



# Illegal Migration Act 2023

## 2023 CHAPTER 37

### *Legal proceedings*

#### **40 Meaning of “serious and irreversible harm”**

- (1) The Secretary of State may by regulations amend section 39 to make provision about the meaning of “serious and irreversible harm” for the purposes of this Act.
- (2) Regulations under subsection (1) may in particular—
  - (a) define any aspect of serious and irreversible harm;
  - (b) give examples of what is or is not to be treated as serious and irreversible harm.
- (3) Regulations under subsection (1) may not amend subsection (4) of section 39 to remove any example of serious and irreversible harm which is listed in that subsection when this Act is passed.
- (4) Regulations under subsection (1) may make consequential amendments to this Act.

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#### **Commencement Information**

- II** S. 40 in force at Royal Assent for specified purposes, see [s. 68\(4\)\(i\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Illegal Migration Act 2023, Section 40.