

Changes to legislation: There are currently no known outstanding effects for the Immigration Act 1988, SCHEDULE. (See end of Document for details)

SCHEDULE

Section 10.

MINOR AMENDMENTS

Limitation and conditions on leave to be applicable also to subsequent leave granted after absence within period of earlier leave

- 1 In section 3(3)(b) for the words “may be imposed (whether originally or on a variation) so that they will” there shall be substituted the words “(whether imposed originally or on a variation) shall”.

Commencement Information

- II Para. 1 of the Schedule wholly in force at 16.5.1991. See S.I. 1991/1001 art.

Power to pay expenses of persons liable to deportation who voluntarily leave the United Kingdom

- 2 In section 5(6) for “3(5)(c)” there shall be substituted “3(5)”.

Deportation order to terminate appeal pending in respect of limited leave

- 3 At the end of section 14 there shall be inserted—
“(5) Where a deportation order is made against a person any pending appeal by that person under subsection (1) above shall lapse.”

Time-limit for proceedings

- 4 In section 28(1)(a) for the words “a chief officer of police” there shall be substituted the words “an officer of police above the rank of chief superintendent” and for the words “his police force” there shall be substituted the words “the police force to which he belongs”.

Entry clearance as requisite evidence of eligibility

- 5 In section 33(1), in the definition of “entry clearance”, after the word “evidence” there shall be inserted the words “or the requisite evidence”.

Power to detain passport etc.

- 6 (1) After paragraph 4(2) of Schedule 2 there shall be inserted—
“(2A) An immigration officer may detain any passport or other document produced pursuant to sub-paragraph (2)(a) above until the person concerned is given leave to enter the United Kingdom or is about to depart or be removed following refusal of leave.”
(2) This amendment does not apply in relation to any person whose examination under paragraph 2 or 3 of Schedule 2 began before the coming into force of this paragraph.

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Time-limit for giving, refusing or cancelling leave to enter

- 7 (1) In paragraph 6(1) and (2) of Schedule 2 for the words “twelve hours”, wherever they occur, there shall be substituted the words “ twenty-four hours ”.
- (2) This amendment does not apply in relation to any person whose examination under paragraph 2 began before the coming into force of this paragraph.

Leave in default of notice giving or refusing leave or cancelling refusal

- 8 (1) In paragraph 6(1) of Schedule 2 for the words “indefinite leave to enter the United Kingdom” there shall be substituted the words “ leave to enter the United Kingdom for a period of six months subject to a condition prohibiting his taking employment ”.
- (2) In paragraph 6(3) of Schedule 2 for the words from “the immigration officer may” onwards there shall be substituted the words “ and the immigration officer does not at the same time give him indefinite or limited leave to enter, he shall be deemed to have been given leave to enter for a period of six months subject to a condition prohibiting his taking employment and the immigration officer shall as soon as may be give him written notice of that leave. ”
- (3) The amendment in sub-paragraph (1) above does not apply in relation to any person in whose case the time-limit in paragraph 6(1) of Schedule 2 has expired before the coming into force of this paragraph; and the amendment in sub-paragraph (2) above does not apply in relation to a person given a notice of cancellation under paragraph 6(3) of Schedule 2 before the coming into force of this paragraph.

Time-limit for removal directions

- 9 (1) At the end of paragraph 8(2) of Schedule 2 there shall be inserted the words “ except that directions may be given under sub-paragraph (1)(b) or (c) after the end of that period if the immigration officer has within that period given written notice to the owners or agents in question of his intention to give directions to them in respect of that person ”.
- (2) In paragraph 10(1)(b) of Schedule 2 for the words “but that the time limited by paragraph 8(2) has passed” there shall be substituted the words “ but that the requirements of paragraph 8(2) have not been complied with ”.
- (3) In paragraph 28(4) of Schedule 2 after the words “directions under that paragraph for the removal of a person from the United Kingdom” there shall be inserted the words “ and for the giving of a notice of intention to give such directions ”.
- (4) These amendments do not apply in relation to any person refused leave to enter the United Kingdom before the coming into force of this paragraph.

Restriction on work in case of persons temporarily admitted etc.

- 10 (1) In paragraph 21(2) of Schedule 2 after the words “as to residence” there shall be inserted the words “ , as to his employment or occupation ”.
- (2) In paragraphs 2(5) and 4 of Schedule 3 after the words “as to residence” there shall be inserted the words “ , as to his employment or occupation ”.
- (3) In section 24(1)(e) after the words “as to residence” there shall be inserted the words “ , as to his employment or occupation ”.

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- (4) These amendments apply in relation to persons granted temporary admission or released from detention under paragraph 21 of Schedule 2, becoming liable to detention under paragraph 2(2) or (3) of Schedule 3, or directed to be released as mentioned in paragraph 4 of that Schedule, as the case may be, before as well as after the coming into force of this paragraph.

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