

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Immigration Act 2016, Paragraph 26 is up to date with all changes known to be in force on or before 25 July 2023. 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 11

SUPPORT FOR CERTAIN CATEGORIES OF MIGRANT

PART 1

AMENDMENTS OF THE IMMIGRATION ACTS

PROSPECTIVE

Power to support failed asylum-seekers

- 26 (1) The Nationality, Immigration and Asylum Act 2002 is amended as follows.
- (2) In section 18 (definition of asylum-seeker for purposes of Part 2), omit subsection (2).
- (3) In section 26 (withdrawal of support), in subsection (3)—
- (a) for “95 or 98” substitute “ 95, 95A, 98 or 98A ”;
 - (b) omit “(asylum-seeker)”.
- (4) In section 35—
- (a) in subsection (2), for “section 95 or 98” substitute “ section 95, 95A, 98 or 98A ”;
 - (b) in subsection (3), after “section 95” insert “ or 95A ”.
- (5) In section 43—
- (a) in subsection (1), for “asylum-seeker” substitute “ asylum-seekers and failed asylum-seekers, etc ”;
 - (b) the heading of that section becomes “ **Form of support under Part 6 of the Immigration and Asylum Act 1999** ”.
- (6) In section 51 (choice of form of support), in subsection (2), omit the “and” after paragraph (b) and after paragraph (c) insert “, and
- (d) sections 95A and 98A of that Act (support for destitute failed asylum-seekers).”
- (7) In section 55 (late claim for asylum: refusal of support), in subsection (2), after paragraph (a) insert—
- “(aa) sections 95A and 98A of that Act (support for failed asylum-seeker, &c).”.
- (8) In Schedule 3 (withholding and withdrawal of support)—
- (a) omit paragraph 7A;
 - (b) in paragraph 14(1) and (2), for “, 7 or 7A” substitute “ or 7 ”.

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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](#)