



Immigration Act 2016

2016 CHAPTER 19

PART 1

LABOUR MARKET AND ILLEGAL WORKING

CHAPTER 1

LABOUR MARKET

Labour market enforcement orders

23 Variation and discharge

- (1) The appropriate court may by order vary or discharge an LME order—
 - (a) on the application of the respondent;
 - (b) if the order was made under section 18, on the application of the enforcing authority who applied for the order;
 - (c) if the order was made under section 20, on the application of the enforcing authority whose officer conducted the investigation which resulted in the prosecution of the respondent for the trigger offence.
- (2) In this section “the appropriate court”—
 - (a) in relation to an LME order made in England and Wales (whether made under section 18 or 20), means a magistrates’ court;
 - (b) in relation to such an order made in Scotland, means the sheriff;
 - (c) in relation to such an order made in Northern Ireland, means a court of summary jurisdiction.
- (3) An application for an order under this section is—
 - (a) if made to a magistrates’ court in England and Wales, to be made by complaint;

Status: This is the original version (as it was originally enacted).

- (b) if made to a court of summary jurisdiction in Northern Ireland, to be made by complaint under Part 8 of the Magistrates' Courts (Northern Ireland) Order 1981 ([S.I. 1981/1675 \(N.I. 26\)](#)).