



Immigration Act 1971

1971 CHAPTER 77

PART I

REGULATION OF ENTRY INTO AND STAY IN UNITED KINGDOM

[^{F1}8B Persons excluded from the United Kingdom under [^{F2}certain instruments].

- (1) An excluded person must be refused—
 - (a) leave to enter the United Kingdom;
 - (b) leave to remain in the United Kingdom [^{F3}(and any leave given to a person who is an excluded person is invalid)].
- (2) A person's leave to enter or remain in the United Kingdom is cancelled on his becoming an excluded person.

[^{F4}(3) Any exemption of a person from the provisions of this Act under section 8(1), (2) or (3) does not apply while the person is an excluded person.]

[^{F5}(4) "Excluded person" means—

- (a) a person named by or under, or of a description specified in, an instrument falling within subsection (5), or
 - (b) a person who under regulations under section 1 of the Sanctions and Anti-Money Laundering Act 2018 is an excluded person for the purposes of this section (see section 4 of that Act).]
- (5) [^{F6}An instrument falls within this subsection] if it is a resolution of the Security Council of the United Nations or an instrument made by the Council of the European Union and it—
- (a) requires that a person is not to be admitted to the United Kingdom (however that requirement is expressed); or
 - (b) recommends that a person should not be admitted to the United Kingdom (however that recommendation is expressed).

[Subsection (1), (2) or (3) does not apply to a person if—
^{F7}(5A)

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- (a) the application of that subsection to that person would be contrary to the United Kingdom's obligations under—
- (i) the Human Rights Convention (within the meaning given by section 167(1) of the Immigration and Asylum Act 1999), or
 - (ii) the Refugee Convention (within the meaning given by that provision),
or
- (b) [^{F8}the person is within subsection (4)(a) and not within subsection (4)(b) and has been exempted from the application of subsection (1), (2) or (3), as the case may be,] under a process applying by virtue of the instrument falling within subsection (5).]

[In relation to any person within subsection (4)(b), subsections (1) to (3) are subject ^{F9}(5B) to any exception created under, or direction given by virtue of, section 15(4) of the Sanctions and Anti-Money Laundering Act 2018 (power to create exceptions etc).]

^{F10}(6)

^{F10}(7)

^{F10}(8)]

Textual Amendments

- F1** S. 8B inserted (1.3.2000) by 1999 c. 33, s. 8; S.I. 2000/168, art. 2, Sch. (which amending provision is extended (with modifications) to Jersey (5.6.2003) by S.I. 2003/1252, art. 2, Sch.)
- F2** Words in s. 8B heading substituted (22.11.2018) by Sanctions and Anti-Money Laundering Act 2018 (c. 13), s. 64(2), **Sch. 3 para. 1(2)** (with ss. 52(3), 53, 58); S.I. 2018/1213, reg. 2(f)
- F3** Words in s. 8B(1)(b) inserted (12.7.2016) by Immigration Act 2016 (c. 19), **ss. 76(4)**, 94(1); S.I. 2016/603, reg. 3(n)
- F4** S. 8B(3) substituted (12.7.2016) by Immigration Act 2016 (c. 19), **ss. 76(5)**, 94(1); S.I. 2016/603, reg. 3(n)
- F5** S. 8B(4) substituted (22.11.2018) by Sanctions and Anti-Money Laundering Act 2018 (c. 13), s. 64(2), **Sch. 3 para. 1(3)** (with ss. 52(3), 53, 58); S.I. 2018/1213, reg. 2(f)
- F6** Words in s. 8B(5) substituted (12.7.2016) by Immigration Act 2016 (c. 19), **ss. 76(7)**, 94(1); S.I. 2016/603, reg. 3(n)
- F7** S. 8B(5A) inserted (12.7.2016) by Immigration Act 2016 (c. 19), **ss. 76(8)**, 94(1); S.I. 2016/603, reg. 3(n)
- F8** Words in s. 8B(5A)(b) substituted (22.11.2018) by Sanctions and Anti-Money Laundering Act 2018 (c. 13), s. 64(2), **Sch. 3 para. 1(4)** (with ss. 52(3), 53, 58); S.I. 2018/1213, reg. 2(f)
- F9** S. 8B(5B) inserted (22.11.2018) by Sanctions and Anti-Money Laundering Act 2018 (c. 13), s. 64(2), **Sch. 3 para. 1(5)** (with ss. 52(3), 53, 58); S.I. 2018/1213, reg. 2(f)
- F10** Ss. 8B(6)-(8) omitted (12.7.2016) by virtue of Immigration Act 2016 (c. 19), **ss. 76(9)**, 94(1); S.I. 2016/603, reg. 3(n)

Modifications etc. (not altering text)

- C1** S. 8B: power to modify conferred (22.11.2018) by Sanctions and Anti-Money Laundering Act 2018 (c. 13), **ss. 15(4)**, 64(2) (with ss. 52(3), 53, 58); S.I. 2018/1213, reg. 2(a)
- C2** S. 8B(1)(2)(3): power to disapply conferred (22.11.2018) by Sanctions and Anti-Money Laundering Act 2018 (c. 13), **ss. 48(4)(e)**, 64(2) (with ss. 52(3), 53, 58); S.I. 2018/1213, reg. 2(b)
- C3** S. 8B(1)(2)(3): power to modify conferred (6.7.2020 at 1.00 p.m.) by The Global Human Rights Sanctions Regulations 2020 (S.I. 2020/680), regs. 1(2), **24**

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- C4 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Democratic People's Republic of Korea (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/411), regs. 1(2), **98(1)**; S.I. 2019/627, reg. 7(2); 2020 c. 1, Sch. 5 para. 1(1)
- C5 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Yemen (Sanctions) (EU Exit) (No. 2) Regulations 2020 (S.I. 2020/1278), regs. 1(2), **38(1)**; S.I. 2020/1514, reg. 20(2)
- C6 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Democratic Republic of the Congo (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/433), regs. 1(2), **38(1)**; S.I. 2019/627, reg. 5(2); 2020 c. 1, Sch. 5 para. 1(1)
- C7 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Libya (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/1665), regs. 1(3), **55**
- C8 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Mali (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/705), regs. 1(2), **24(1)**; S.I. 2020/1514, reg. 13(2)
- C9 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Russia (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/855), regs. 1(2), **69**; 2020 c. 1, Sch. 5 para. 1(1)
- C10 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Burundi (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/1142), regs. 1(2), **22(1)**; S.I. 2020/1514, reg. 2(2)
- C11 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Syria (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/792), regs. 1(3), **68**; 2020 c. 1, Sch. 5 para. 1(1)
- C12 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Cyber (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/597), regs. 1(2), **22**; S.I. 2020/1514, reg. 6(2)
- C13 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Guinea (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/1145), regs. 1(2), **22**; S.I. 2020/1514, reg. 3(2)
- C14 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Unauthorised Drilling Activities in the Eastern Mediterranean (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/1474), regs. 1(2), **23**; S.I. 2020/1514, reg. 24(2)
- C15 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Venezuela (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/135), regs. 1(2), **40(1)**; S.I. 2019/627, reg. 3(2); 2020 c. 1, Sch. 5 para. 1(1)
- C16 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Misappropriation (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/1468), regs. 1(2), **23(1)**; S.I. 2020/1514, **reg. 23(2)**
- C17 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/600), regs. 1(2), **37(1)**; S.I. 2019/627, reg. 12(2); 2020 c. 1, Sch. 5 para. 1(1)
- C18 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/573), regs. 1(2), **33(1)**; S.I. 2019/627, reg. 11(2); 2020 c. 1, Sch. 5 para. 1(1)
- C19 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The South Sudan (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/438), regs. 1(2), **38(1)**; S.I. 2019/627, reg. 6(2); 2020 c. 1, Sch. 5 para. 1(1)
- C20 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Chemical Weapons (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/618), regs. 1(2), **23(1)**; S.I. 2019/627, reg. 14(2); 2020 c. 1, Sch. 5 para. 1(1)
- C21 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Bosnia and Herzegovina (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/608), regs. 1(2), **23(1)**; S.I. 2020/1514, reg. 7(2)
- C22 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Central African Republic (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/616), regs. 1(2), **38**; S.I. 2020/1514, reg. 10(2)
- C23 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Iran (Sanctions) (Nuclear) (EU Exit) Regulations 2019 (S.I. 2019/461), regs. 1(2), **45(1)**; S.I. 2019/627, reg. 8(2); 2020 c. 1, Sch. 5 para. 1(1)
- C24 S. 8B(1)-(3): power to modify conferred (31.12.2020) by The Zimbabwe (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/604), regs. 1(2), **38(1)**; S.I. 2019/627, reg. 13(2); 2020 c. 1, Sch. 5 para. 1(1)

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- C25** S. 8B(1)-(3): power to modify conferred (31.12.2020) by [The Republic of Guinea-Bissau \(Sanctions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/554\)](#), regs. 1(2), **23(1)**; S.I. 2019/627, reg. 10(2); 2020 c. 1, Sch. 5 para. 1(1)
- C26** S. 8B(1)-(3): power to modify conferred (31.12.2020) by [The Sudan \(Sanctions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/753\)](#), regs. 1(2), **39(1)**; S.I. 2020/1514, reg. 15(2)
- C27** S. 8B(1)-(3): power to modify conferred (31.12.2020) by [The Nicaragua \(Sanctions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/610\)](#), regs. 1, **22**; S.I. 2020/1514, reg. 8(2)
- C28** S. 8B(1)-(3): power to modify conferred (31.12.2020) by [The Burma \(Sanctions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/136\)](#), regs. 1(2), **40(1)**; S.I. 2019/627, reg. 4(2); 2020 c. 1, Sch. 5 para. 1(1)
- C29** S. 8B(1)-(3): power to modify conferred (31.12.2020) by [The Somalia \(Sanctions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/642\)](#), regs. 1(2), **52(1)**; S.I. 2020/1514, reg. 12(2)
- C30** S. 8B(1)-(3): power to modify conferred (31.12.2020) by [The Iran \(Sanctions\) \(Human Rights\) \(EU Exit\) Regulations 2019 \(S.I. 2019/134\)](#), regs. 1(2), **40(1)**; S.I. 2019/627, reg. 2(2); 2020 c. 1, Sch. 5 para. 1(1)
- C31** S. 8B(1)-(3): power to modify conferred (26.4.2021 at noon) by [The Global Anti Corruption Sanctions Regulations 2021 \(S.I. 2021/488\)](#), regs. 1(2), **23(1)**
- C32** S. 8B(1)-(3): power to modify conferred (29.4.2021 at 5.00 pm) by [The Myanmar \(Sanctions\) Regulations 2021 \(S.I. 2021/496\)](#), regs. 1(3), **49**
- C33** S. 8B(1)-(3) power to modify conferred (14.12.2021) by [The Burundi \(Sanctions\) Regulations 2021 \(S.I. 2021/1404\)](#), regs. 1(2), **23**
- C34** S. 8B(1)-(3): power to modify conferred (14.12.2023) by [The Iran \(Sanctions\) Regulations 2023 \(S.I. 2023/1314\)](#), regs. 1(2), **67** (with regs. 98-100)

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Changes and effects yet to be applied to :

- s. 8B(1)-(3) power to modify conferred by [S.I. 2020/733 reg. 38\(1\)](#) (This amendment not applied to legislation.gov.uk. Regulations revoked prospectively by S.I. 2020/1278, regs. 1(2), 66(4))
- s. 8B(1)-(3) power to modify conferred by [S.I. 2021/1404 reg. 23](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. Although it was debated, it was not approved by resolutions of both Houses within the required timeframe, so it has expired with no effect. See the Twelfth Report of Session 2022-23 of the Joint Committee on Statutory Instruments)

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

- Act applied by [2008 c. 4 s. 133\(7\)\(8\)](#)

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

- s. 10(1A)(1B) inserted by [1999 c. 33 Sch. 14 para. 47\(3\)](#)
- s. 24(1)(fa) inserted by [2023 c. 37 s. 10\(2\)](#)
- s. 24C-24F inserted by [2016 c. 19 s. 44\(2\)](#)
- s. 26A(1)(b)(ia) inserted by [2016 c. 19 Sch. 11 para. 25](#)
- s. 27(1)(aa) inserted by [2023 c. 37 s. 10\(3\)\(a\)](#)
- s. 27(1)(ba) inserted by [2023 c. 37 s. 10\(3\)\(b\)](#)
- s. 28CA(1)(bb) substituted for word in s. 28CA(1)(b) by [2016 c. 19 s. 44\(5\)](#)
- Sch. 2 para. 27B(4A) inserted by [2004 c. 19 s. 16](#)
- Sch. 2 para. 26(4) inserted by [2016 c. 19 s. 74\(1\)](#)
- Sch. 2 Pt. 1A inserted by [2016 c. 19 Sch. 13](#)
- Sch. 2 para. 11A inserted by [2023 c. 37 s. 10\(4\)](#)