

2024 No. 78

IMMIGRATION

The Immigration (Restrictions on Employment and Residential Accommodation) (Codes of Practice) (Amendment) Order 2024

Made - - - - at 1.30 p.m. on 23rd January 2024

Laid before Parliament at 4.30 p.m. on 23rd January 2024

Coming into force 13th February 2024

The Secretary of State makes the following Order in exercise of the powers conferred by section 19(2)(b) and (3) of the Immigration, Asylum and Nationality Act 2006 (“the 2006 Act”)(a) and section 32(5) and (6)(b) of the Immigration Act 2014 (“the 2014 Act”)(b).

In accordance with section 19(2)(a) of the 2006 Act (code of practice: employers), a draft revised code of practice specifying factors to be considered by the Secretary of State in determining the amount of a penalty imposed under section 15 of that Act has been laid before Parliament.

In accordance with section 32(6)(a) of the 2014 Act (code of practice: landlords and letting agents), a draft revised code of practice for the purposes of Chapter 1 of Part 3 of that Act has been laid before Parliament.

Citation, commencement and extent

1.—(1) This Order may be cited as the Immigration (Restrictions on Employment and Residential Accommodation) (Codes of Practice) (Amendment) Order 2024 and comes into force on 13th February 2024.

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

Amendment to the Immigration (Restrictions on Employment) Order 2007

2.—(1) The Immigration (Restrictions on Employment) Order 2007(c) is amended as follows.

(2) For article 11, substitute—

(a) 2006 c. 13.

(b) 2014 c. 22.

(c) S.I. 2007/3290; article 11 was amended by S.I. 2022/242. Other amendments have been made to S.I. 2007/3290 which are not relevant to this Order.

“Code of practice: civil penalties

11. The revised code of practice entitled “Code of practice on preventing illegal working: Right to Work Scheme for employers”(a), issued by the Secretary of State on 23rd January 2024 under section 19(1) and (3) of the 2006 Act and laid in draft before Parliament on 15th November 2023, comes into force on 13th February 2024.”.

Amendment to the Immigration (Residential Accommodation) (Prescribed Requirements and Codes of Practice) Order 2014

3.—(1) The Immigration (Residential Accommodation) (Prescribed Requirements and Codes of Practice) Order 2014(b) is amended as follows.

(2) For article 13, substitute—

“Code of practice: civil penalties

13. The revised code of practice entitled “Code of practice on right to rent: Right to Rent Scheme for landlords and their agents”(c), issued by the Secretary of State on 23rd January 2024 under section 32(1) and (5) of the Act and laid in draft before Parliament on 15th November 2023, comes into force on 13th February 2024.”.

Michael Tomlinson
Minister of State
Home Office

At 1.30 p.m. on 23rd January 2024

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to legislation relating to immigration.

Article 2 makes provision for a new code of practice specifying the factors to be considered by the Secretary of State in determining the amount of a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006, to come into force on 13th February 2024.

Article 3 makes provision for a new code of practice specifying the factors to be considered by the Secretary of State in determining the amount of a civil penalty under sections 23 and 25 of the Immigration Act 2014, to come into force on 13th February 2024.

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

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- (a) A copy of this Code as laid in draft and final forms can be obtained free of charge from the Home Office, Civil Penalty Compliance Team, PO BOX 665, Salford, M5 0LY 4DF and online at <https://www.gov.uk/government/publications/illegal-working-penalties-codes-of-practice-for-employers>.
 - (b) S.I. 2014/2874; article 13 was amended by S.I. 2022/242. Other amendments have been made to S.I. 2014/2874 which are not relevant to this Order.
 - (c) A copy of this Code as laid in draft and final forms can be obtained free of charge from the Home Office, Civil Penalty Compliance Team, PO BOX 665, Salford, M5 0LY 4DF and online at <https://www.gov.uk/government/publications/right-to-rent-landlords-code-of-practice>.

£5.78

<http://www.legislation.gov.uk/id/uksi/2024/78>

ISBN 978-0-34-825679-6



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