



Illegal Migration Act 2023

2023 CHAPTER 37

Detention, bail etc

14 **Disapplication of duty to consult Independent Family Returns Panel**

In section 54A of the Borders, Citizenship and Immigration Act 2009 (Independent Family Returns Panel), after subsection (3) insert—

“(3A) The duty under subsection (2)(a) does not apply where the proposed removal is for the purposes of section 2 or 4(2) of the Illegal Migration Act 2023 (duty or power to make arrangements for removal).

(3B) The duty under subsection (2)(b) does not apply where the proposed detention is under—

- (a) paragraph 16(2C) of Schedule 2 to the Immigration Act 1971 (detention under authority of immigration officer relating to removal under the Illegal Migration Act 2023), or
- (b) section 62(2A) of the Nationality, Immigration and Asylum Act 2002 (detention under authority of Secretary of State relating to removal under the Illegal Migration Act 2023).”