STATUTORY INSTRUMENTS

2016 No. 1037 (C. 74)

EMPLOYMENT
IMMIGRATION

The Immigration Act 2016 (Commencement No. 2 and Transitional Provisions) Regulations 2016

Made - - - - 31st October 2016

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 93(6)(c) and 94(1) and (2) of the Immigration Act 2016(**1**).

Citation and interpretation

1.—(1) These Regulations may be cited as the Immigration Act 2016 (Commencement No. 2 and Transitional Provisions) Regulations 2016.

(2) In these Regulations—

"the 1971 Act" means the Immigration Act 1971(**2**); and

"the 2016 Act" means the Immigration Act 2016.

Provisions coming into force on 1st November 2016

2. The following provisions of the 2016 Act come into force on 1st November 2016—

(a) section 39 (offence of leasing premises), for the purpose of making subordinate legislation only;

(b) section 40 (eviction), for the purpose of making subordinate legislation only;

(c) section 45 (bank accounts), for the purpose of making subordinate legislation only; and

(d) Schedule 7 (bank accounts), for the purpose of making subordinate legislation only.

Provisions coming into force on 21st November 2016

3. Sections 77 to 84 of the 2016 Act (language requirements for public sector workers) come into force on 21st November 2016.

(**1**) 2016 c. 19.
(**2**) 1971 c. 77.

Provisions coming into force on 25th November 2016

4. The following provisions of the 2016 Act come into force on 25th November 2016—

(a) sections 14 to 17 (labour market enforcement undertakings);

(b) sections 18 to 24 (labour market enforcement orders); and

(c) sections 26 to 30 (LME undertakings and orders: supplementary).

Provisions coming into force on 1st December 2016

5. The following provisions of the 2016 Act come into force on 1st December 2016—

(a) section 37 (private hire vehicles etc);

(b) section 38 (illegal working closure notices and illegal working compliance orders);

(c) section 39 (offence of leasing premises), for all remaining purposes;

(d) section 40 (eviction), for all remaining purposes;

(e) section 41 (order for possession of dwelling house);

(f) section 54 (amendments to search warrant provisions);

(g) section 62 (power to cancel leave extended under section 3C of the Immigration Act 1971);

(h) sections 63 to 65 (appeals);

(i) Schedule 5 (private hire vehicles etc);

(j) Schedule 6 (illegal working closure notices and illegal working compliance orders); and

(k) Schedule 8 (amendments to search warrant provisions).

Transitional provisions in respect of private hire vehicles etc

6.—(1) Where a person is at large in the United Kingdom by virtue of paragraph 21(1) of Schedule 2 to the 1971 Act(**3**) (temporary admission or release from detention)—

(a) the person is to be treated for the purposes of the provisions and enactments listed in paragraph (2) 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) of Schedule 2 to the 1971 Act(**4**) is to be treated as a condition of leave.

(2) The provisions and enactments are—

(a) section 8A of the Metropolitan Public Carriage Act 1869(**5**);

(b) the Plymouth City Council Act 1975(**6**);

(c) Part 2 of the Local Government (Miscellaneous Provisions) Act 1976(**7**);

(d) section 13A of the Civic Government (Scotland) Act 1982(**8**);

(e) the Private Hire Vehicles (London) Act 1998(**9**);

(f) Part 6 of the Taxis Act (Northern Ireland) 2008(**10**).

(**3**) Paragraph 21(1) of Schedule 2 is amended by section 42(1) and (4) of the Immigration, Asylum and Nationality Act 2006 (c. 13).
(**4**) Paragraph 21(2) of Schedule 2 is amended by paragraph 10(1) of the Schedule to the Immigration Act 1988 (c. 14).
(**5**) 1869 c. 115; section 8A is inserted by paragraphs 2 and 4 of Schedule 5 to the Immigration Act 2016 ("the 2016 Act").
(**6**) 1975 c. xx; the Plymouth City Council Act 1975 is amended by paragraphs 5 to 16 of Schedule 5 to the 2016 Act.
(**7**) 1976 c. 57; Part 2 is amended by paragraphs 17 to 28 of Schedule 5 to the 2016 Act.
(**8**) 1982 c. 45; section 13A is inserted by paragraphs 29 and 31 of Schedule 5 to the 2016 Act.
(**9**) 1998 c. 34, as amended by paragraphs 34 to 44 of Schedule 5 to the 2016 Act.
(**10**) 2008 c. 4 (N.I.); Part 6 is amended by paragraphs 45 to 53 of Schedule 5 to the 2016 Act.