
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the first commencement regulations made under the Illegal Migration Act 2023 (c. 37) (“the Act”).

These Regulations bring into force on 28th September 2023 the provisions of the Act referred to in regulation 2, so far as not already in force. Section 12 of the Act relates to the period for which a person may be detained and applies to all immigration detention powers. Section 60 of the Act relates to a maximum annual number of persons to be admitted to the United Kingdom under safe and legal routes. Section 61 relates to a duty to report on safe and legal routes to enter the United Kingdom. Section 62 of the Act amends section 8 of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (c. 19) and relates to the credibility of a person who has made an asylum or human rights claim. Section 15 of, and paragraphs 8, 10 and 11 of Schedule 2 to, the Act, which relate to search and seizure of electronic devices, and section 59 of the Act, which relates to inadmissibility, are brought into force for the purposes of making regulations.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector or community bodies is foreseen. An impact assessment was published in relation to the Illegal Migration Bill and can be found at <https://bills.parliament.uk/publications/51897/documents/3699> or a copy can be obtained from the Home Office, 2 Marsham Street, London SW1P 4DF.