



# Borders, Citizenship and Immigration Act 2009

## 2009 CHAPTER 11

### PART 3

#### IMMIGRATION

##### *Studies*

#### **50 Restriction on studies**

- (1) In section 3(1)(c) of the Immigration Act 1971 (c. 77) (conditions that may be imposed on limited leave to enter or remain in the United Kingdom), after sub-paragraph (i) insert—

“(ia) a condition restricting his studies in the United Kingdom;”.

- (2) A condition under section 3(1)(c)(ia) of that Act may be added as a condition to leave given before the passing of this Act (as well as to leave given on or after its passing).

##### *Fingerprinting*

#### **51 Fingerprinting of foreign criminals liable to automatic deportation**

- (1) Section 141 of the Immigration and Asylum Act 1999 (c. 33) (persons from whom fingerprints may be taken) is amended as follows.

- (2) In subsection (7)(f), after “persons” insert “, other than a dependant of a person who falls within paragraph (c) by reason of a relevant immigration decision within subsection (16)(b) having been made in respect of that person”.

- (3) In subsection (16)—

(a) after “means” insert “—”,

(b) the words from “a decision” to the end become paragraph (a), and

- (c) after that paragraph insert “, or
  - (b) a decision that section 32(5) of the UK Borders Act 2007 applies (whether made before, or on or after, the day appointed for the commencement of section 51 of the Borders, Citizenship and Immigration Act 2009 which inserted this paragraph)”.

*Detention at ports in Scotland*

**52 Extension of sections 1 to 4 of the UK Borders Act 2007 to Scotland**

- (1) In section 2 of the UK Borders Act 2007 (c. 30) (detention at ports), after subsection (1), insert—
  - “(1A) A designated immigration officer at a port in Scotland may detain an individual if the immigration officer thinks that the individual is subject to a warrant for arrest.”
- (2) In section 3 of that Act (enforcement of detention at ports), after subsection (4), insert—
  - “(4A) In the application of this section to Scotland, the references in subsections (2)(a) and (3)(a) to 51 weeks shall be treated as references to 12 months.”
- (3) In section 60(1) of that Act (provisions which do not extend to Scotland), omit “1 to 4,”.