



Immigration Act 2016

2016 CHAPTER 19

PART 3

ENFORCEMENT

Detention and bail

61 Immigration bail

- (1) Schedule 10 (immigration bail) has effect.
- (2) In that Schedule—
 - (a) Part 1 contains the main provisions about immigration bail, and
 - (b) Part 2 contains amendments to other Acts.
- (3) A person may be released and remain on bail under paragraph 22 or 29 of Schedule 2 to the Immigration Act 1971 even if the person can no longer be detained under a provision of the Immigration Acts to which that paragraph applies, if the person is liable to detention under such a provision.
- (4) The reference in subsection (3) to paragraph 22 or 29 of Schedule 2 to the Immigration Act 1971 includes that paragraph as applied by any other provision of the Immigration Acts.
- (5) Subsections (3) and (4) are to be treated as always having had effect.
- (6) Subsections (3) to (5) are repealed on the coming into force of the repeal of paragraphs 22 and 29 of Schedule 2 to the Immigration Act 1971 by paragraph 20 of Schedule 10.

Commencement Information

- I1** [S. 61](#) partly in force; [s. 61\(3\)-\(5\)](#) in force at Royal Assent, see [s. 94\(3\)](#)
- I2** [S. 61\(1\)\(2\)](#) in force at 15.1.2018 for specified purposes by [S.I. 2017/1241](#), [reg. 2\(a\)](#) (with [Sch.](#)) (as amended by [S.I. 2018/31](#), [reg. 2](#))
- I3** [S. 61\(1\)\(2\)](#) in force at 31.8.2021 for specified purposes for E.W. by [S.I. 2021/939](#), [reg. 2\(a\)](#)

Changes to legislation: Immigration Act 2016, Section 61 is up to date with all changes known to be in force on or before 04 September 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](#)

- I4** [S. 61\(1\)\(2\)](#) in force at 31.8.2022 for S.N.I. in so far as not already in force by [S.I. 2022/863](#), **regs. 1(2), 2(a)**

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 61(3)-(5) repealed by [2016 c. 19 s. 61\(6\)](#) (This amendment comes into force on the coming into force of the repeal of the Immigration Act 1971 (c. 77), Sch. 2 paras. 22, 29 of by 2016 c. 19, Sch. 10 para. 20)
- 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\(4\)](#)