
STATUTORY INSTRUMENTS

2016 No. 712

IMMIGRATION

The Immigration Act 2016 (Transitional Provision) Regulations 2016

Made - - - -

5th July 2016

The Secretary of State, in exercise of the powers conferred by section 92(1) of the Immigration Act 2016⁽¹⁾, makes the following Regulations:

Citation

1. These Regulations may be cited as the Immigration Act 2016 (Transitional Provision) Regulations 2016.

Offence of illegal working: transitional provision

2. Where a person is at large in the United Kingdom by virtue of paragraph 21(1) of Schedule 2 to the Immigration Act 1971⁽²⁾ (temporary admission or release from detention)—

- (a) the person is to be treated for the purposes of section 24B(2) of the Immigration Act 1971⁽³⁾ as if the person had been granted leave to enter the United Kingdom, but
- (b) any restriction as to employment imposed under paragraph 21(2) is to be treated for those purposes as a condition of leave.

5th July 2016

James Brokenshire
Minister of State
Home Office

(1) 2016 c. 19.

(2) 1971 c. 77.

(3) Section 24B of the Immigration Act 1971 is inserted by section 34(3) of the Immigration Act 2016.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make transitional provision in connection with the coming into force of the offence of illegal working in section 34 of the Immigration Act 2016. Section 34 of the Immigration Act 2016 inserts the offence of illegal working into the Immigration Act 1971 as section 24B.

The concepts of temporary admission and release from detention are being replaced by the concept of immigration bail by section 61 of the Immigration Act 2016, which is yet to be commenced. In the interim period, regulation 2 ensures that those persons on temporary admission or release from detention with permission to work do not commit the offence of illegal working, provided that they comply with any restrictions as to their employment.