
EXPLANATORY NOTE

(This note is not part of the Regulations)

This Order brings into force the automatic deportation provisions of the UK Borders Act 2007 to the extent specified in the Order. The provisions set out in the Schedule (sections 32 to 38 and section 39 (interpretation)) shall come into force on the 1st August 2008 in respect of a person to whom Condition 1 in section 32 applies. This means that the automatic deportation provisions are commenced in respect of those foreign criminals who have been sentenced to a period of imprisonment of at least 12 months. Section 32 is subject to the transitional provision in article 3 which applies section 32 (as commenced) to those in custody at the time of commencement or whose sentences are suspended. This is provided such a person has not been served with a notice of a decision to make a deportation order under section 5 of the Immigration Act 1971 before commencement.