

Status: This version of this part contains provisions that are prospective.

Changes to legislation: Immigration Act 2016, Paragraph 48 is up to date with all changes known to be in force on or before 08 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 11

SUPPORT FOR CERTAIN CATEGORIES OF MIGRANT

PART 2

TRANSITIONAL AND SAVING PROVISION

PROSPECTIVE

48 Schedule 3 to the Nationality, Immigration and Asylum Act 2002 (withholding and withdrawal of support) has effect as if—

(a) after paragraph 7C there were inserted—

“Eighth class of ineligible person: transitional cases

7D (1) Paragraph 1 applies to a person if—

- (a) the person is a transitionally-supported person (see sub-paragraph (3)),
- (b) the Secretary of State has certified that, in the Secretary of State's opinion, the person has failed without reasonable excuse to take reasonable steps—
 - (i) to leave the United Kingdom voluntarily, or
 - (ii) to place himself in a position in which he is able to leave the United Kingdom voluntarily,
- (c) the person has received a copy of the Secretary of State's certificate, and
- (d) the period of 14 days, beginning with the date on which the person receives the copy of the certificate, has elapsed.

(2) Paragraph 1 also applies to a dependant of a person to whom that paragraph applies by virtue of sub-paragraph (1).

(3) A person is a “transitionally-supported person” if—

- (a) accommodation is provided for the person by virtue of section 4 of the Immigration and Asylum Act 1999 as that section has effect by virtue of paragraph 46 of Schedule 11 to the Immigration Act 2016, or
- (b) support is provided for the person under section 95 of the Immigration and Asylum Act 1999 by virtue of section 94(5) of that Act, as that provision has effect by virtue of paragraph 47 of that Schedule.

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- (4) For the purpose of sub-paragraph (1)(d), if the Secretary of State sends a copy of a certificate by first class post to a person's last known address, the person is treated as receiving the copy on the second day after the day on which it was posted.
- (5) The Secretary of State may by regulations vary the period specified in sub-paragraph (1)(d).”, and
- (b) in paragraph 14 (information), references to paragraph 7 included a reference to the paragraph 7D treated as inserted by this Schedule.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/1241, Sch. by [S.I. 2018/31 reg. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 69(9)(d) and word inserted by [2023 c. 37 s. 21\(2\)\(b\)](#)
- Sch. 10 para. 3(2)(eza) inserted by [2023 c. 37 s. 13\(3\)\(a\)](#)
- Sch. 10 para. 3(3A)-(3C) inserted by [2023 c. 37 s. 13\(3\)\(b\)](#)
- Sch. 10 para. 3A and cross-heading inserted by [2023 c. 37 s. 13\(4\)](#)