***Changes to legislation:** Immigration Act 2016, Paragraph 17 is up to date with all changes known to be in force on or before 25 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 10

IMMIGRATION BAIL

Modifications etc. (not altering text)

C1 Sch. 10 applied (with modifications) (31.1.2020) by The Immigration (Citizens Rights Appeals) (EU Exit) Regulations 2020 (S.I. 2020/61), reg. 1(2), Sch. 3 para. 2(1)(b)(4)

C1 Sch. 10 modified (15.1.2018 for specified purposes, 31.8.2021 for E.W. in so far as not already in force, 31.8.2022 for S.N.I. in so far as not already in force) by 1997 c. 68, **Sch. 3** (as substituted by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 10 para. 25**; S.I. 2017/1241, reg. 2(c) (with **Sch.**) (as amended by S.I. 2018/31, **reg. 2**); S.I. 2021/939, reg. 2(b) (with Sch. para. 1, **2**); S.I. 2022/863, regs. 1(2), **2(b)**)

C1 Sch. 10 applied by 2007 c. 30, **s. 36(3A)-(3C)** (as inserted (15.1.2018) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 10 para. 40(4)**; S.I. 2017/1241, reg. 2(c) (with **Sch.**) (as amended by S.I. 2018/31, **reg. 2**))

C2 Sch. 10 applied by 1971 c. 77, **Sch. 3 para. 2(5)-(7)** (as substituted (15.1.2018) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 10 para. 21(2)(d)**; S.I. 2017/1241, reg. 2(c) (with **Sch.**) (as amended by S.I. 2018/31, **reg. 2**))

PART 2

AMENDMENTS TO OTHER ACTS

Immigration Act 1971 (c. 77)

17 (1) Section 28 (proceedings for offences) is amended as follows.

(2) In subsection (1) for "24" substitute " 24(3) ".

(3) After that subsection insert—

"(1A) Where the offence is one to which, under section 24(3A), an extended time limit for prosecutions is to apply, then—

(a) an information relating to the offence may in England and Wales be tried by a magistrates' court if it is laid—

(i) within the period of six months beginning with the date of the commission of the offence, or

(ii) within the period of three months beginning with the date when the person is first arrested for the offence or under paragraph 10 of Schedule 10 to the Immigration Act 2016 (arrest for breach of bail condition), if that period expires after the end of the period mentioned in sub-paragraph (i),

(b) summary proceedings for the offence may in Scotland be commenced—

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(i) within the period of six months beginning with the date of the commission of the offence, or

(ii) within the period of three months beginning with the date when the person is first arrested for the offence or under paragraph 10 of Schedule 10 to the Immigration Act 2016 (arrest for breach of bail condition), if that period expires after the end of the period mentioned in sub-paragraph (i), and

(c) a complaint charging the commission of an offence under this paragraph may in Northern Ireland be heard and determined by a magistrates' court if it is made—

(i) within the period of six months beginning with the date of the commission of the offence, or

(ii) within the period of three months beginning with the date when the person is first arrested for the offence or under paragraph 10 of Schedule 10 to the Immigration Act 2016 (arrest for breach of bail condition), if that period expires after the end of the period mentioned in sub-paragraph (i).”

(4) In subsection (2) for “subsection (1)(b)” substitute “ subsections (1)(b) and (1A)(b) ”.

Commencement Information

I1 Sch. 10 para. 17 in force at 15.1.2018 by S.I. 2017/1241, **reg. 2(c)** (with Sch.) (as amended by S.I. 2018/31, reg. 2)

Changes to legislation:
Immigration Act 2016, Paragraph 17 is up to date with all changes known to be in force on or before 25 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
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Changes and effects yet to be applied to :

– specified provision(s) amendment to earlier commencing S.I. 2017/1241, Sch. by S.I. 2018/31 reg. 2

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 69(9)(d) and word inserted by 2023 c. 37 s. 21(2)(b)
– Sch. 10 para. 3(2)(eza) inserted by 2023 c. 37 s. 13(3)(a)
– Sch. 10 para. 3(3A)-(3C) inserted by 2023 c. 37 s. 13(3)(b)
– Sch. 10 para. 3A and cross-heading inserted by 2023 c. 37 s. 13(4)