

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

Changes to legislation: Immigration Act 2016, Paragraph 7 is up to date with all changes known to be in force on or before 15 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

- 7 (1) Section 94 (interpretation of Part 6) is amended as follows.
- (2) In subsection (1)—
- (a) in the definition of “dependant”, after “asylum-seeker” insert “, a failed asylum-seeker”;
 - (b) after the definition of “the Executive” insert—
““failed asylum-seeker” has the meaning given by subsection (2D);”;
 - (c) for the definition of “supported person” substitute—
““supported person” means—
 - (a) in relation to support under section 95, an asylum-seeker, or a dependant of an asylum-seeker, who has applied for support and for whom support is provided under that section, and
 - (b) in relation to support under section 95A, a failed asylum-seeker, or a dependant of a failed asylum-seeker, who has applied for support and for whom support is provided under that section.”
- (3) In subsection (2), after “section 95” insert “ or 95A ”.
- (4) After subsection (2C) (inserted by paragraph 3(3) above) insert—
“(2D) A person is a failed asylum-seeker for the purposes of this Part if—
 - (a) the person is at least 18 years old,
 - (b) the person—
 - (i) was an asylum-seeker, or
 - (ii) would have been an asylum-seeker at any time if the person had been at least 18 years old at that time,
 - (c) the person's protection claim has been rejected, and

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(d) the person is not an asylum-seeker.”

(5) Omit subsections (5) and (6).

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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](#)