Draft Order laid before Parliament under section 3A(13) of the Immigration Act 1971, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2001 No.

IMMIGRATION

Immigration (Leave to Enter) Order 2001

Made - - - -	*2001*
Coming into force - -	*2001*

Whereas a draft of this Order has been laid before Parliament and approved by a resolution of each House in accordance with section 3A(13) of the Immigration Act 1971(**1**);

Now, therefore, the Secretary of State, in exercise of the powers conferred upon him by section 3A(1), (7), (8) and (10) of the Immigration Act 1971, hereby makes the following Order:

1.—(1) This Order may be cited as the Immigration (Leave to Enter) Order 2001 and shall come into force on the day after the day on which it is made.

(2) In this Order—

(a) "the 1971 Act" means the Immigration Act 1971; and

(b) "claim for asylum" and "the Human Rights Convention" have the meanings assigned by section 167 of the Immigration and Asylum Act 1999.

2.—(1) Where this article applies to a person, the Secretary of State may give or refuse him leave to enter the United Kingdom.

(2) This article applies to a person who seeks leave to enter the United Kingdom and who—

(a) has made a claim for asylum; or

(b) has made a claim that it would be contrary to the United Kingdom's obligations under the Human Rights Convention for him to be removed from, or required to leave, the United Kingdom.

(3) This article also applies to a person who seeks leave to enter the United Kingdom for a purpose not covered by the immigration rules or otherwise on the grounds that those rules should be departed from in his case.

(4) In deciding whether to give or refuse leave under this article the Secretary of State may take into account any additional grounds which a person has for seeking leave to enter the United Kingdom.

(**1**) 1971 c. 77; section 3A was inserted by section 1 of the Immigration and Asylum Act 1999 (1999 c. 33).