (as it was originally enacted).

paragraph 10 of Schedule 10 to the Immigration Act 2016 (arrest for breach of bail condition), if that period expires after the end of the period mentioned in sub-paragraph (i).”

(4) In subsection (2) for “subsection (1)(b)” substitute “subsections (1)(b) and (1A)(b)”.