



# Immigration Act 2016

## 2016 CHAPTER 19

### PART 3

#### ENFORCEMENT

##### *Power to cancel leave*

#### **62 Power to cancel leave extended under section 3C of the Immigration Act 1971**

(1) In section 3C of the Immigration Act 1971 (continuation of leave pending variation decision) after subsection (3) insert—

“(3A) Leave extended by virtue of this section may be cancelled if the applicant—

- (a) has failed to comply with a condition attached to the leave, or
- (b) has used or uses deception in seeking leave to remain (whether successfully or not).”

(2) In section 4(1) of that Act (persons by whom and means by which powers are to be exercised) after “conditions” insert “ or to cancel any leave under section 3C(3A) ”.

#### **Commencement Information**

**II** S. 62 in force at 1.12.2016 by S.I. 2016/1037, reg. 5(g)

**Changes to legislation:**

Immigration Act 2016, Cross Heading: Power to cancel leave 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2017/1241, Sch. by [S.I. 2018/31 reg. 2](#)

**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):

- s. 69(9)(d) and word inserted by [2023 c. 37 s. 21\(2\)\(b\)](#)
- Sch. 10 para. 3(2)(eza) inserted by [2023 c. 37 s. 13\(3\)\(a\)](#)
- Sch. 10 para. 3(3A)-(3C) inserted by [2023 c. 37 s. 13\(3\)\(b\)](#)
- Sch. 10 para. 3A and cross-heading inserted by [2023 c. 37 s. 13\(4\)](#)