

Illegal Immigration (Offences) Bill

EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by Sir Christopher Chope, are published separately as Bill 104—EN.

Illegal Immigration (Offences) Bill

[AS INTRODUCED]

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[AS INTRODUCED]

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TO

Create offences in respect of persons who have entered the UK illegally or who have remained in the UK without legal authority; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Offences

- (1) Any person who is present in the United Kingdom after 31 March 2022 without legal authority shall be guilty of an offence.
- (2) Any person who after 31 March 2022 enters or attempts to enter the United Kingdom without legal authority shall be guilty of an offence. 5

2 Penalties

- (1) A person guilty of an offence under section 1 is liable—
 - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or a fine (or both);
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both); 10
 - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both). 15
- (2) Any person who is convicted of an offence under section 1 shall be subject to a deportation order unless the Secretary of State deems such a deportation order to be against the public interest.
- (3) For the purposes of subsection (2) above, a deportation order shall be deemed to be in the public interest unless a certificate to the contrary has been submitted by the Secretary of State to the Court. 20

3 Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.

- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Illegal Immigration (Offences) Act 2021.

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Presented by Sir Christopher Chope

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