
STATUTORY INSTRUMENTS

2023 No. 34 (C. 3)

IMMIGRATION

**The Immigration and Asylum Act 1999
(Commencement No. 17) Order 2023**

Made - - - - 12th January 2023

The Secretary of State makes this Order in exercise of the powers conferred by section 170(4) of the Immigration and Asylum Act 1999⁽¹⁾.

Citation and extent

1.—(1) This Order may be cited as the Immigration and Asylum Act 1999 (Commencement No. 17) Order 2023.

(2) This Order extends to England and Wales, Scotland and Northern Ireland.

Provisions coming into force on 13th February 2023

2.—(1) To the extent they are not already in force, sections 31A, 32 and 34 to 37 of the Immigration and Asylum Act 1999⁽²⁾ (penalties for failure to secure goods vehicle and for carrying clandestine entrants) come into force on 13th February 2023 for the purposes mentioned in paragraph (2).

(2) Those purposes are—

- (a) the imposition of a penalty under section 31A of the 1999 Act (penalty for failure to secure goods vehicle etc)⁽³⁾; and
- (b) related matters as set out in sections 31A to 37 and section 43 of the 1999 Act in relation to the imposition of penalties in so far as they relate to purposes set out in sub-paragraph (a).

(1) 1999 c. 33; relevant amendments were made by Schedule 8 to the Nationality, Immigration and Asylum Act 2002 (c. 41) and Schedule 5 to the Nationality and Borders Act 2022 (c. 36) (“the 2022 Act”).
(2) As amended by Schedule 5 to the 2022 Act.
(3) Section 31A was inserted by paragraph 3 of Schedule 5 to the 2022 Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

12th January 2023

Robert Jenrick
Minister of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the 17th commencement order made under the Immigration and Asylum Act 1999 (“the 1999 Act”).

This Order brings into force sections 31A, 32 and 34 to 37 of the 1999 Act on 13th February 2023, in respect of penalties imposed under section 31A of the 1999 Act. Provision is also made for matters related to such penalties.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|---|-----------------------------|---------------------------|
| Sections 1 and 2 | 14th February 2000 | 2000/168 |
| Section 3 | 2nd October 2000 | 2000/2444 |
| Section 5 | 1st April 2003 | 2003/758 |
| Sections 6 to 8 | 1st March 2000 | 2000/168 |
| Section 10 (in part) | 22nd May 2000 | 2000/1282 |
| Sections 10 (so far as not already in force) and 11 | 2nd October 2000 | 2000/2444 |
| Section 12 (in part) | 22nd May 2000 | 2000/1282 |
| Section 12 (so far as not already in force) | 2nd October 2000 | 2000/2444 |
| Section 13 | 11th December 2000 | 2000/3099 |
| Section 14 | 1st March 2000 | 2000/168 |
| Section 18 (in part) | 1st March 2000 | 2000/464 |
| Sections 18 (so far as not already in force) and 19 | 3rd April 2000 | 2000/464 |
| Sections 20 and 21 | 1st January 2000 | 1999/3190 |
| Section 22 (in part) | 19th January 2001 | 2001/239 |
| Section 22 (so far as not already in force) | 2nd May 2001 | 2001/1394 |
| Section 23 | 2nd October 2000 | 2000/2444 |
| Section 24 | 1st January 2001 | 2000/2698 |
| Section 25 (in part) | 17th February 2003 | 2003/2 |
| Section 25 (so far as not already in force) | 1st April 2003 | 2003/2 |
| Section 26 (in part) | 5th June 2003 | 2003/1469 |
| Section 26 (so far as not already in force) | 30th June 2003 | 2003/1469 |

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| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--|-----------------------------|-----------------|
| Sections 28, 29 (in part) and 30 | 14th February 2000 | 2000/168 |
| Section 29 (so far as not already in force) | 2nd October 2000 | 2000/2444 |
| Section 32 (in part) | 6th December 1999 | 1999/3190 |
| Section 33 | 6th December 1999 | 1999/3190 |
| Sections 35 (in part), 36 (in part) and 37 (in part) | 6th December 1999 | 1999/3190 |
| Sections 32 and 34 to 37 (in part) | 3rd April 2000 | 2000/464 |
| Sections 32 and 34 to 37 (in part) | 18th September 2000 | 2000/2444 |
| Sections 32 and 34 to 37 (in part) | 8th December 2002 | 2002/2815 |
| Section 38 | 3rd April 2000 | 2000/464 |
| Section 39 | 6th December 1999 | 1999/3190 |
| Section 40 (in part) | 6th December 1999 | 1999/3190 |
| Section 41 | 8th December 2002 | 2002/2815 |
| Section 42 (in part) | 6th December 1999 | 1999/3190 |
| Section 43 | 6th December 1999 | 1999/3190 |
| Sections 53 (in part) and 54 | 10th February 2003 | 2003/2 |
| Sections 56 and 57 | 14th February 2000 | 2000/168 |
| Section 58 (in part) | 14th February 2000 | 2000/168 |
| Section 58 (in part) | 22nd May 2000 | 2000/1282 |
| Section 60 (in part) | 22nd May 2000 | 2000/1282 |
| Section 72 (in part) | 22nd May 2000 | 2000/1282 |
| Sections 74 (in part), 75 (in part) and 76 (in part) | 22nd May 2000 | 2000/1282 |
| Section 80 | 22nd May 2000 | 2000/1282 |
| Part IV (i.e. sections 56 to 81) (including Schedules 2, 3 and 4) (except for section 79 and so far as not already in force) | 2nd October 2000 | 2000/2444 |
| Section 82 | 22nd May 2000 | 2000/1282 |
| Section 83 (in part) | 22nd May 2000 | 2000/1282 |
| Section 83 (so far as not already in force) | 30th October 2000 | 2000/1985 |
| Section 84 (in part) | 30th October 2000 | 2000/1985 |
| Section 84 (so far as not already in force) | 30th April 2001 | 2001/1394 |
| Section 85 (in part) | 1st August 2000 | 2000/1985 |
| Section 85 (so far as not already in force) | 30th October 2000 | 2000/1985 |
| Section 86 (in part) | 22nd May 2000 | 2000/1282 |
| Section 86 (in part) | 30th October 2000 | 2000/1985 |

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--|-----------------------------|-----------------|
| Section 86 (so far as not already in force) | 30th April 2001 | 2001/1394 |
| Section 87 (in part) | 1st August 2000 | 2000/1985 |
| Section 87 (so far as not already in force) | 30th October 2000 | 2000/1985 |
| Sections 88 and 89 | 30th October 2000 | 2000/1985 |
| Section 90 (in part) | 1st August 2000 | 2000/1985 |
| Section 90 (so far as not already in force) | 30th April 2001 | 2001/1394 |
| Sections 91 and 92 | 30th April 2001 | 2001/1394 |
| Section 93 | 22nd May 2000 | 2000/1282 |
| Section 95 (in part) | 6th December 1999 | 1999/3190 |
| Section 95 (in part) | 1st January 2000 | 1999/3190 |
| Section 97 (in part) | 1st January 2000 | 1999/3190 |
| Section 98 (in part) | 1st March 2000 | 2000/464 |
| Section 104 | 1st January 2000 | 1999/3190 |
| Section 110 (in part) | 6th December 1999 | 1999/3190 |
| Sections 114 (in part) and 115 (in part) | 1st January 2000 | 1999/3190 |
| Section 116 | 6th December 1999 | 1999/3190 |
| Section 117 (in part) | 6th December 1999 | 1999/3190 |
| Section 118 (in part) | 1st January 2000 | 1999/3190 |
| Section 118 (so far as not already in force) | 1st March 2000 | 2000/464 |
| Section 119 (in part) | 1st January 2000 | 1999/3190 |
| Section 119 (so far as not already in force) | 1st March 2000 | 2000/464 |
| Sections 120 (in part), 121 (in part) and 122 (in part) | 1st March 2000 | 2000/464 |
| Part VI (i.e. sections 94 to 127) (except section 117(5) and so far as not already in force) | 3rd April 2000 | 2000/464 |
| Section 123 (in part) | 1st January 2000 | 1999/3190 |
| Sections 128 to 139 | 14th February 2000 | 2000/168 |
| Sections 141 to 144 | 11th December 2000 | 2000/3099 |
| Section 147 | 1st August 2000 | 2000/1985 |
| Section 148 (in part) | 1st August 2000 | 2000/1985 |
| Section 148 (so far as not already in force) | 2nd April 2001 | 2001/239 |
| Section 149 (in part) | 1st August 2000 | 2000/1985 |
| Section 149 (so far as not already in force) | 2nd April 2001 | 2001/239 |
| Sections 150 and 151 | 2nd April 2001 | 2001/239 |

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| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--|-----------------------------|-----------------|
| Section 152 (in part) | 1st August 2000 | 2000/1985 |
| Section 152 (so far as not already in force) | 2nd April 2001 | 2001/239 |
| Section 153 (in part) | 1st August 2000 | 2000/1985 |
| Section 153 (so far as not already in force) | 2nd April 2001 | 2001/239 |
| Section 154 (in part) | 3rd April 2000 | 2000/464 |
| Section 154 (in part) | 1st August 2000 | 2000/1985 |
| Section 154 (so far as not already in force) | 2nd April 2001 | 2001/239 |
| Section 155 (in part) | 1st August 2000 | 2000/1985 |
| Section 155 (so far as not already in force) | 2nd April 2001 | 2001/239 |
| Section 156 (in part) | 1st August 2000 | 2000/1985 |
| Section 156 (so far as not already in force) | 2nd April 2001 | 2001/239 |
| Section 157 (in part) | 1st August 2000 | 2000/1985 |
| Section 157 (so far as not already in force) | 2nd April 2001 | 2001/239 |
| Sections 158 and 159 | 2nd April 2001 | 2001/239 |
| Sections 160 to 163 | 1st January 2001 | 2000/2698 |
| Section 164 | 1st December 2004 | 2004/2997 |
| Section 165 (in part) | 22nd May 2000 | 2000/1282 |
| Section 165 (so far as not already in force) | 1st August 2003 | 2003/1862 |
| Section 169 (in part) | 6th December 1999 | 1999/3190 |
| Section 169 (in part) | 14th February 2000 | 2000/168 |
| Section 169 (in part) | 1st March 2000 | 2000/464 |
| Section 169 (in part) | 3rd April 2000 | 2000/464 |
| Section 169 (in part) | 1st August 2000 | 2000/1985 |
| Section 169 (in part) | 2nd October 2000 | 2000/2444 |
| Section 169 (in part) | 11th December 2000 | 2000/3099 |
| Section 169 (in part) | 1st January 2001 | 2000/2698 |
| Section 169 (in part) | 30th June 2003 | 2003/1469 |
| Schedule 1 (in part) | 6th December 1999 | 1999/3190 |
| Schedule 1 (so far as not already in force) | 3rd April 2000 | 2000/464 |
| Schedules 2 and 3 | 14th February 2000 | 2000/168 |
| Schedule 4 (in part) | 14th February 2000 | 2000/168 |
| Schedule 4 (in part) | 22nd May 2000 | 2000/1282 |
| Schedule 5 (in part) | 22nd May 2000 | 2000/1282 |
| Schedule 5 (so far as not already in force) | 30th October 2000 | 2000/1985 |

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--|-----------------------------|-----------------|
| Schedule 6 (in part) | 1st August 2000 | 2000/1985 |
| Schedule 6 (so far as not already in force) | 30th October 2000 | 2000/1985 |
| Schedule 7 (in part) | 1st August 2000 | 2000/1985 |
| Schedule 7 (so far as not already in force) | 30th October 2000 | 2000/1985 |
| Schedule 8 | 1st January 2000 | 1999/3190 |
| Schedule 11 (in part) | 3rd April 2000 | 2000/464 |
| Schedules 11 (in part), 12 (in part) and 13 (in part) | 1st August 2000 | 2000/1985 |
| Schedules 11, 12 and 13 (so far as not already in force) | 2nd April 2001 | 2001/239 |
| Schedules 14 (in part) and 15 (in part) | 6th December 1999 | 1999/3190 |
| Schedules 14 (in part), 15 (in part) and 16 (in part) | 14th February 2000 | 2000/168 |
| Schedules 14 (in part) and 16 (in part) | 1st March 2000 | 2000/464 |
| Schedules 14 (in part) and 16 (in part) | 3rd April 2000 | 2000/464 |
| Schedule 14 (in part) | 1st August 2000 | 2000/1985 |
| Schedules 14 (in part), 15 (in part) and 16 (in part) | 2nd October 2000 | 2000/2444 |
| Schedules 14 (in part) and 16 (in part) | 11th December 2000 | 2000/3099 |
| Schedules 14 (in part) and 16 (in part) | 1st January 2001 | 2000/2698 |
| Schedule 16 (in part) | 8th December 2002 | 2002/2815 |
| Schedules 14 (in part) and 16 (in part) | 30th June 2003 | 2003/1469 |