

2017 No. 930

FINANCIAL SERVICES AND MARKETS

IMMIGRATION

**The Immigration Act 2014 (Current Accounts) (Freezing Orders:
Code of Practice) Regulations 2017**

<i>Made</i> - - - -	<i>18th September 2017</i>
<i>Laid before Parliament</i>	<i>21st September 2017</i>
<i>Coming into force</i> - -	<i>30th October 2017</i>

The Secretary of State makes the following Regulations in exercise of the power conferred by section 40F(3)(b) of the Immigration Act 2014(a).

In accordance with section 40F(3)(a) of that Act, a draft code of practice has been laid before Parliament.

Citation and commencement

1. These Regulations may be cited as the Immigration Act 2014 (Current Accounts) (Freezing Orders: Code of Practice) Regulations 2017 and come into force on 30th October 2017.

Code of Practice

2. The code of practice entitled “Immigration Act 2014 Code of Practice: Freezing Orders (Bank Accounts Measures)”, a draft of which was laid before Parliament by the Secretary of State under section 40F(3)(a) of the Immigration Act 2014, comes into force on 30th October 2017.

Brandon Lewis
Minister of State
Home Office

18th September 2017

EXPLANATORY NOTE

(This note is not part of these Regulations)

Under Chapter 2 of Part 3 of the Immigration Act 2014 (“the 2014 Act”) where the Secretary of State receives notification from a bank or building society that a current account is being operated by or for a person who the bank or building society believes is disqualified by virtue of his or her immigration status, after having first verified that the person is in fact disqualified the Secretary of State may apply for a freezing order in respect of one or more of the accounts held with the bank

(a) 2014 c. 22; section 40F was inserted by paragraphs 1 and 2 of Schedule 7 to the Immigration Act 2016 (c. 19).

or building society and operated by or for the disqualified person. Section 40F of the 2014 Act provides that the Secretary of State must issue a Code of Practice specifying the factors that the Secretary of State will consider when deciding whether to apply for a freezing order, outlining the arrangements for keeping a freezing order under review and specifying the factors to be taken into account in considering whether to apply for its discharge or variation.

Regulation 2 provides for the Code of Practice issued by the Secretary of State for these purposes to come into force on 30th October 2017.

A full impact assessment has not been produced for this instrument as it has minimal impact on the private and public sectors and no impact on the voluntary sector. A final stage impact assessment was submitted for the Immigration Act 2016. This impact assessment was given a Green Opinion by the Regulatory Policy Committee on 18th November 2016. A copy is available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/462233/Immigration_Bill_bank_accounts_impact_assessment.pdf

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