
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force certain provisions of the Immigration and Asylum Act 1999 (the 1999 Act).

On 22nd May 2000, the following provisions are commenced:

- (a) section 10(6), which concerns removal directions in respect of certain persons unlawfully in the United Kingdom, and enables subordinate legislation to be made prescribing the class of persons to whom removal directions may be given, and prescribing requirements that may be imposed;
- (b) section 12(1), which enables subordinate legislation to be made designating countries (other than countries which are Member States of the European Union) to which asylum claimants may be removed;
- (c) section 60(6) and (10), which concerns family visitor appeals, and enables subordinate legislation to be made prescribing fees for such appeals and the definition of “family visitor”;
- (d) section 72(3), for the purpose of making subordinate legislation concerning procedural requirements in relation to applications;
- (e) sections 74 and 75, for the purpose of making subordinate legislation on the one-stop appeals procedure;
- (f) section 76(6), which enables subordinate legislation to be made prescribing the definition of “member of the family” in the context of a failure to comply with section 74;
- (g) section 80, which enables subordinate legislation to be made on appeals rights for European Economic Area nationals, their family members and certain family members of United Kingdom nationals;
- (h) section 82, which provides the interpretation of certain words and phrases for the purposes of Part V;
- (i) section 83, which makes provision for the appointment of an Immigration Services Commissioner to regulate the provision of immigration advice and services, although subsections (4) and (5) are commenced only for the purposes of certain provisions of Schedule 5. These provisions relate to the making of the Commissioner’s Rules, the Code of Standards and the complaints scheme, and the Commissioner’s remuneration, status and staff;
- (j) section 86(1) to (9), which relates to designated professional bodies;
- (k) section 93, which relates to the disclosure of information obtained by or given to the Immigration Services Commissioner under or for the purposes of the 1999 Act;
- (l) section 165, which enables subordinate legislation to be made concerning procedural requirements for applications made under the Immigration Act 1971;
- (m) paragraph 1 of Schedule 4 (and section 58(2) so far as it extends to that paragraph), which enables subordinate legislation to be made on requirements for notification of appealable decisions or actions.