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STATUTORY INSTRUMENTS

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**1988 No. 1133 (C. 40)**

**IMMIGRATION**

**The Immigration Act 1988 (Commencement No. 1) Order 1988**

*Made* - - - - *1st July 1988*

In exercise of the powers conferred upon me by section 12(4) of the Immigration Act 1988(1), I hereby make the following Order:

1. This Order may be cited as the Immigration Act 1988 (Commencement No. 1) Order 1988.
2. Subject to article 3 below, the provisions of the Immigration Act 1988 (“the Act”) specified in the Schedule to this Order shall come into force on 1st August 1988.
- 3.—(1) Section 1 of the Act (termination of saving in respect of Commonwealth citizens settled before 1973) shall not apply to a wife or child of a Commonwealth citizen settled in the United Kingdom on 1st January 1973 if the application of the wife or child for an entry clearance to come to the United Kingdom for settlement was made before 1st August 1988.  
(2) Section 2 of the Act (restriction on exercise of right of abode in cases of polygamy) shall not apply to a woman who has made an application for a certificate of entitlement in respect of the right of abode mentioned in sub-section (1)(a) of that section before 1st August 1988.  
(3) Section 4 of the Act (members of diplomatic missions) shall not apply to a person who has taken up the post referred to in section 8(3A) of the Immigration Act 1971(2) before 1st August 1988.

Home Office  
1st July 1988

*Douglas Hurd*  
One of Her Majesty’s Principal Secretaries of  
State

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(1) 1988 c. 14.  
(2) 1971 c. 77.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE

Article 2

PROVISIONS OF THE IMMIGRATION ACT 1988  
COMING INTO FORCE ON 1st AUGUST 1988

Provisions of the Act	Subject matter of provisions
Section 1	Termination of saving in respect of Commonwealth citizens settled before 1973
Section 2	Restriction on exercise of right of abode in cases of polygamy
Section 3	Proof of right of abode
Section 4	Members of diplomatic missions
Section 5	Restricted right of appeal against deportation in cases of breach of limited leave

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order brings into force on 1st August 1988 the provisions of the Immigration Act 1988 specified in the Schedule to this Order, namely sections 1 to 5.

On 1st August 1988 the whole of the Act will be in force except section 7(1) (persons exercising Community rights and nationals of member States) and paragraph 1 of the Schedule (limitation and conditions on leave to be applicable also to subsequent leave granted after absence within period of earlier leave). Sections 6 and 7(2) and (3), sections 8 to 12 and the Schedule (except paragraph 1) come into force on 10th July 1988 (two months after Royal Assent) by virtue of section 12(3).