

*Status: This version of this provision is prospective.*

*Changes to legislation: Criminal Justice and Immigration Act 2008, Section 133 is up to date with all changes known to be in force on or before 19 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*



# Criminal Justice and Immigration Act 2008

## 2008 CHAPTER 4

### PART 10

#### SPECIAL IMMIGRATION STATUS

PROSPECTIVE

#### 133 Conditions

- (1) The Secretary of State or an immigration officer may by notice in writing impose a condition on a designated person.
- (2) A condition may relate to—
  - (a) residence,
  - (b) employment or occupation, or
  - (c) reporting to the police, the Secretary of State or an immigration officer.
- [<sup>F1</sup>(3) If a condition is imposed under this section on a designated person, the person imposing the condition may also impose an electronic monitoring condition within the meaning of Schedule 10 to the Immigration Act 2016 on the designated person.
- (3A) Paragraph 4 (electronic monitoring conditions) of that Schedule applies in relation to a condition imposed under subsection (3) as it applies to an electronic monitoring condition imposed under that Schedule.
- (4) Paragraph 9(4) and (5) (bail conditions: travelling expenses) of that Schedule applies in relation to conditions imposed under subsection (2)(c) as it applies to conditions imposed under that Schedule.]
- (5) A person who without reasonable excuse fails to comply with a condition imposed under this section commits an offence.

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- (6) A person who is guilty of an offence under subsection (5) shall be liable on summary conviction to—
- (a) a fine not exceeding level 5 on the standard scale,
  - (b) imprisonment for a period not exceeding 51 weeks, or
  - (c) both.
- (7) A provision of the Immigration Act 1971 (c. 77) which applies in relation to an offence under [<sup>F2</sup>any provision of section 24(1)] [<sup>F2</sup>section 24] of that Act (illegal entry etc.) shall also apply in relation to the offence under subsection (5) above.
- (8) In the application of this section to Scotland or Northern Ireland the reference in subsection (6)(b) to 51 weeks shall be treated as a reference to six months.

#### Textual Amendments

- F1** S. 133(3)(3A)(4) substituted for s. 133(3)(4) (15.1.2018) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 10 para. 43](#); S.I. 2017/1241, reg. 2(c) (with Sch.) (as amended by S.I. 2018/31, reg. 2)
- F2** Words in s. 133(7) substituted (28.6.2022 for specified purposes) by [Nationality and Borders Act 2022 \(c. 36\), ss. 40\(9\), 87\(1\)](#); S.I. 2022/590, regs. 1(2), 2, Sch. 1 para. 20 (with Sch. 2 para. 7)

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

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

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)