



# Illegal Migration Act 2023

## 2023 CHAPTER 37

### *Safe and legal routes*

#### **60 Cap on number of entrants using safe and legal routes**

- (1) The Secretary of State must make regulations specifying the maximum number of persons who may enter the United Kingdom annually using safe and legal routes (see [subsection \(7\)](#)).
- (2) Before making the regulations the Secretary of State must consult—
  - (a) in England and Wales and Scotland, such representatives of local authorities as the Secretary of State considers appropriate,
  - (b) the Executive Office in Northern Ireland, and
  - (c) such other persons or bodies as the Secretary of State considers appropriate.
- (3) But the duty to consult does not apply where the Secretary of State considers that the number needs to be changed as a matter of urgency.
- (4) The Secretary of State must begin the consultation under [subsection \(2\)](#) in relation to the first regulations to be made under this section before the end of the period of 3 months beginning with the day on which this Act is passed.
- (5) If in any year the number of persons who enter the United Kingdom using safe and legal routes exceeds the number specified in the regulations, the Secretary of State must lay a statement before Parliament—
  - (a) setting out the number of persons who have, in that year, entered the United Kingdom using safe and legal routes, and
  - (b) explaining why the number exceeds that specified in the regulations.
- (6) The statement must be laid before Parliament before the end of the period of six months beginning with the day after the last day of the year to which the statement relates.
- (7) In [this section](#)—

“local authority” means—

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**Changes to legislation:** There are currently no known outstanding effects for the Illegal Migration Act 2023, Cross Heading: Safe and legal routes. (See end of Document for details)

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- (a) in England and Wales, a county council, a county borough council, a district council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly, and
  - (b) in Scotland, a council constituted under section 2 of the Local Government etc (Scotland) Act 1994;
- “safe and legal route” means a route specified in regulations made by the Secretary of State.

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**Commencement Information**

- I1** S. 60(7) in force at Royal Assent for specified purposes, see **s. 68(4)(l)**
- I2** S. 60 in force at 28.9.2023 in so far as not already in force by **S.I. 2023/989, reg. 2(d)**

## **61 Report on safe and legal routes**

- (1) The Secretary of State must, before the end of the relevant period—
  - (a) prepare and publish a report on safe and legal routes by which persons may enter the United Kingdom, and
  - (b) lay the report before Parliament.
- (2) The report must—
  - (a) contain details of the safe and legal routes by which persons may enter the United Kingdom when the report is published,
  - (b) contain details of any proposed additional safe and legal routes which have not come into operation at that time,
  - (c) specify the routes within paragraph (a) or (b) which are or will be available to adults,
  - (d) specify the routes within paragraph (a) or (b) which are or will be available to children, and
  - (e) contain details of how routes within paragraph (a) or (b) may be accessed by persons who are eligible to use them.
- (3) In this section—
  - “adult” means a person who is aged 18 or over;
  - “child” means a person who is under the age of 18;
  - “the relevant period” means the period of 6 months beginning with the day on which this Act is passed.

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**Commencement Information**

- I3** S. 61 not in force at Royal Assent, see **s. 68(1)**
- I4** S. 61 in force at 28.9.2023 by **S.I. 2023/989, reg. 2(e)**

**Changes to legislation:**

There are currently no known outstanding effects for the Illegal Migration Act 2023, Cross  
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