STATUTORY INSTRUMENTS

2000 No. 2243

IMMIGRATION

The Immigration (Removal Directions) Regulations 2000

Made - - - - -	*16th August 2000*
Laid before Parliament	*24th August 2000*
Coming into force - -	*2nd October 2000*

The Secretary of State, in exercise of the powers conferred upon him by sections 10, 166(3) and 167(**a**) of the Immigration and Asylum Act 1999(**b**), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Immigration (Removal Directions) Regulations 2000 and shall come into force on 2nd October 2000.

Interpretation

2.—(1) In these Regulations—

"the Act" means the Immigration and Asylum Act 1999;

"aircraft" includes hovercraft;

"captain" means master (of a ship) or commander (of an aircraft);

"international service" has the meaning given by section 13(6) of the Channel Tunnel Act 1987(**c**);

"ship" includes every description of vessel used in navigation; and

"the tunnel system" has the meaning given by section 1(7) of the Channel Tunnel Act 1987.

(2) In these Regulations, a reference to a section number is a reference to a section of the Act.

Persons to whom directions may be given

3. For the purposes of section 10(6)(a) (classes of person to whom directions may be given), the following classes of person are prescribed—

(a) owners of ships;
(b) owners of aircraft;
(c) agents of ships;
(d) agents of aircraft;
(e) captains of ships about to leave the United Kingdom;
(f) captains of aircraft about to leave the United Kingdom; and
(g) persons operating an international service.

(**a**) *See* definition of "prescribed".
(**b**) 1999 c. 33.
(**c**) 1987 c. 53.

Requirements that may be imposed by directions

4.—(1) For the purposes of section 10(6)(b) (requirements that may be imposed by directions), the following kinds of requirements are prescribed—

(a) in the case where directions are given to a captain of a ship or aircraft about to leave the United Kingdom, a requirement to remove the relevant person from the United Kingdom in that ship or aircraft;

(b) in the case where directions are given to a person operating an international service, a requirement to make arrangements for the removal of the relevant person through the tunnel system;

(c) in the case where directions are given to any other person who falls within a class prescribed in regulation 3, a requirement to make arrangements for the removal of the relevant person in a ship or aircraft specified or indicated in the directions; and

(d) in all cases, a requirement to remove the relevant person in accordance with arrangements to be made by an immigration officer.

(2) Paragraph (1) only applies if the directions specify that the relevant person is to be removed to a country or territory being—

(i) a country of which he is a national or citizen; or

(ii) a country or territory to which there is reason to believe that he will be admitted.

(3) Paragraph (1)(b) only applies if the relevant person arrived in the United Kingdom through the tunnel system.

(4) "Relevant person" means a person who may be removed from the United Kingdom in accordance with section 10(1).

Home Office
16th August 2000

Steve Bassam
Parliamentary Under-Secretary of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 10 makes provision for the removal of non-British citizens who have stayed beyond the time for which they were given leave to enter or remain, have breached a condition of their leave to enter or remain or have obtained leave to remain by deception. Non-British citizen family members of such persons may also be removed under section 10. Removal under section 10 is effected by the giving of removal directions, and these Regulations set out the classes of person to whom removal directions may be given and the requirements that the removal directions may make of them.

The persons who are liable to removal under section 10 were, until 2nd October 2000, liable to be deported. The classes of person to whom removal directions may be given when a deportation order is in force, and the requirements that the removal directions may make of them, are set out in paragraph 1(1) of Schedule 3 to the Immigration Act 1971. These Regulations mirror the effect of that provision.

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ISBN 0-11-099739-5

9 780110 997391

£1·50

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under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E1596 8/2000 542915 19585