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STATUTORY INSTRUMENTS

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**2017 No. 617**

**The Immigration Act 2016 (Consequential Amendments)  
(Biometrics and Legal Aid) Regulations 2017**

**Amendments to the Legal Aid, Sentencing and Punishment of Offenders Act 2012**

**3.—(1)** Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012<sup>(1)</sup> is amended as follows.

- (2) In paragraph 26 of Part 1 (immigration: temporary admission)—
- (a) in the heading of that paragraph, for “temporary admission” substitute “conditions of immigration bail: persons liable to examination or removal”;
  - (b) for sub-paragraph (1) substitute—
    - “(1) Civil legal services provided in relation to conditions of immigration bail where the services are provided to a person who is liable to detention under—
    - (a) paragraph 16(1), (1A) or (2) of Schedule 2 to the Immigration Act 1971 (detention of persons liable to examination or removal);
    - (b) section 62 of the Nationality, Immigration and Asylum Act 2002 (detention by Secretary of State of persons liable to examination or removal).”.
- (3) In paragraph 27 of Part 1 (immigration: residence etc. restrictions)—
- (a) in the heading of that paragraph, for “residence etc restrictions” substitute “conditions of immigration bail (deportation)”;
  - (b) for sub-paragraph (1) substitute—
    - “(1) Civil legal services provided in relation to conditions of immigration bail where the services are provided to a person who is liable to detention under—
    - (a) paragraph 2(1), (2) or (3) of Schedule 3 to the Immigration Act 1971 (detention or control pending deportation);
    - (b) section 36(1) of the UK Borders Act 2007 (detention pending deportation of criminals).”.
- (4) After paragraph 27 of Part 1 (immigration: residence etc. restrictions), insert—

**“27A Immigration: conditions imposed under other provisions**

- (1) Civil legal services provided in relation to—
  - (a) conditions imposed on a person released on bail under paragraph 2(1A) of Schedule 3 to the Immigration Act 1971 (detention or control pending deportation);
  - (b) conditions imposed on a person under section 71(2) of the Nationality, Immigration and Asylum Act 2002 (asylum-seeker: residence, &c. restriction).

*Exclusions*

- (2) Sub-paragraph (1) is subject to the exclusions in Parts 2 and 3 of this Schedule.”.
- (5) In paragraph 8 of Part 3 (advocacy in the magistrates’ court), omit paragraph (b).
- (6) In paragraph 11 of Part 3 (advocacy before the First-tier Tribunal)—
  - (a) omit paragraph (a) and the “or” following it;
  - (b) at the end of paragraph (b), insert—
    - “, or
    - (c) Schedule 10 to the Immigration Act 2016.”.