

2023 No. 1129

IMMIGRATION

**The Nationality and Borders Act 2022 (Consequential
Amendments) Regulations 2023**

Made - - - - at 10.15 a.m. on 25th October 2023

Laid before Parliament at 3.00 p.m. on 25th October 2023

Coming into force - - - - 20th November 2023

The Secretary of State makes these Regulations in exercise of the powers conferred by section 84(2) and (3) of the Nationality and Borders Act 2022(a).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Nationality and Borders Act 2022 (Consequential Amendments) Regulations 2023 and come into force on 20th November 2023.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendment of the Immigration (Removal of Family Members) Regulations 2014

2.—(1) The Immigration (Removal of Family Members) Regulations 2014(b) are amended as follows.

(2) In regulation 2 (interpretation) in the definition of “P”, for “section 10(1)” substitute “section 10”.

Amendment of the Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014

3.—(1) The Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014(c) are amended as follows.

(2) In rule 41(5) (decision in bail proceedings), for “14” substitute “21”.

Robert Jenrick
Minister of State
Home Office

At 10.15 a.m. on 25th October 2023

(a) 2022 c. 36.

(b) S.I. 2014/2816.

(c) S.I. 2014/2604, amended by S.I. 2017/1168 and S.I. 2018/1053; there are other amendments but none is relevant.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments which are consequential on the coming into force of certain provisions in the Nationality and Borders Act 2022 (c. 36) (“the 2022 Act”).

Section 46 of the 2022 Act amends the Immigration and Asylum Act 1999 (c. 33) to make provision about removal notices.

In consequence of the amendments to section 10 of the Immigration and Asylum Act 1999 made by section 46 of the 2022 Act, regulation 2 amends regulation 2 of the Immigration (Removal of Family Members) Regulations 2014 (S.I. 2014/2816) so that “P” is defined as a person who is liable to be or has been removed from the United Kingdom under section 10 of Immigration and Asylum Act 1999, rather than under section 10(1) of that Act.

Regulation 3 amends rule 41(5) of the Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014 (S.I. 2014/2604) so that the provision will refer to directions requiring the bail party to be removed from the United Kingdom within 21 days rather than 14 days of the date of the decision to release the bail party on bail. This is in consequence of section 46(8) of the 2022 Act.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary sector or community bodies is foreseen.

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