

2012 No. 1531 (C. 57)

IMMIGRATION

**The Immigration, Asylum and Nationality Act 2006
(Commencement No. 8 and Transitional and Saving Provisions)
(Amendment) Order 2012**

Made - - - - *13th June 2012*

Coming into force - - *9th July 2012*

The Secretary of State, in exercise of the powers conferred by section 62 of the Immigration, Asylum and Nationality Act 2006(a), makes the following Order:

Citation and commencement

1. This Order may be cited as the Immigration, Asylum and Nationality Act 2006 (Commencement No. 8 and Transitional and Saving Provisions) (Amendment) Order 2012 and shall come into force on 9th July 2012.

Amendment of the Immigration, Asylum and Nationality Act 2006 (Commencement No. 8 and Transitional and Saving Provisions) Order 2008

2.—(1) Article 4 of the Immigration, Asylum and Nationality Act 2006 (Commencement No. 8 and Transitional and Saving Provisions) Order 2008(b) is amended as follows.

(2) After ““Points Based System””, insert “and applications made for the purpose of entering the United Kingdom as a visitor, including applications made for the purpose of visiting a person of a class or description prescribed by regulations for the purpose of section 88A(1)(a)(c) of the 2002 Act”.

Saving provision

3. Notwithstanding the substitution of section 88A of the Nationality, Immigration and Asylum Act 2002 for section 90 of that Act, section 90 and the Immigration Appeals (Family Visitor) Regulations 2003(d) continue to have effect in relation to an appeal brought in respect of an application for entry clearance made before 9th July 2012.

(a) 2006 c. 13.

(b) S.I. 2008/310.

(c) Section 88A of the Nationality, Immigration and Asylum Act 2002 (c. 41) was inserted by section 29 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c.19) and substituted, together with sections 90 and 91, by a new section 88A inserted by section 4 of the Immigration, Asylum and Nationality Act 2006 (c.13).

(d) S.I. 2003/518.

Home Office
13th June 2012

Damian Green
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends article 4 of the Immigration, Asylum and Nationality Act 2006 (Commencement No. 8 and Transitional and Saving Provisions) Order 2008 (S.I. 2008/310). Article 4 makes saving and transitional provision in respect of the commencement of section 4 of the Immigration, Asylum and Nationality Act 2006, which inserts section 88A into the Nationality, Immigration and Asylum Act 2002. The amendments to the saving and transitional provision reduce the scope of that provision with the effect that the substituted section 88A (which removes the right of appeal against a refusal of entry clearance except in certain circumstances) additionally applies in respect of applications made for the purpose of visiting a person of a class or description prescribed in regulations. Article 3 of the Order contains a saving provision.

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£4.00

E3674 06/2012 123674T 19585

ISBN 978-0-11-152546-3



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