



Nationality, Immigration and Asylum Act 2002

2002 CHAPTER 41

PART 4

DETENTION AND REMOVAL

Temporary release

^{F1}68 **Bail**

.....

Textual Amendments

F1 Ss. 68, 69 omitted (15.1.2018) by virtue of [Immigration Act 2016 \(c. 19\), s. 94\(1\)](#), [Sch. 10 para. 35](#); [S.I. 2017/1241, reg. 2\(c\)](#) (with [Sch.](#)) (as amended by [S.I. 2018/31, reg. 2](#))

^{F1}69 **Reporting restriction: travel expenses**

.....

Textual Amendments

F1 Ss. 68, 69 omitted (15.1.2018) by virtue of [Immigration Act 2016 \(c. 19\), s. 94\(1\)](#), [Sch. 10 para. 35](#); [S.I. 2017/1241, reg. 2\(c\)](#) (with [Sch.](#)) (as amended by [S.I. 2018/31, reg. 2](#))

70 Induction

- (1) A residence [^{F2}condition] may be imposed on an asylum-seeker or a dependant of an asylum-seeker without regard to his personal circumstances if—

Changes to legislation: Nationality, Immigration and Asylum Act 2002, Cross Heading: Temporary release is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) it requires him to reside at a specified location for a period not exceeding 14 days, and
- (b) the person imposing the residence [^{F2}condition] believes that a programme of induction will be made available to the asylum-seeker at or near the specified location.

[^{F3}(2) In subsection (1) “residence condition” means a condition imposed under Schedule 10 to the Immigration Act 2016.]

(3) In this section—

“asylum-seeker” has the meaning given by section 18 of this Act but disregarding section 18(1)(a),

“dependant of an asylum-seeker” means a person who appears to the Secretary of State to be making a claim or application in respect of residence in the United Kingdom by virtue of being a dependant of an asylum-seeker, and

“programme of induction” means education about the nature of the asylum process.

(4) Regulations under subsection (3)—

- (a) may make different provision for different circumstances,
- (b) must be made by statutory instrument, and
- (c) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(5) Subsection (6) applies where the Secretary of State arranges for the provision of a programme of induction (whether or not he also provides other facilities to persons attending the programme and whether or not all the persons attending the programme are subject to residence [^{F4}conditions]).

(6) A local authority may arrange for or participate in the provision of the programme or other facilities.

(7) In particular, a local authority may—

- (a) incur reasonable expenditure;
- (b) provide services outside its area;
- (c) provide services jointly with another body;
- (d) form a company;
- (e) tender for or enter into a contract;
- (f) do anything (including anything listed in paragraphs (a) to (e)) for a preparatory purpose.

(8) In this section “local authority” means—

- (a) a local authority within the meaning of section 94 of the Immigration and Asylum Act 1999 (c. 33), and
- (b) a Northern Ireland authority within the meaning of section 110 of that Act.

Textual Amendments

F2 Words in s. 70(1) substituted (15.1.2018) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 10 para. 36\(2\)](#); [S.I. 2017/1241](#), [reg. 2\(c\)](#) (with [Sch.](#)) (as amended by [S.I. 2018/31](#), [reg. 2](#))

F3 S. 70(2) substituted (15.1.2018) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 10 para. 36\(3\)](#); [S.I. 2017/1241](#), [reg. 2\(c\)](#) (with [Sch.](#)) (as amended by [S.I. 2018/31](#), [reg. 2](#))

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F4 Word in s. 70(5) substituted (15.1.2018) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 10 para. 36\(4\)](#); S.I. 2017/1241, reg. 2(c) (with Sch.) (as amended by S.I. 2018/31, reg. 2)

71 Asylum-seeker: residence, &c. restriction

- (1) This section applies to—
 - (a) a person who makes a claim for asylum at a time when he has leave to enter or remain in the United Kingdom, and
 - (b) a dependant of a person within paragraph (a).
- (2) The Secretary of State or an immigration officer may impose on a person to whom this section applies any [^{F5}condition which may be imposed under Schedule 10 to the Immigration Act 2016] on a person liable to detention under paragraph 16 of [^{F6}Schedule 2 to the Immigration Act 1971].
- (3) Where a [^{F7}condition] is imposed on a person under subsection (2)—
 - (a) the [^{F7}condition] shall be treated for all purposes as a [^{F7}condition] imposed under [^{F8}Schedule 10 to the Immigration Act 2016], and
 - (b) if the person fails to comply with the [^{F7}condition] he shall be liable to detention under paragraph 16 of [^{F9}Schedule 2 to the Immigration Act 1971].
- (4) A [^{F10}condition] imposed on a person under this section shall cease to have effect if he ceases to be an asylum-seeker or the dependant of an asylum-seeker.
- (5) In this section—

“asylum-seeker” has the same meaning as in section 70,
“claim for asylum” has the same meaning as in section 18, and
“dependant” means a person who appears to the Secretary of State to be making a claim or application in respect of residence in the United Kingdom by virtue of being a dependant of another person.
- (6) Regulations under subsection (5)—
 - (a) may make different provision for different circumstances,
 - (b) must be made by statutory instrument, and
 - (c) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F5** Words in s. 71(2) substituted (15.1.2018) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 10 para. 37\(2\)\(a\)](#); S.I. 2017/1241, reg. 2(c) (with Sch.) (as amended by S.I. 2018/31, reg. 2)
- F6** Words in s. 71(2) substituted (15.1.2018) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 10 para. 37\(2\)\(b\)](#); S.I. 2017/1241, reg. 2(c) (with Sch.) (as amended by S.I. 2018/31, reg. 2)
- F7** Word in s. 71(3) substituted (15.1.2018) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 10 para. 37\(3\)\(a\)](#); S.I. 2017/1241, reg. 2(c) (with Sch.) (as amended by S.I. 2018/31, reg. 2)
- F8** Words in s. 71(3) substituted (15.1.2018) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 10 para. 37\(3\)\(b\)](#); S.I. 2017/1241, reg. 2(c) (with Sch.) (as amended by S.I. 2018/31, reg. 2)
- F9** Words in s. 71(3) substituted (15.1.2018) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 10 para. 37\(3\)\(c\)](#); S.I. 2017/1241, reg. 2(c) (with Sch.) (as amended by S.I. 2018/31, reg. 2)
- F10** Word in s. 71(4) substituted (15.1.2018) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 10 para. 37\(4\)](#); S.I. 2017/1241, reg. 2(c) (with Sch.) (as amended by S.I. 2018/31, reg. 2)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- [Blanket amendment words substituted by S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- [s. 18\(1\)\(1A\) substituted for s. 18\(1\) by 2016 c. 19 Sch. 11 para. 31\(2\)](#)
- [s. 22A inserted by 2022 c. 36 s. 13\(7\)](#)
- [s. 27\(ba\) inserted by 2022 c. 36 s. 13\(10\)](#)
- [s. 51\(2\)\(d\) and word inserted by 2016 c. 19 Sch. 11 para. 26\(6\)](#)
- [s. 55\(2\)\(aa\) inserted by 2016 c. 19 Sch. 11 para. 26\(7\)](#)
- [s. 62\(3A\) inserted by 2023 c. 37 s. 11\(8\)](#)
- [s. 80A\(5A\) inserted by 2023 c. 37 s. 10\(8\)](#)
- [s. 82A inserted by 2022 c. 36 s. 23\(1\)](#)
- [s. 94\(6B\) inserted by 2006 c. 13 s. 13](#)
- [s. 106\(2\)\(ua\) inserted by 2007 c. 30 s. 19\(3\)](#)
- [s. 107\(2A\) inserted by 2022 c. 36 Sch. 3 para. 5\(a\)](#)
- [s. 126\(2A\) inserted by S.I. 2019/745 reg. 12\(3\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). [Reg. 12\(2\)\(3\)](#) omitted immediately before IP completion day by virtue of [S.I. 2020/1309](#), [regs. 1\(2\)\(a\), 48](#))
- [Sch. 3 para. 1\(1\)\(ga\) inserted by 2016 c. 19 Sch. 12 para. 2\(2\)](#) (This Act is amended by [S.I. 2020/1309](#), [Sch. 1 para. 3\(a\)](#))
- [Sch. 3 para. 1\(2A\) inserted by 2016 c. 19 Sch. 12 para. 2\(4\)](#) (This Act is amended by [S.I. 2020/1309](#), [Sch. 1 para. 3\(b\)](#))
- [Sch. 3 para. 1A inserted by 2016 c. 19 Sch. 12 para. 3](#)
- [Sch. 3 para. 2\(1\)\(ca\) inserted by 2016 c. 19 Sch. 12 para. 4\(3\)](#)
- [Sch. 3 para. 2A inserted by 2016 c. 19 Sch. 12 para. 5](#)
- [Sch. 3 para. 3A-3C inserted by 2016 c. 19 Sch. 12 para. 6](#)
- [Sch. 3 para. 7B7C and cross-headings inserted by 2016 c. 19 Sch. 12 para. 9](#)
- [Sch. 3 para. 10A10B inserted by 2016 c. 19 Sch. 12 para. 10](#) (This Act is amended by [S.I. 2020/1309](#), [Sch. 1 para. 3\(c\)](#))
- [Sch. 3 para. 15\(aa\) inserted by 2016 c. 19 Sch. 12 para. 14\(2\)](#)
- [Sch. 3 para. 15\(d\)-\(f\) inserted by 2016 c. 19 Sch. 12 para. 14\(4\)](#)
- [Sch. 3 para. 7C\(1\)\(c\) word substituted by S.I. 2019/745 reg. 12\(5\)\(d\)](#) (This amendment not applied to [legislation.gov.uk](#). [Reg. 12\(5\)\(a\)\(c\)\(d\)](#) omitted immediately before IP completion day by virtue of [S.I. 2020/1309](#), [regs. 1\(2\)\(a\), 48](#))
- [Sch. 5 para. 3\(1\) Sch. 5 para. 3 renumbered as Sch. 5 para. 3\(1\) by 2005 c. 4 Sch. 4 para. 407\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). The "original amending provision" is already fully in force, see [Sch. 4 paras. 361, 407\(5\)](#))
- [Sch. 5 para. 3\(2\)-\(4\) inserted by 2005 c. 4 Sch. 4 para. 407\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). The "original amending provision" is already fully in force, see [Sch. 4 paras. 361, 407\(5\)](#))
- [Sch. 5 para. 3\(1\) words inserted by 2005 c. 4 Sch. 4 para. 407\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). The "original amending provision" is already fully in force, see [Sch. 4 paras. 361, 407\(5\)](#))