Immigration and Asylum Bill

EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Home Office, are published separately as Bill 105—EN.

EUROPEAN CONVENTION ON HUMAN RIGHTS

Secretary Shabana Mahmood has made the following statement under section 19(1)(a) of the Human Rights Act 1998:

In my view the provisions of the Immigration and Asylum Bill are compatible with the Convention rights.

Immigration and Asylum Bill

[AS INTRODUCED]

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GENERAL

[AS INTRODUCED]

A

BILL

TO

Make provision about immigration, asylum and modern slavery; and for connected purposes.

BE IT ENACTED by the King'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:—

PART 1

THE INDEPENDENT IMMIGRATION APPEALS AUTHORITY

1 The Independent Immigration Appeals Authority

(1) *A body corporate called the Independent Immigration Appeals Authority (the "IIAA") is established.*

(2) The primary function of the IIAA is to decide—

(a) appeals against decisions of the Secretary of State relating to protection claims and human rights claims (see Part 5 of the Nationality, Immigration and Asylum Act 2002),

(b) certain applications for immigration bail (see Schedule 10 to the Immigration Act 2016),

(c) appeals against decisions of the Secretary of State relating to deprivation of citizenship (see section 40A of the British Nationality Act 1981),

(d) appeals against decisions of the Secretary of State under the Immigration (European Economic Area) Regulations 2016 (S.I. 2016/1052) as they continue to have effect following their revocation, and

(e) appeals under the Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020 (S.I. 2020/61).

(3) Schedule 1 contains amendments consequential on subsection (2) (transferring functions from the First-tier Tribunal to the IIAA).

(4) The IIAA must exercise its primary function with a view to ensuring that justice is done.

(5) In the exercise of its functions, the IIAA must—
(a) aim to be accessible, fair and independent,
(b) aim to handle its cases quickly and efficiently, and
(c) have regard to the public interest, and in particular to the fact that the IIAA operates as a key part of the immigration and asylum system.

(6) Every Minister of the Crown must uphold the independence of the IIAA and, in particular, must not seek to influence particular decisions of the IIAA through any special access to IIAA adjudicators.

(7) The IIAA may do anything it considers appropriate for the purposes of, or in connection with, its primary function.

(8) A decision of the IIAA in the exercise of, or in connection with, its primary function may be questioned in legal proceedings only in accordance with section 6 (power of IIAA to review own decisions) or section 7 (right of appeal to Upper Tribunal).

2 Membership of the IIAA

(1) The IIAA is to consist of—
(a) the following non-executive members—
(i) the Chair;
(ii) the Professional Standards Officer, and
(b) the following executive members—
(i) the Chief Executive;
(ii) the Chief Appeals Officer;
(iii) the IIAA adjudicators.

(2) The non-executive members are to be appointed by the Secretary of State.

(3) The first Chief Executive and the first Chief Appeals Officer are to be appointed by the Secretary of State.

(4) Subsequent Chief Executives and Chief Appeals Officers are to be appointed by the Chair, following consultation with the Professional Standards Officer.

(5) The IIAA adjudicators are to be appointed by the Chief Executive.

(6) An IIAA adjudicator may be appointed either as a senior adjudicator or as an executive adjudicator.

(7) A person may not be appointed as the Professional Standards Officer or the Chief Appeals Officer unless—
(a) they are—
(i) a barrister in England and Wales,
(ii) a solicitor of the Senior Courts of England and Wales,
(iii) a person authorised by the Chartered Institute of Legal Executives to practise as a chartered legal executive,
(iv) an advocate or solicitor in Scotland, or

(v) a barrister or solicitor in Northern Ireland,

and have practised as such for at least five years, or

(b) they have experience in law-related activities which, in the opinion of the Chief Executive, makes them as suitable for appointment as if they fell within paragraph (a).

(8) A person may not be appointed as a senior adjudicator unless—

(a) they are—

(i) a barrister in England and Wales,

(ii) a solicitor of the Senior Courts of England and Wales,

(iii) a person authorised by the Chartered Institute of Legal Executives to practise as a chartered legal executive,

(iv) an advocate or solicitor in Scotland, or

(v) a barrister or solicitor in Northern Ireland,

and have practised as such for at least two years, or

(b) they have experience in law-related activities which, in the opinion of the Chief Executive, makes them as suitable for appointment as if they fell within paragraph (a).

(9) Section 52(4) and (5) of the Tribunals, Courts and Enforcement Act 2007 (meaning of "law-related activities") apply for the purposes of subsections (7)(b) and (8)(b), but as if section 52(4)(i) referred to the Chief Executive instead of to the relevant decision-maker.

(10) Schedule 2 makes further provision about the membership and proceedings of the IIAA.

3 Powers and duties of IIAA members

(1) The IIAA adjudicators are responsible for exercising the primary function of the IIAA but are not responsible for exercising any of the other functions of the IIAA (subject to subsection (4)).

(2) The Chief Executive is responsible for ensuring that IIAA adjudicators receive adequate training and support.

(3) The Chief Appeals Officer is responsible for—

(a) the allocation of cases to IIAA adjudicators,

(b) organising a system of legal support for IIAA adjudicators,

(c) overseeing the quality of decisions made by IIAA adjudicators, and

(d) developing a quality assurance mechanism.

(4) The Chief Appeals Officer may delegate any of the functions mentioned in subsection (3) to a senior adjudicator.

(5) A delegation of a function under subsection (4)—

(a) may be made subject to restrictions or conditions;

(b) does not prevent the Chief Appeals Officer from exercising the function.

(6) The Professional Standards Officer—
  (a) is responsible for setting standards required of IIAA adjudicators and ensuring that the standards are maintained, and
  (b) must prepare and publish a code of conduct for IIAA adjudicators.

(7) The Chief Executive may send to the Secretary of State written representations on matters that the Chief Executive considers to be of importance relating—
  (a) to IIAA members, or
  (b) otherwise to the administration of justice by the IIAA,

and the Secretary of State must lay any such representations before Parliament.

4 IIAA Procedure Rules

(1) The practice and procedure to be followed in cases before the IIAA is to be governed by IIAA Procedure Rules.

(2) Schedule 3 makes further provision about IIAA Procedure Rules (but does not limit the power for the Rules to make other provision about practice and procedure).

(3) IIAA Procedure Rules are to be made by the IIAA Procedure Rules Board (see section 5).

(4) Before making IIAA Procedure Rules, the IIAA Procedure Rules Board must consult such persons as it considers appropriate.

(5) When exercising the power to make IIAA Procedure Rules, the IIAA Procedure Rules Board must have regard to the desirability of securing the objectives set out in section 1(4) and (5).

(6) The IIAA must take such steps as are reasonably practicable to bring information about the IIAA Procedure Rules to the attention of people likely to be affected by them.

(7) IIAA Procedure Rules are to be made by statutory instrument.

(8) A statutory instrument containing IIAA Procedure Rules is subject to annulment in pursuance of a resolution of either House of Parliament.

(9) The Statutory Instruments Act 1946 applies in relation to the power of the IIAA Procedure Rules Board to make IIAA Procedure Rules under this section as if the IIAA Procedure Rules Board were a Minister of the Crown.

5 The IIAA Procedure Rules Board

(1) The IIAA Procedure Rules Board is to consist of—
  (a) the Chief Executive,
  (b) the Chief Appeals Officer,
  (c) the Professional Standards Officer, and
  (d) any standing members appointed by the Chair.

(2) The Chair may appoint a person to be a standing member of the IIAA Procedure Rules Board only if the Chair considers that—
   (a) they have sufficient experience in matters relating to the IIAA's primary function, or
   (b) their expertise may be helpful in developing IIAA Procedure Rules in specialist areas.

(3) The IIAA may reimburse a person appointed under subsection (1)(d) their expenses.

6 Power of IIAA to review its own decisions

(1) The IIAA may review a decision made by it—
   (a) on its own initiative, or
   (b) on an application by a party to the proceedings concerned.

(2) A review under this section must be carried out by an IIAA adjudicator.

(3) Where an IIAA adjudicator reviews a decision, they may do any of the following—
   (a) correct errors in the decision or in a record of the decision;
   (b) amend reasons given for the decision;
   (c) re-make the decision.

(4) A decision of the IIAA may not be reviewed under this section more than once (and a decision that has been re-made under subsection (3)(c) may not be reviewed under this section).

7 Right of appeal to Upper Tribunal

(1) A party to any proceedings before the IIAA may appeal to the Upper Tribunal on any point of law arising from a decision made by the IIAA in those proceedings.

(2) An appeal may be brought under subsection (1) only if, on an application made by the party concerned, the IIAA or the Upper Tribunal has given its permission for the appeal to be brought.

(3) Section 11A(1) to (4) of the Tribunals, Courts and Enforcement Act 2007 (finality of decisions by Upper Tribunal about permission to appeal) apply in relation to a decision of the Upper Tribunal to refuse permission under subsection (2) as they apply in relation to a decision to refuse permission under section 11(4)(b) of that Act.

(4) Section 12 of the Tribunals, Courts and Enforcement Act 2007 (proceedings on appeal to the Upper Tribunal) applies in relation to an appeal to the Upper Tribunal under this section as it applies in relation to an appeal to it under section 11 of that Act, but as if references to the First-tier Tribunal were to the IIAA.

8 Regulations about time periods

(1) The Secretary of State may make regulations setting out the time period within which the IIAA must—

(a) decide an appeal or bail application, or

(b) take any other steps in proceedings.

(2) The regulations may make provision for a time period to be extended (on one or more occasions), by a total period not longer than that specified in the regulations, where the IIAA decides that an extension is necessary on the grounds that—

(a) it would not be reasonably practicable for the IIAA to comply with the time period, or

(b) it would not be in the interests of justice for the IIAA to comply with the time period.

(3) The regulations may make provision for a time period to be extended—

(a) on an application by a party to the proceedings, or

(b) on the IIAA's own initiative.

(4) The regulations must provide that a time period set out in the regulations does not apply or, as the case may be, ceases to apply, in relation to an appeal that must be brought, or must be continued, from outside the United Kingdom.

(5) The IIAA must have a procedure for ensuring that the Chief Executive is made aware of any proceedings—

(a) which fail to comply with a requirement of regulations under this section, or

(b) in relation to which a time period is extended.

(6) The annual report of the IIAA (see paragraph 11 of Schedule 2) must include such details about—

(a) proceedings where the IIAA has failed to comply with a requirement of regulations under this section, and

(b) proceedings in relation to which a time period has been extended,

as are required by regulations made by the Secretary of State.

(7) Before making regulations under this section, the Secretary of State must consult the IIAA.

9 Expedition of cases on request by Secretary of State

(1) If the Secretary of State considers that it would be in the public interest for proceedings before the IIAA relating to an appeal or bail application to be expedited, the Secretary of State may make a written request to the IIAA (an "expedition request") that the IIAA—

(a) decide the appeal or bail application, or

(b) take any other steps in the proceedings,

by a date specified in the request.

(2) On receipt of an expedition request, the IIAA must—
(a) approve the request and expedite the case accordingly, or
(b) decline the request.

(3) The IIAA may decline an expedition request only on the grounds that—
(a) it would not be reasonably practicable for the IIAA to comply with the request, or
(b) it would not be in the interests of justice for the IIAA to comply with the request.

(4) The Secretary of State may make regulations setting out the process for an expedition request, including—
(a) the information that the Secretary of State must give to the IIAA when making a request;
(b) the time period within which the IIAA must approve or decline a request;
(c) the information that the IIAA must give to the Secretary of State once it has decided whether to approve or decline a request.

(5) The annual report of the IIAA (see paragraph 11 of Schedule 2) must include such details about cases where the Secretary of State has made an expedition request as are required by regulations made by the Secretary of State.

(6) Before making regulations under this section, the Secretary of State must consult the IIAA.

10 Charging power in respect of wasted resources

(1) *If, in respect of proceedings before the IIAA, the IIAA considers that—*
(a) *a relevant participant has acted improperly, unreasonably or negligently, and*
(b) *as a result, the IIAA's resources have been wasted,*
it may charge the participant an amount under this section.

(2) Subsection (1) is subject to IIAA Procedure Rules (and see paragraph 16 of Schedule 3).

(3) For the purposes of this section "relevant participant", in respect of proceedings, means—
(a) a party to the proceedings,
(b) a representative of a party to the proceedings, or
(c) an employee of such a representative.

(4) A person may be found to have acted improperly, unreasonably or negligently for the purposes of subsection (1) by reason of having failed to act in a particular way.

(5) *The IIAA must pay any amounts it receives under this section into the Consolidated Fund.*

11 Claim notices

(1) The Secretary of State or an immigration officer may serve a person who is liable to removal or deportation from the United Kingdom with a claim notice.

(2) A claim notice is a notice requiring its recipient to provide to the Secretary of State and any other competent authority specified in the notice—

(a) any reasons they have for wishing to enter or remain in the United Kingdom,

(b) any grounds on which they should be permitted to enter or remain in the United Kingdom,

(c) any grounds on which they should not be removed from or required to leave the United Kingdom,

(d) any relevant status information, and

(e) any evidence in support of the matters mentioned in paragraphs (a) to (d).

(See also section 60A(5) of the Nationality and Borders Act 2022, inserted by section 36 (credibility consequences of late provision of modern slavery information).)

(3) A claim notice must—

(a) specify a date on or before which its recipient must comply with its requirements (the "claim notice deadline");

(b) set out the consequences of failing to comply with its requirements by the claim notice deadline.

(4) The Secretary of State may by regulations make provision for additional requirements to be imposed by, or information to be provided by, a claim notice.

(5) A recipient of a claim notice is not required to provide any relevant status information in response to the notice which they have previously provided to the Secretary of State or the competent authority specified in the notice.

(6) When a claim notice is served on a person who has previously been served with a notice under section 120 of the Nationality, Immigration and Asylum Act 2002 (requirement to provide reasons and grounds), the notice under section 120 ceases to have effect.

(7) Where a recipient of a claim notice provides the Secretary of State or competent authority with any information required by the claim notice after the claim notice deadline, they must also provide a statement setting out their reasons for not providing the information before the claim notice deadline.

(8) For the purposes of this section, a person is "liable to removal or deportation from the United Kingdom" if they are liable to—

(a) removal under section 10 of the Immigration and Asylum Act 1999 (removal of persons unlawfully in the United Kingdom), or

(b) deportation under section 3(5) or (6) of the Immigration Act 1971 (deportation of foreign nationals where conducive to the public good or on conviction of offence punishable with imprisonment etc).

(9) In this section—

"competent authority" has the same meaning as in Part 5 of the Nationality and Borders Act 2022 (see section 65A of that Act);

"relevant status information", in relation to a person, means information that may be relevant for the purpose of making a reasonable grounds or conclusive grounds decision (within the meaning of Part 5 of the Nationality and Borders Act 2022) in relation to that person.

(10) In Part 2 of the Nationality and Borders Act 2022 (asylum), omit—

(a) section 18 (provision of evidence in support of protection or human rights claim);

(b) section 19(4) (late response to notice under section 18: damage to credibility);

(c) sections 20 to 25, and the italic heading before section 20 (priority removal notices);

(d) Schedule 3 (expedited appeals where priority removal notice served: consequential amendments);

(e) section 26, and the italic heading before it (late evidence);

(f) section 27 (accelerated detained appeals).

(11) In the Immigration and Asylum Act 1999, omit section 10D (removal: PRN recipients).

12 Late claims process for certain recipients of claim notices

(1) Where the recipient of a claim notice provides any information in response to the notice after the claim notice deadline—

(a) at any time when they are detained under a relevant detention provision, or

(b) at any time after they have been given a notice of departure details,

all appeal proceedings relating to the recipient are subject to the late claims process.

(2) Where proceedings are subject to the late claims process, a person exercising case management functions of the IIAA must ensure that, as far as reasonably practicable, those proceedings are prioritised over any appeal proceedings that are not subject to the late claims process.

(3) In Schedule 10 to the Immigration Act 2016 (immigration bail), in paragraph 3 (exercise of power to grant immigration bail), in sub-paragraph (2), after paragraph (e) insert—

"(eza) whether the late claims process, as provided for in section 12 of the Immigration and Asylum Act 2026, applies in relation to any proceedings before the IIAA relating to the person (or, if the person has not yet commenced any such proceedings, whether the late claims process would be likely to apply to them),".

(4) In this section—

"appeal proceedings" means any proceedings before the IIAA other than proceedings relating to an application for immigration bail;

"claim notice" and "claim notice deadline" have the meanings given in section 11;

"notice of departure details" means a notice of departure details given under section 10A of the Immigration and Asylum Act 1999;

"relevant detention provision" means—

(a) paragraph 16(1), (1A) or (2) of Schedule 2 to the Immigration Act 1971 (detention of persons liable to examination or removal);

(b) paragraph 2(1), (2) or (3) of Schedule 3 to that Act (detention pending deportation);

(c) section 62 of the Nationality, Immigration and Asylum Act 2002 (detention of persons liable to examination or removal);

(d) section 36(1) of the UK Borders Act 2007 (detention pending deportation).

13 Inspections

(1) The UK Borders Act 2007 is amended as follows.

(2) In section 48 (Chief Inspector of UK Border Agency)—

(a) in subsection (1A), at the end insert—

"(f) the IIAA.";

(b) in subsection (2)(d), for "and applicants" substitute ", applicants and appellants";

(c) after subsection (2) insert—

"(2ZA) When monitoring and reporting on the performance of functions by the IIAA, the Chief Inspector must also consider and make recommendations about the efficiency and effectiveness of the IIAA's process, including in particular—

(a) the accessibility of the IIAA's premises;

(b) the access that parties to IIAA proceedings have to technology necessary for those proceedings;

(c) the quality and effectiveness of training for IIAA adjudicators.";

(d) after subsection (3A) insert—

"(3B) In this section, "the IIAA" means the Independent Immigration Appeals Authority established under section 1 of the Immigration and Asylum Act 2026."

(3) In section 50 (reports), at the end insert—

"(4) This section does not apply in relation to the performance of functions by the IIAA (see section 50A)."

(4) After section 50 insert—

"50A Reports relating to the IIAA

(1) This section applies in relation to the performance of functions by the IIAA.

(2) The Chief Inspector must report in writing to the Secretary of State and the Chief Executive of the IIAA—
(a) once each calendar year, and
(b) at other times as requested by the Secretary of State in relation to matters specified in the request.

(3) After receiving a report, the Chief Executive of the IIAA must send to the Secretary of State a written response to the report setting out—
(a) the extent to which the recommendations in the report are accepted, and
(b) any steps the Chief Executive proposes the IIAA take in response to the report.

(4) The Secretary of State must lay before Parliament—
(a) a copy of each report received under subsection (2), and
(b) a copy of each response received under subsection (3).

(5) But a copy of a report or response may omit material if the Secretary of State thinks that its publication—
(a) is undesirable for reasons of national security, or
(b) might jeopardise an individual's safety.

(6) In this section (and section 50), "the IIAA" means the Independent Immigration Appeals Authority established under section 1 of the Immigration and Asylum Act 2026."

14 Transfer schemes

(1) The Secretary of State or the Lord Chancellor may, in connection with the transfer of functions from the First-tier Tribunal to the IIAA, make one or more schemes for the transfer of property, rights and liabilities between the Secretary of State and the IIAA (a "transfer scheme").

(2) The things that may be transferred under a transfer scheme include—
(a) property, rights and liabilities that could not otherwise be transferred;
(b) property acquired, and rights and liabilities arising, after the making of the scheme;
(c) criminal liabilities.

(3) A transfer scheme may—
(a) create rights, or impose liabilities, in relation to property or rights transferred;

(b) make provision about the continuing effect of things done by, on behalf of or in relation to the transferor in respect of anything transferred;

(c) make provision about the continuation of things (including legal proceedings) in the process of being done by, on behalf of or in relation to the transferor in respect of anything transferred;

(d) make provision for references to the transferor in an instrument or other document in respect of anything transferred to be treated as references to the transferee;

(e) make provision for the shared ownership or use of property;

(f) make provision which is the same as or similar to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246);

(g) make other consequential, supplementary, incidental or transitional provision.

(4) A transfer scheme may provide—

(a) for modifications by agreement;

(b) for modifications to have effect from the date when the original scheme came into effect.

(5) For the purposes of this section—

(a) references to rights and liabilities include rights and liabilities relating to a contract of employment;

(b) references to the transfer of property include the grant of a lease.

(6) For the purposes of subsection (5)(a)—

(a) an individual who holds employment in the civil service of the State is to be treated as employed by virtue of a contract of employment, and

(b) the terms of the individual's employment in the civil service of the State are to be treated as constituting the terms of the contract of employment.

15 Power to specify cases to be heard by First-tier Tribunal instead of IIAA

(1) At any time before this Part is fully in force the Secretary of State may by regulations provide for specified descriptions of cases, that would otherwise be decided by the IIAA, to be decided by the First-tier Tribunal.

(2) When this Part comes fully into force, the Secretary of State must publish an announcement to that effect.

(3) Regulations under this section may in particular—

(a) make provision for all appeals and bail applications relating to a person to be heard by the same body, subject to any exceptions specified in the regulations;

(b) provide for cases for which proceedings have been commenced in the IIAA to be transferred to the First-tier Tribunal;

(c) require the Upper Tribunal to remit cases on appeal from the IIAA to the First-tier Tribunal.

16 Power to make consequential provision etc

(1) The Secretary of State may by regulations make provision that is consequential on this Part.

(2) Subject to subsection (3), the IIAA is to be treated as a tribunal for the purposes of any provision made by or under primary legislation that applies in relation to a tribunal.

(3) Regulations may amend any provision made by or under primary legislation that applies in relation to a tribunal so as to provide that—

(a) it applies to the IIAA with the amendments set out in the regulations, or

(b) it does not apply to the IIAA.

(4) Regulations under this section may amend, repeal or revoke provision made by primary legislation passed—

(a) before this Act, or

(b) later in the same session of Parliament as this Act,

(as well as amending or revoking provision made under such primary legislation).

(5) In this section "primary legislation" means—

(a) an Act,

(b) an Act or Measure of Senedd Cymru,

(c) an Act of the Scottish Parliament, or

(d) Northern Ireland legislation.

PART 2

ARTICLE 8 OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS

17 Sponsor claims

(1) In section 113 of the Nationality, Immigration and Asylum Act 2002 (appeals in respect of protection and human rights claims: interpretation)—

(a) in subsection (1), in the definition of "human rights claim" (before its substitution by section 12 of the Immigration, Asylum and Nationality Act 2006), at the end insert "(see also subsection (1A)),";

(b) in subsection (1), in the definition of "human rights claim" (as substituted by section 12 of the Immigration, Asylum and Nationality Act 2006), at the end insert—

"(see also subsection (1A)),";

(c) in subsection (1), at the end insert—

"“sponsor human rights claim” means a claim made by a person to the Secretary of State at a place designated by the Secretary of State that to refuse a member of the person’s family entry into the United Kingdom would be unlawful under section 6 of the Human Rights Act 1998 on the grounds of a breach of Article 8 of the Human Rights Convention (right to respect for private and family life).";

(d) after subsection (1) insert—

"(1A) In this Part, references to a human rights claim include a sponsor human rights claim, unless otherwise indicated."

(2) In consequence of the amendments made by subsection (1), the Nationality, Immigration and Asylum Act 2002 is amended as set out in subsections (3) to (7).

(3) In section 80A (inadmissible claims)—

(a) after subsection (1) insert—

"(1A) Subsection (1) does not apply to a sponsor human rights claim.";

(b) in subsection (6), after "“human rights claim”," insert "“sponsor human rights claim”,".

(4) In section 85 (matters to be considered), after subsection (1) insert—

"(1A) But where such an appeal relates to a sponsor human rights claim, it is instead to be treated as including an appeal against any decision relating to the family member seeking entry into the United Kingdom in respect of which either that family member or the person who made the sponsor human rights claim has a right of appeal under section 82(1)."

(5) In section 86B (timeframe for determination of appeal brought by certain non-detained appellants liable to deportation), in subsection (1), after "82(1)" insert ", other than an appeal against a decision to refuse a sponsor human rights claim,".

(6) In section 94 (certification of human rights or protection claims as unfounded etc), after subsection (3) insert—

"(3ZA) Subsection (3) does not apply in relation to a claimant who has made a sponsor human rights claim."

(7) In section 104 (pending appeal)—

(a) in subsection (4A), for "subsection (4B)" substitute "subsections (4AA) to (4B)";

(b) after subsection (4A) insert—

"(4AA) Subsection (4A) does not apply to an appeal against a decision relating to a sponsor human rights claim.

(4AB) An appeal under section 82(1) against a decision relating to a sponsor human rights claim is to be treated as abandoned if the family member to whom the claim relates is granted leave to enter or remain in the United Kingdom."

18 Family life

(1) Part 5A of the Nationality, Immigration and Asylum Act 2002 (Article 8 of the ECHR) is amended as follows.

(2) In the Part heading, after "ECHR:" insert "family life and".

(3) In section 117A (application of Part 5A)—

(a) after subsection (1) insert—

"(1A) The court or tribunal must first decide whether Article 8 is engaged on the basis of the person's private and family life.

(1B) In considering whether Article 8 is so engaged, the court or tribunal must (in particular) have regard to the considerations listed in section 117AA.

(1C) If the court or tribunal decides that Article 8 is so engaged, it must then consider the public interest question.";

(b) in subsection (3), for "subsection (2)" substitute "this section".

(4) After section 117A insert—

"117AA Article 8: existence of family life

(1) A person's family life for the purposes of Article 8 is normally limited to their core cohabiting family.

(2) "Core cohabiting family", in relation to a person, A, means the following people, to the extent that A lives with them—

(a) A's spouse, civil partner or partner;

(b) where A is a parent, A's children who are under the age of 18;

(c) where A is under the age of 18, A's parents.

(3) Where a person, A, has a child, B, who is under the age of 18, with whom A does not live, A does not normally have a family life with B for the purposes of Article 8 unless there is evidence that A has a genuine and subsisting parental relationship with B.

(4) An adult, A, does not normally have a family life for the purposes of Article 8 with another adult, B, unless—

(a) A and B live together as spouses, civil partners or partners, or

(b) the circumstances are such that there is an additional element of dependency (beyond normal emotional ties) as between A and B.

(5) For the purposes of subsection (4), the following factors, when taken independently, do not constitute an additional element of dependency as between a person, A, and another person, B—

(a) the fact that A is financially dependent on B;

(b) the fact that A suffers from physical or mental illness or infirmity, unless—

(i) the illness or infirmity means that A is incapacitated to such an extent that A is in need of constant care and support,

(ii) B is (or would be) able to provide that care and support, and

(iii) A would not receive adequate care and support if A were not in the same country as B;

(c) the fact that A relies on B for emotional support;

(d) the fact that A lives in a country affected by war, conflict or instability and as a result B is concerned about A's welfare.

(6) Nothing in subsection (5) prevents a court or tribunal from considering the factors mentioned in that subsection when determining the public interest question.

(7) In this section, "the public interest question" has the same meaning as in section 117A."

19 Public interest considerations

(1) Section 117B of the Nationality, Immigration and Asylum Act 2002 (Article 8: public interest considerations applicable in all cases) is amended as follows.

(2) In subsection (3), for the words from "are financially" to the end substitute "—

(a) are, and are likely to remain, financially independent,

(b) are, and are likely to remain, able to house themselves (and any dependent family members) adequately without reliance on state support, and

(c) are not, and are not likely to become, reliant on public services, in particular health or social care services, in the long-term,"

because such persons are not likely to be a burden on taxpayers and are likely to be better able to integrate into society."

(3) After subsection (3) insert—

"(3A) It is in the public interest, and in particular in the interests of the prevention of disorder or crime, that persons who seek to enter or remain in the United Kingdom—

(a) have not been convicted of a criminal offence (in the United Kingdom or elsewhere),

(b) have co-operated with immigration authorities and processes, and

(c) are otherwise of good character."

(4) For subsection (4) substitute—

"(4) No weight should be given to a private or family life established by a person at a time when the person is in the United Kingdom and—

(a) they require leave to enter or remain in the United Kingdom but do not have it or obtained it by deception, or

(b) they are in serious breach of a condition attached to their leave to enter or remain."

(5) In subsection (5), after "private" insert "or family".

(6) In subsection (6)—

(a) omit the "and" at the end of paragraph (a);

(b) after paragraph (b) insert ", and

(c) if the person were to be removed and the child were to remain in the United Kingdom, that would have a very significant and long-lasting adverse effect on the child."

(7) After subsection (6) insert—

"(7) For the purposes of subsection (6)(b), it would not be reasonable to expect a child to leave the United Kingdom if (and only if) one or more of the following conditions are met—

(a) the child would not receive any education in the country to which the child is proposed to be relocated (the "new country");

(b) there would be very significant obstacles to the child's ability to adapt to or integrate into the new country;

(c) the child's relocation to the new country would otherwise have a very significant and long-lasting adverse effect on the child."

20 Cases involving foreign criminals and others liable to deportation

(1) Part 5A of the Nationality, Immigration and Asylum Act 2002 (Article 8 of the ECHR) is amended as set out in subsections (2) to (4).

(2) In section 117A (application of Part 5A), in subsection (2)(b), for "the deportation of foreign criminals" substitute "deportation".

(3) For section 117C (additional considerations in cases involving foreign criminals) substitute—

"117C Article 8: cases involving foreign criminals and others liable to deportation

(1) Where a person is liable to deportation, the public interest, and in particular the interest in public safety and the prevention of disorder or crime, requires their deportation unless its effect on the person or a member of their family would be disproportionate.

(2) The more serious—
(a) an offence committed by a person,
(b) the nature and circumstances of a person's offending, or
(c) the impact of a person's offending on society as a whole,
the greater is the public interest in the person's deportation.

(3) The effect of a person's deportation will be disproportionate if (and only if)—
(a) one (or more) of the following sets of exceptional circumstances applies, and
(b) the interference with a person's rights under Article 8 that exist by virtue of those exceptional circumstances cannot be justified by the public interest in favour of the person's deportation (see subsections (1) and (2) and section 117B(1) to (5)).

(4) The first set of exceptional circumstances applies where—
(a) the person has been lawfully resident in the United Kingdom for most of their life,
(b) the person is socially and culturally integrated in the United Kingdom, and
(c) there would be very significant obstacles to the person's integration into the country to which they are proposed to be deported.

(5) The second set of exceptional circumstances applies where the person has a genuine and subsisting relationship with a qualifying partner, or a genuine and subsisting parental relationship with a qualifying child, and the effect of the person's deportation on the partner or child would be unduly harsh.

(6) The third set of exceptional circumstances applies where there are otherwise very compelling circumstances indicating that the person (or a member of their family) has a claim under Article 8 which is at least as strong as if the circumstances in subsection (4) or (5) applied."

(4) In section 117D (interpretation)—
(a) after subsection (1) insert—
"(1A) For the purposes of this Part, a person is "liable to deportation" if they are liable to deportation under section 3(5)(a) or (6) of the Immigration Act 1971.";
(b) omit subsections (2) to (4).

(5) In section 45 of the Sentencing Act 2026 (deportation of foreign criminals), omit subsection (2).

PART 3

PROTECTION STATUS AND ASYLUM

21 Core protection: regulations about protection status and protection claims

(1) The Secretary of State may by regulations make provision, including provision amending any enactment, about—

(a) protection status, and

(b) protection claims.

(2) For the purposes of this section—

(a) a person has "protection status" if the person has been granted leave to enter or remain in the United Kingdom—

(i) on the ground that removal of the person from the United Kingdom would breach the United Kingdom's obligations under the Refugee Convention ("the Convention ground"), or

(ii) on the ground that removal of the person from the United Kingdom would breach the United Kingdom's obligations in relation to people eligible for a grant of humanitarian protection ("the humanitarian protection ground");

(b) a "protection claim" is a claim made to the Secretary of State for protection status.

(3) Regulations under subsection (1) may (among other things)—

(a) provide that a person eligible for the grant of asylum or humanitarian protection is instead eligible for the grant of protection status;

(b) provide that a person may apply for protection status by making a protection claim, and not a claim (or application) for asylum or a claim for humanitarian protection;

(c) make provision conferring rights and imposing obligations or requirements on any person (including the Secretary of State) in relation to a protection claim or protection status;

(d) make provision inserting, amending or removing references in any enactment to "protection status", "protection claim", "asylum", "refugee" or "humanitarian protection", or any related terms; this includes provision defining "protection status" without express reference to "humanitarian protection" or to the immigration rules;

(e) make different provision in relation to—

(i) protection status granted, and protection claims made, on the Convention ground, and

(ii) protection status granted, and protection claims made, on the humanitarian protection ground.

(4) Nothing in this section limits any power or duty arising under any other enactment; but that does not limit the provision that may be made under this section.

(5) In this section—

"claim (or application) for asylum" means a claim by a person that to remove the person from, or require the person to leave, the United Kingdom would breach the United Kingdom's obligations under the Refugee Convention;

"claim for humanitarian protection" means a claim by a person that to remove the person from, or require the person to leave, the United Kingdom would breach the United Kingdom's obligations in relation to people eligible for a grant of humanitarian protection;

"Convention ground" has the meaning given in subsection (2)(a)(i);

"enactment" means an enactment whenever passed or made, and includes—

(a) this Act (but not this section);

(b) an enactment comprised in subordinate legislation (within the meaning given by section 21 of the Interpretation Act 1978);

(c) an enactment comprised in, or in an instrument made under, a Measure or Act of Senedd Cymru;

(d) an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament;

(e) an enactment comprised in, or in an instrument made under, Northern Ireland legislation;

"humanitarian protection" is to be construed in accordance with the immigration rules, as the rules stood on 30 June 2026;

"humanitarian protection ground" has the meaning given in subsection (2)(a)(ii);

"immigration rules" means rules under section 3(2) of the Immigration Act 1971;

"Refugee Convention" means the Convention relating to the Status of Refugees done at Geneva on 28th July 1951, and its Protocol.

(6) No regulations may be made under this section after the end of the period of one year beginning with the day on which this section came into force; but this does not affect the continuation in force of regulations made before the end of that period.

22 Interpretation of Refugee Convention: "lawfully staying"

(1) The Nationality and Borders Act 2022 is amended as follows.

(2) In section 30 (Refugee Convention: general)—

(a) after subsection (3) insert—

"(3A) Section 37A applies for the purposes of the determination by any person, court or tribunal whether a person is "lawfully staying" in the United Kingdom for the purposes of the Refugee Convention.";

(b) after subsection (6) insert—

"(7) Subsection (3A) and section 37A apply only in relation to a determination made on or after the day on which section 22 of the Immigration and Asylum Act 2026 comes into force."

(3) After section 37 insert—

"37A Persons within Article 33(2) not lawfully staying in United Kingdom

A person is not to be taken to be lawfully staying in the United Kingdom if, for the purposes of Article 33(2) of the Refugee Convention—

(a) there are reasonable grounds for regarding the person as a danger to the security of the United Kingdom, or

(b) having been convicted by a final judgment of a particularly serious crime, the person constitutes a danger to the community of the United Kingdom (see section 72 of the Nationality, Immigration and Asylum Act 2002)."

PART 4

ASYLUM SUPPORT

23 Power to require payments from recipients of asylum support

(1) This section applies to any person who—

(a) has received asylum support, and

(b) is not exempt (see subsection (6)).

(2) For the purposes of this section and section 24 a person receives asylum support if they are—

(a) accommodated in facilities provided under section 4 of the Immigration and Asylum Act 1999 (including where provided by virtue of section 99 of that Act),

(b) provided with support under section 95 or 95A of that Act in a way mentioned in section 96(1)(a) or (b) of that Act (including where provided by virtue of section 99 of that Act), or

(c) provided with accommodation under section 17 of the Nationality, Immigration and Asylum Act 2002.

(3) *The Secretary of State may require a person to whom this section applies to make payments to the Secretary of State in accordance with this section.*

(4) The Secretary of State may by regulations make further provision about payments under subsection (3) including, in particular, provision—

(a) *about the calculation of the sums to be paid;*

(b) about the circumstances, including in relation to the financial means of the person, in which a person may be required to make payments;

(c) specifying the period before the end of which a payment must be made;

(d) about the way in which a person is to be notified that they are required to make payments;

(e) about how amounts required to be paid are to be collected.

(5) Regulations under subsection (4) must include provision to ensure that a person is not required to make payments under subsection (3) unless the person is able to do so without becoming destitute (within the meaning given by section 95 of the Immigration and Asylum Act 1999).

(6) A person is exempt for the purposes of this section if they—

(a) were under 18 at all times at which they received asylum support,

(b) started to receive asylum support before the day on which this section comes fully into force, or

(c) are of any other description specified in regulations made by the Secretary of State.

24 Section 23: further provision

(1) Regulations under section 23(4)(a) may, in particular, include provision for the sums to be paid by a person under section 23 to be calculated by reference to (among other things) whether the person received dependant support.

(2) A person "received dependant support" if—

(a) the person applied to receive asylum support for themselves and one or more of their dependants, and

(b) the applicant and one or more of their dependants received asylum support.

(3) In subsection (2) "dependant"—

(a) in relation to a person who receives asylum support as mentioned in section 23(2)(a) or (b), has the meaning given by section 94 of the Immigration and Asylum Act 1999;

(b) in relation to a person who receives asylum support as mentioned in section 23(2)(c), has the meaning given by section 20 of the Nationality, Immigration and Asylum Act 2002.

(4) *Regulations under section 23(4)(e) may, in particular, provide for His Majesty's Commissioners for Revenue and Customs ("HMRC") to collect amounts required to be paid under section 23.*

(5) *HMRC may prepare for the exercise of any function that may be conferred on HMRC by regulations under section 23(4)(e).*

(6) In section 40 of the UK Borders Act 2007 (supply of Revenue and Customs information for use for purposes of immigration and nationality functions), in subsection (1), after paragraph (f) insert—

"(fa) determining whether to require, or requiring, persons to make payments under section 23 of the Immigration and Asylum Act 2026 (power to require payments from recipients of asylum support) or collecting such payments;".

(7) Any amount required to be paid under section 23 that has not been paid by the time it is required to be paid may be recovered as a debt due to the Secretary of State.

(8) The Secretary of State may by regulations make provision that is consequential on section 23 or this section.

PART 5

MODERN SLAVERY

Prevention and risk orders

25 Slavery and trafficking risk orders on acquittal

(1) The Modern Slavery Act 2015 is amended as set out in subsections (2) to (7).

(2) Before section 23 (but after the italic heading before that section) insert—

“22A Slavery and trafficking risk orders on acquittal

(1) A court by or before which a person (“the defendant”) is acquitted of a slavery or human trafficking offence may make a slavery and trafficking risk order against the defendant.

(2) The court may make the order only if it is satisfied that the defendant has acted in a way which means that—

(a) there is a risk that the defendant will commit a slavery or human trafficking offence, and

(b) it is necessary to make the order for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed such an offence.

(3) Where the Court of Appeal allows an appeal against conviction they may remit the case to the Crown Court to consider whether to proceed under this section.

(4) Where—

(a) the Crown Court allows an appeal against conviction, or

(b) a case is remitted to the Crown Court under subsection (3),

the reference in subsection (1) to a court by or before which a person is acquitted of a slavery or human trafficking offence is to be read as referring to that court.

(5) The court may adjourn any proceedings relating to the making of a slavery and trafficking risk order.

(6) If the defendant does not appear for any adjourned proceedings the court may—

(a) further adjourn the proceedings, or

(b) hear the proceedings in the defendant’s absence.

(7) The court may not act under subsection (6)(b) unless it is satisfied that the defendant—

(a) has had adequate notice of the time and place of the adjourned proceedings, and

(b) has been informed that if the defendant does not appear for those proceedings the court may hear the proceedings in the defendant's absence.

(8) The acts of the defendant which may be relied on for the purposes of subsection (2) include acts taking place before this section comes into force."

(3) In the heading of section 23 (slavery and trafficking risk orders), at the end insert "on application".

(4) In section 27 (variation, renewal and discharge)—

(a) in subsection (2), in each of paragraphs (e), (f) and (g), after "application" insert "under section 23";

(b) in subsection (8), before paragraph (a) insert—

"(za) where the Crown Court made the slavery and trafficking risk order, the Crown Court;".

(5) In section 28(1) (interim slavery and trafficking risk orders), after "an application" insert "under section 23".

(6) In section 29 (appeals)—

(a) for subsection (1) substitute—

"(1) A defendant may appeal against the making of a slavery and trafficking risk order—

(a) where the order was made under section 22A, as if the defendant had been convicted of the offence and the order were a sentence passed on the defendant for the offence;

(b) where the order was made on an application under section 23, to the Crown Court.

(1A) A defendant may appeal to the Crown Court against the making of an interim slavery and trafficking risk order.

(1B) A defendant may appeal against the making of an order under section 27, or the refusal to make such an order—

(a) where the application for such an order was made to the Crown Court, to the Court of Appeal;

(b) in any other case, to the Crown Court.";

(b) in subsection (2), at the beginning insert "On an appeal under subsection (1)(b), (1A) or (1B)(b)";

(c) in subsection (3), for the words from "against" to "interim slavery and trafficking risk order" substitute "under subsection (1)(b) or (1A)".

(7) In section 34(1) (interpretation of Part 2), in the definition of "slavery and trafficking risk order", after "section" insert "22A or".

(8) In the Human Trafficking and Exploitation (Scotland) Act 2015 (asp 12), in section 32(2)(g) (offences), after "section" insert "22A or".

(9) In the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 (c. 2 (N.I.)), in paragraph 16(1)(e) of Schedule 3 (offences), for "section 23" substitute "sections 22A and 23".

26 Power for Chief Constable of the British Transport Police Force to apply for prevention and risk orders etc

(1) The Modern Slavery Act 2015 is amended as follows.

(2) In section 15 (slavery and trafficking prevention orders on application)—

(a) in subsection (1), after paragraph (a) insert—

"(aa) the Chief Constable of the British Transport Police Force,";

(b) in subsection (7)—

(i) after "Where" insert "the Chief Constable of the British Transport Police Force,";

(ii) for "the officer, the Director General or the Secretary of State" substitute "that person".

(3) In section 19(7) (requirement to provide name and address)—

(a) after "notify" insert "the Chief Constable of the British Transport Police Force,";

(b) for "the Director General, the officer or the Secretary of State must give details of any notification" substitute "any such person so notified must give details of the notification".

(4) In section 20 (variation, renewal and discharge)—

(a) in subsection (2), before paragraph (e) insert—

"(da) where the order was made on an application under section 15 by the Chief Constable of the British Transport Police Force, the Chief Constable;";

(b) in subsection (9)—

(i) after "Where" insert "the Chief Constable of the British Transport Police Force,";

(ii) for "the officer, the Director General or the Secretary of State" substitute "that person ("the applicant")";

(iii) in paragraph (b), for "the immigration officer, the Director General or the Secretary of State" substitute "the applicant".

(5) In section 23 (slavery and trafficking risk orders)—

(a) in subsection (1), after paragraph (a) insert—

“(aa) the Chief Constable of the British Transport Police Force,”;

(b) in subsection (6)—

(i) after “Where” insert “the Chief Constable of the British Transport Police Force,”;

(ii) for “the officer, the Director General or the Secretary of State” substitute “that person”.

(6) In section 26(7) (requirement to provide name and address)—

(a) after “notify” insert “the Chief Constable of the British Transport Police Force,”;

(b) for “the Director General, the officer or the Secretary of State must give details of any notification” substitute “any such person so notified must give details of the notification”.

(7) In section 27 (variation, renewal and discharge)—

(a) in subsection (2), before paragraph (e) insert—

“(da) where the order was made on an application under section 23 by the Chief Constable of the British Transport Police Force, the Chief Constable;”;

(b) in subsection (7)—

(i) after “Where” insert “the Chief Constable of the British Transport Police Force,”;

(ii) for “the officer, the Director General or the Secretary of State” substitute “that person (“the applicant”)”;

(iii) in paragraph (b), for “the immigration officer, the Director General or the Secretary of State” substitute “the applicant”.

(8) In section 33(1) (guidance), after “police,” insert “the Chief Constable of the British Transport Police Force,”.

27 Power for chief officer of police to apply for prevention and risk orders etc

(1) The Modern Slavery Act 2015 is amended as follows.

(2) In section 15 (slavery and trafficking prevention orders on application)—

(a) omit subsection (4);

(b) in subsection (8), for paragraphs (a) and (b) substitute—

“(a) the police area where the defendant lives, or

(b) a police area which the applicant believes the defendant is in or is intending to come to.”

(3) In section 20(2) (variation, renewal and discharge)—

(a) for paragraph (b) substitute—

“(b) a chief officer of police;”;

(b) omit paragraphs (c) and (d).

(4) In section 23 (slavery and trafficking risk orders)—
(a) omit subsection (3);
(b) in subsection (7), for paragraphs (a) and (b) substitute—
“(a) the police area where the defendant lives, or
(b) a police area which the applicant believes the defendant is in or is intending to come to.”

(5) In section 27(2) (variation, renewal and discharge)—
(a) for paragraph (b) substitute—
“(b) a chief officer of police;”;
(b) omit paragraphs (c) and (d).

28 Notification requirements in slavery and trafficking prevention orders

(1) The Modern Slavery Act 2015 is amended as set out in subsections (2) to (5).

(2) In section 19 (requirement to provide name and address)—
(a) for the heading substitute “Notification requirements”;
(b) in subsection (1), for “may” substitute “must”;
(c) after subsection (1) insert—
“(1A) A slavery and trafficking prevention order may require the defendant to comply with subsection (6A).”;
(d) in subsection (3), omit “requiring the defendant to comply with subsections (3) to (6)”;
(e) after subsection (6) insert—
“(6A) Where a slavery and trafficking prevention order requires the defendant to comply with this subsection, the defendant must, before the end of the prescribed period and in the way specified in the order, notify the person specified in the order of the prescribed information.”

(3) In section 21 (interim slavery and trafficking prevention orders), for subsection (6) substitute—
“(6) Section 19 (notification requirements) applies in relation to an interim slavery and trafficking prevention order as it applies in relation to a slavery and trafficking prevention order, but as if subsections (2), (7) and (8) were omitted.”

(4) In section 34(1) (interpretation), after the definition of “labour market offence” insert—
““prescribed” means prescribed in regulations made by the Secretary of State;”.

(5) In section 58(4) (regulations subject to the affirmative procedure), after paragraph (a) insert—

“(aa) regulations under section 19(6A) (notification requirements for slavery and trafficking prevention orders);”.

(6) The amendment made by subsection (2)(b) does not affect an order made before the day on which this section comes fully into force.

29 Notification requirements in slavery and trafficking risk orders

(1) The Modern Slavery Act 2015 is amended as set out in subsections (2) to (4).

(2) In section 26 (requirement to provide name and address)—

(a) for the heading substitute “Notification requirements”;

(b) in subsection (1), for “may” substitute “must”;

(c) after subsection (1) insert—

“(1A) A slavery and trafficking risk order may require the defendant to comply with subsection (6A).”;

(d) in subsection (3), omit “requiring the defendant to comply with subsections (3) to (6)”;

(e) after subsection (6) insert—

“(6A) Where a slavery and trafficking risk order requires the defendant to comply with this subsection, the defendant must, before the end of the prescribed period and in the way specified in the order, notify the person specified in the order of the prescribed information.”

(3) In section 28 (interim slavery and trafficking risk orders), for subsection (6) substitute—

“(6) Section 26 (notification requirements) applies in relation to an interim slavery and trafficking risk order as it applies in relation to a slavery and trafficking risk order, but as if subsections (2), (7) and (8) were omitted.”

(4) In section 58(4) (regulations subject to the affirmative procedure), after paragraph (aa) (inserted by section 28) insert—

“(ab) regulations under section 26(6A) (notification requirements for slavery and trafficking risk orders);”.

(5) The amendment made by subsection (2)(b) does not affect an order made before the day on which this section comes fully into force.

30 Slavery and trafficking prevention orders: adjournment of proceedings

In section 14 of the Modern Slavery Act 2015 (slavery and trafficking prevention orders on sentencing), after subsection (2) insert—

"(2A) The court may adjourn any proceedings relating to the making of a slavery and trafficking prevention order.

(2B) If the defendant does not appear for any adjourned proceedings the court may—

(a) further adjourn the proceedings,

(b) issue a warrant for the defendant's arrest, or

(c) hear the proceedings in the defendant's absence.

(2C) The court may not act under subsection (2B)(b) unless it is satisfied that the defendant has had adequate notice of the time and place of the adjourned proceedings.

(2D) The court may not act under subsection (2B)(c) unless it is satisfied that the defendant—

(a) has had adequate notice of the time and place of the adjourned proceedings, and

(b) has been informed that if the defendant does not appear for those proceedings the court may hear the proceedings in the defendant's absence."

31 Slavery and trafficking prevention orders: electronic monitoring

(1) The Modern Slavery Act 2015 is amended as follows.

(2) After section 19 insert—

"19A Electronic monitoring

(1) A slavery and trafficking prevention order may require the defendant to comply with subsection (3).

(2) It may do so only if—

(a) the court is satisfied that the requirement is necessary for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed a slavery or human trafficking offence,

(b) the court—

(i) has been notified by the Secretary of State that electronic monitoring arrangements are available in the relevant area, and

(ii) is satisfied that the necessary provision can be made under the arrangements currently available,

(c) in a case where there is a person (other than the defendant) without whose co-operation it would be impracticable to secure the monitoring in question, that person has consented to the requirement being imposed, and

(d) the defendant is present when the requirement is imposed.

(3) Where a slavery and trafficking prevention order requires the defendant to comply with this subsection, the defendant must submit to electronic monitoring of the defendant's compliance with any prohibitions and requirements imposed by the order.

(4) A slavery and trafficking prevention order that requires the defendant to comply with subsection (3) must specify the person who is to be responsible for the monitoring.

(5) The person specified under subsection (4) must be of a prescribed description.

(6) Where a slavery and trafficking prevention order requires a defendant to comply with subsection (3), the defendant must (among other things)—

(a) submit, as required from time to time by the person specified under subsection (4), to—

(i) being fitted with, or the installation of, any necessary apparatus, and

(ii) the inspection or repair of any apparatus fitted or installed for the purposes of the monitoring,

(b) not interfere with, or with the working of, any apparatus fitted or installed for the purposes of the monitoring,

(c) take any steps required by the person specified under subsection (4) for the purpose of keeping in working order any apparatus fitted or installed for the purposes of the monitoring.

These obligations have effect as requirements of the order.

(7) A slavery and trafficking prevention order must specify the period for which a requirement to comply with subsection (3) has effect.

(8) But a slavery and trafficking prevention order may not provide for such a requirement to have effect for more than 12 months.

(9) Subsection (8) is subject to any variation or renewal of the order under section 20.

(10) In subsection (2)(b) "the relevant area" means—

(a) the local justice area in which it appears to the court that the defendant lives or will live, and

(b) in a case where it is proposed to include in the order—

(i) a requirement that the defendant must remain, for specified periods, at a specified place, or

(ii) a provision prohibiting the defendant from entering a specified place or area,

the local justice area in which the place or area proposed to be specified is situated.

(11) In subsection (10)(b) "specified" means specified in the order."

(3) In section 21 (interim slavery and trafficking prevention orders), after subsection (6) insert—

"(6A) Section 19A (electronic monitoring) applies in relation to an interim slavery and trafficking prevention order as it applies in relation to a slavery and trafficking prevention order, but as if subsections (7) to (9) were omitted."

32 Slavery and trafficking risk orders: electronic monitoring

(1) The Modern Slavery Act 2015 is amended as follows.

(2) After section 26 insert—

"26A Electronic monitoring

(1) A slavery and trafficking risk order may require the defendant to comply with subsection (3).

(2) It may do so only if—

(a) the court is satisfied that the requirement is necessary for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed a slavery or human trafficking offence,

(b) the court—

(i) has been notified by the Secretary of State that electronic monitoring arrangements are available in the relevant area, and

(ii) is satisfied that the necessary provision can be made under the arrangements currently available,

(c) in a case where there is a person (other than the defendant) without whose co-operation it would be impracticable to secure the monitoring in question, that person has consented to the requirement being imposed, and

(d) the defendant is present when the requirement is imposed.

(3) Where a slavery and trafficking risk order requires the defendant to comply with this subsection, the defendant must submit to electronic monitoring of the defendant's compliance with any prohibitions and requirements imposed by the order.

(4) A slavery and trafficking risk order that requires the defendant to comply with subsection (3) must specify the person who is to be responsible for the monitoring.

(5) The person specified under subsection (4) must be of a prescribed description.

(6) Where a slavery and trafficking risk order requires a defendant to comply with subsection (3), the defendant must (among other things)—

(a) submit, as required from time to time by the person specified under subsection (4), to—
(i) being fitted with, or the installation of, any necessary apparatus, and
(ii) the inspection or repair of any apparatus fitted or installed for the purposes of the monitoring,
(b) not interfere with, or with the working of, any apparatus fitted or installed for the purposes of the monitoring, and
(c) take any steps required by the person specified under subsection (4) for the purpose of keeping in working order any apparatus fitted or installed for the purposes of the monitoring.

These obligations have effect as requirements of the order.

(7) A slavery and trafficking risk order must specify the period for which a requirement to comply with subsection (3) has effect.

(8) But a slavery and trafficking risk order may not provide for such a requirement to have effect for more than 12 months.

(9) Subsection (8) is subject to any variation or renewal of the order under section 27.

(10) In subsection (2)(b) "the relevant area" means—
(a) the local justice area in which it appears to the court that the defendant lives or will live, and
(b) in a case where it is proposed to include in the order—
(i) a requirement that the defendant must remain, for specified periods, at a specified place, or
(ii) a provision prohibiting the defendant from entering a specified place or area,

the local justice area in which the place or area proposed to be specified is situated.

(11) In subsection (10)(b) "specified" means specified in the order."

(3) In section 28 (interim slavery and trafficking risk orders), after subsection (6) insert—

"(6A) Section 26A (electronic monitoring) applies in relation to an interim slavery and trafficking risk order as it applies in relation to a slavery and trafficking risk order, but as if subsections (7) to (9) were omitted."

33 Electronic monitoring: further provisions

(1) The Modern Slavery Act 2015 is amended as follows.

(2) In section 30(2) (offences), for paragraphs (a) and (b) substitute—

"(a) a slavery and trafficking prevention order,
(b) an interim slavery and trafficking prevention order,
(c) a slavery and trafficking risk order, or

(d) an interim slavery and trafficking risk order."

(3) After section 33 insert—

"33A Data from electronic monitoring: code of practice

(1) The Secretary of State must issue a code of practice relating to the processing of data gathered in the course of electronic monitoring of individuals under any of the following—

(a) a requirement to comply with section 19A(3) imposed by a slavery and trafficking prevention order;

(b) a requirement to comply with section 19A(3) imposed by an interim slavery and trafficking prevention order (in reliance on section 21(6A));

(c) a requirement to comply with section 26A(3) imposed by a slavery and trafficking risk order;

(d) a requirement to comply with section 26A(3) imposed by an interim slavery and trafficking risk order (in reliance on section 28(6A)).

(2) A failure to act in accordance with a code issued under this section does not of itself make a person liable to any criminal or civil proceedings."

(4) In section 58 (regulations)—

(a) in subsection (2), before paragraph (a) insert—

"(za) it contains only regulations under section 19A(5) or 26A(5) (power to prescribe persons responsible for electronic monitoring of compliance with orders under Part 2),";

(b) after subsection (10) insert—

"(10A) Regulations under section 19A(5) or 26A(5) may make different provision for different areas."

34 Variation etc of slavery and trafficking prevention and risk orders

(1) The Modern Slavery Act 2015 is amended as follows.

(2) In section 20 (variation etc of slavery and trafficking prevention orders)—

(a) for subsections (4) and (5) substitute—

"(4) An order may be—

(a) renewed, or

(b) varied so as to—

(i) impose additional prohibitions on the defendant,

(ii) require the defendant to comply with section 19(6A) (additional notification requirements),

(iii) require the defendant to comply with section 19A(3) (electronic monitoring), or

(iv) in the case of an order made before the day on which section 28 of the Immigration and Asylum Act 2026 came into force, require the defendant to comply with section 19(3) to (6) (core notification requirements),

only if the condition in subsection (5) is met.

(5) The condition is that the court is satisfied that—

(a) there is a risk that the defendant may commit a slavery or human trafficking offence, and

(b) it is necessary to renew or vary the order for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed such an offence.

(5A) Any renewed or varied order—

(a) may contain only those prohibitions which the court is satisfied are necessary for that purpose,

(b) may require the defendant to comply with section 19(6A) only if the court is satisfied that the requirement is necessary for that purpose, and

(c) may require the defendant to comply with section 19A(3) only if—

(i) the court is satisfied that the requirement is necessary for that purpose,

(ii) the condition in subsection (5B) is met,

(iii) if there is a person (other than the defendant) without whose co-operation it would be impracticable to secure the monitoring in question, that person has consented to the requirement being imposed, and

(iv) the defendant is present when the requirement is imposed.

(5B) The condition is that the court—

(a) has been notified by the Secretary of State that electronic monitoring arrangements are available in the relevant area, and

(b) is satisfied that the necessary provision can be made under the arrangements currently available.

In this subsection “the relevant area” has the meaning given by section 19A(10).

(5C) Where—

(a) a slavery and trafficking prevention order was made before the day on which section 28 of the Immigration and Asylum Act 2026 came into force, and

(b) the order is varied on or after that day, the varied order may require the defendant to comply with section 19(3) to (6) only if the court is satisfied that the requirement is necessary for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed a slavery or human trafficking offence.

(5D) But where—

(a) a slavery and trafficking prevention order was made before the day on which section 28 of the Immigration and Asylum Act 2026 came into force, and

(b) the order is renewed on or after that day,

the renewed order must require the defendant to comply with section 19(3) to (6).";

(b) after subsection (7) insert—

"(7A) An order under this section varying or renewing a slavery and trafficking prevention order may not extend the period for which a requirement to comply with section 19A(3) (electronic monitoring) has effect by more than 12 months at a time."

(3) In section 27 (variation etc of slavery and trafficking risk orders)—

(a) for subsections (4) and (5) substitute—

"(4) An order may be—

(a) renewed, or

(b) varied so as to—

(i) impose additional prohibitions on the defendant,

(ii) require the defendant to comply with section 26(6A) (additional notification requirements),

(iii) require the defendant to comply with section 26A(3) (electronic monitoring), or

(iv) in the case of an order made before the day on which section 29 of the Immigration and Asylum Act 2026 came into force, require the defendant to comply with section 26(3) to (6) (core notification requirements),

only if the condition in subsection (5) is met.

(5) The condition is that the court is satisfied that—

(a) there is a risk that the defendant may commit a slavery or human trafficking offence, and

(b) it is necessary to renew or vary the order for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed such an offence.

(5A) Any renewed or varied order—

(a) may contain only those prohibitions which the court is satisfied are necessary for that purpose,

(b) may require the defendant to comply with section 26(6A) only if the court is satisfied that the requirement is necessary for that purpose, and

(c) may require the defendant to comply with section 26A(3) only if—

(i) the court is satisfied that the requirement is necessary for that purpose,

(ii) the condition in subsection (5B) is met,

(iii) if there is a person (other than the defendant) without whose co-operation it would be impracticable to secure the monitoring in question, that person has consented to the requirement being imposed, and

(iv) the defendant is present when the requirement is imposed.

(5B) The condition is that the court—

(a) has been notified by the Secretary of State that electronic monitoring arrangements are available in the relevant area, and

(b) is satisfied that the necessary provision can be made under the arrangements currently available.

In this subsection "the relevant area" has the meaning given by section 26A(10).

(5C) Where—

(a) a slavery and trafficking risk order was made before the day on which section 29 of the Immigration and Asylum Act 2026 came into force, and

(b) the order is varied on or after that day,

the varied order may require the defendant to comply with section 26(3) to (6) only if the court is satisfied that the requirement is necessary for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed a slavery or human trafficking offence.

(5D) But where—

(a) a slavery and trafficking risk order was made before the day on which section 29 of the Immigration and Asylum Act 2026 came into force, and

(b) the order is renewed on or after that day,

the renewed order must require the defendant to comply with section 26(3) to (6).";

(b) after subsection (7) insert—

"(7A) An order under this section varying or renewing a slavery and trafficking risk order may not extend the period for which a requirement to comply with section 26A(3) (electronic monitoring) has effect by more than 12 months at a time."

Identification and support of victims

35 Authority responsible for deciding if a person is a victim etc

(1) After section 65 of the Nationality and Borders Act 2022 insert—

"65A Meaning of "competent authority"

In this Part "competent authority", in relation to a decision in respect of a person, means—

(a) in a case where the person is aged 18 or over on the day of the decision, the Secretary of State, and

(b) in a case where the person is under the age of 18 on the day of the decision—

(i) the Secretary of State, or

(ii) such other public authority as the Secretary of State nominates to be the competent authority in respect of that decision."

(2) Schedule 4 contains further amendments that—

(a) are consequential on subsection (1), or

(b) otherwise relate to decisions as to whether a person is a victim of slavery or human trafficking.

36 Deciding if a person is a victim: credibility

(1) Part 5 of the Nationality and Borders Act 2022 (modern slavery) is amended as follows.

(2) After section 60 insert—

"60A Deciding if a person is a victim: credibility

(1) Subsection (2) applies where a competent authority is making a reasonable grounds decision or a conclusive grounds decision in relation to a person.

(2) In determining whether to believe a statement made by or on behalf of the person, the competent authority must take account, as damaging the person's credibility, of—

(a) any delay by the person in making a claim to be a victim of slavery or human trafficking,

(b) any delay by the person in providing the competent authority with any relevant status information,

(c) any material inaccuracy, inconsistency or omission in relevant status information provided by the person to the competent authority,

(d) any material inconsistency between relevant status information provided by the person to the competent authority and any information provided by the person in connection with—

(i) any protection claim or human rights claim made by the person, or

(ii) any civil or criminal proceedings to which the person is a party, and

(e) any striking similarity between the relevant status information provided by the person to the competent authority and any information provided by another person in connection with—

(i) a claim to be a victim of slavery or human trafficking made by that other person,

(ii) a protection claim or human rights claim made by that other person,

(iii) any civil or criminal proceedings to which that other person is a party.

(3) But subsection (2) does not apply if the competent authority is satisfied that there are good reasons for the delay, inaccuracy, inconsistency, omission or similarity.

(4) In deciding whether there are good reasons, the competent authority must have regard to any guidance issued by the Secretary of State.

(5) The provision of relevant status information in response to a claim notice, after the claim notice deadline, is to be treated as a delay for the purposes of subsection (2)(a) or (b).

(6) For the purposes of subsection (2)(a) a person makes a claim to be a victim of slavery or human trafficking if they make a disclosure of information that tends to suggest they may be a victim.

(7) In this section—

"claim notice" means a notice under section 11 of the Immigration and Asylum Act 2026;

"claim notice deadline" has the meaning given in section 11(3) of the Immigration and Asylum Act 2026;

"human rights claim" and "protection claim" have the same meanings as in Part 2;

"relevant status information", in relation to a person, means information that may be relevant for the purpose of making a reasonable grounds decision or a conclusive grounds decision in relation to the person."

(3) Omit sections 58 and 59 (slavery or trafficking information notices).

37 Recovery period to end on making of negative conclusive grounds decision

(1) Part 5 of the Nationality and Borders Act 2022 (modern slavery) is amended as set out in subsections (2) to (4).

(2) In section 61 (identified potential victims of slavery or human trafficking: recovery period)—

(a) in subsection (3), for the words from "period—" to the end substitute "period of 30 days beginning with the day on which the positive reasonable grounds decision is made, subject to subsections (4) and (5).";

(b) after subsection (3) insert—

"(4) If during the period of 30 days mentioned in subsection (3) a negative conclusive grounds decision is made in relation to the identified potential victim, the recovery period ends with the day on which that decision is made.

(5) If at the end of the period of 30 days mentioned in subsection (3) a conclusive grounds decision has not been made in relation to the identified potential victim, the recovery period ends with the day on which such a decision is made."

(3) In section 62 (no entitlement to additional recovery period etc)—

(a) in subsection (2), for "period—" to the end of paragraph (b) substitute "further recovery period.";

(b) after subsection (2) insert—

"(3) The "further recovery period" means the period of 30 days beginning with the day on which the further RG decision is made, subject to subsections (4) and (5).

(4) If during the period of 30 days mentioned in subsection (3) a negative conclusive grounds decision is made in relation to the further RG decision, the further recovery period ends with the day on which that decision is made.

(5) If at the end of the period of 30 days mentioned in subsection (3) a conclusive grounds decision has not been made in relation to the further RG decision, the further recovery period ends with the day on which such a decision is made."

(4) In section 69(1) (interpretation of Part 5), after the definition of "conclusive grounds decision" insert—

""negative conclusive grounds decision" means a decision by a competent authority that a person is not a victim of slavery or human trafficking;".

(5) In section 50A of the Modern Slavery Act 2015 (identified potential victims etc: assistance and support)—

(a) in subsection (4), for the words from "period—" to the end substitute "further recovery period.";

(b) in subsection (7), after the definition of "conclusive grounds decision" insert—

""further recovery period" has the same meaning as in section 62 of that Act;".

38 Disqualification from protection

(1) Part 5 of the Nationality and Borders Act 2022 (modern slavery) is amended as set out in subsections (2) to (6).

(2) In section 63 (identified potential victims etc: disqualification from protection)—

(a) in the heading, at the end insert "on grounds of threat to public order etc";

(b) in subsection (1) for the words from "that the person—" to the end of paragraph (b) substitute "—

(a) that the person poses a risk to the national security of the United Kingdom, or

(b) except where the person is within subsection (1A), that the person is a threat to public order.";

(c) after subsection (1) insert—

"(1A) A person is within this subsection if the person—

(a) is under the age of 18, and

(b) either—

(i) has a right of abode in the United Kingdom, or

(ii) has leave to remain in the United Kingdom otherwise than by reason of section 65.";

(d) for subsection (2) substitute—

"(2) Where a determination is made that this subsection applies to a person—

(a) any prohibition on removing the person from, or requiring them to leave, the United Kingdom arising under section 61 or 62 ceases to apply,

(b) any requirement under section 65 to grant the person limited leave to remain in the United Kingdom ceases to apply, and

(c) no conclusive grounds decision is to be made in relation to the person after the determination.";

(e) in subsection (2A) (as inserted by section 29(3) of the Illegal Migration Act 2023) for the words from "there are" to the end substitute "the person is at an immediate and significant risk of becoming a victim of slavery or human trafficking (or further slavery or human trafficking) in the United Kingdom.";

(f) after subsection (2A) insert—

"(2B) For the purposes of this section, the circumstances in which a person poses a risk to the national security of the United Kingdom include, in particular, where—

(a) the person has been convicted of a terrorist offence;

(b) the person is subject to a TPIM notice (within the meaning given by section 2 of the Terrorism Prevention and Investigation Measures Act 2011);

(c) there are reasonable grounds to suspect that the person is or has been involved in terrorism-related activity within the meaning given by section 4 of that Act (whether or not the terrorism-related activity is attributable to the person being, or having been, a victim of slavery or human trafficking);

(d) the person is subject to a notice under Part 2 of the National Security Act 2023;

(e) there are reasonable grounds to suspect that the person is or has been involved in foreign power threat activity within the meaning given by section 33 of that Act (whether or not the foreign power threat activity is attributable to the person being, or having been, a victim of slavery or human trafficking);

(f) the person is subject to a temporary exclusion order imposed under section 2 of the Counter-Terrorism and Security Act 2015.";

(g) in subsection (3)—

(i) omit paragraph (a);

(ii) in paragraph (b) for "any other" substitute "an";

(iii) omit paragraphs (c) to (e);

(iv) omit paragraph (i);

(h) in subsection (4), in the words before paragraph (a), for "(3)(a)" substitute "(2B)(a)";

(i) in subsection (5A)(b) (as inserted by section 29(5) of the Illegal Migration Act 2023) omit sub-paragraph (i) (and the "and" following it).

(3) After section 63 insert—

"63A Identified potential victims etc: disqualification from protection on grounds of bad faith

(1) The Secretary of State must determine that subsection (2) is to apply to a person if the Secretary of State is satisfied that the person—

(a) has claimed to be a victim of slavery or human trafficking in bad faith, and

(b) was aged 18 or over at the time the claim was made.

(2) Where a determination is made that this subsection applies to a person—

(a) any prohibition on removing the person from, or requiring the person to leave, the United Kingdom arising under section 61 or 62 ceases to apply,

(b) any requirement under section 65 to grant the person limited leave to remain in the United Kingdom ceases to apply, and

(c) no reasonable grounds decision or conclusive grounds decision is to be made in relation to the person after the determination.

(3) For the purposes of this section, the circumstances in which a person's claim to be a victim of slavery or human trafficking is to be taken to have been made in bad faith include, in particular—

(a) where the claim was made at a time when the person was due to be removed from the United Kingdom;

(b) where the person provided information in support of the claim knowing the information to be false or fabricated.

(4) But subsection (3)(a) does not apply if—

(a) the Secretary of State has served a claim notice on the person and the claim was made on or before the claim notice deadline, or

(b) the Secretary of State is satisfied that there are compelling reasons why the claim was not made prior to the time the person became due to be removed from the United Kingdom.

(5) A person is "due to be removed from the United Kingdom" if—

(a) the person has been given a notice of intention to remove under section 10A of the Immigration and Asylum Act 1999, and

(b) in a case where the person has been given a notice of departure details under that section, the period of 21 days beginning with the date specified in that notice or any replacement notice under that section has not expired.

(6) The Secretary of State may by regulations provide for further circumstances in which a claim to be a victim of slavery or human trafficking is to be taken for the purposes of this section to have been made in bad faith.

(7) Regulations under subsection (6) are subject to the affirmative resolution procedure.

(8) For the purposes of this section, a person claims to be a victim of slavery or human trafficking if they make a disclosure of information that tends to suggest they may be a victim.

(9) In this section—

"claim notice" means a notice under section 11 of the Immigration and Asylum Act 2026;

"claim notice deadline" has the meaning given in section 11(3) of that Act."

(4) In section 61(2) (identified potential victims of slavery or human trafficking: recovery period), for "section 63(2)" substitute "sections 63(2) and 63A(2)".

(5) In section 62(2) (no entitlement to additional recovery period etc), in the second sentence, for "section 63(2)" substitute "sections 63(2) and 63A(2)".

(6) In section 65(3) (leave to remain for victims of slavery or human trafficking) for "section 63(2)" substitute "sections 63(2) and 63A(2)".

(7) In section 50A(5) of the Modern Slavery Act 2015 (identified potential victims etc: assistance and support) after "section 63(2)" insert "or 63A(2)".

39 Removal of duty to grant leave to remain to assist recovery

In section 65 of the Nationality and Borders Act 2022 (leave to remain for victims of slavery or human trafficking)—
- (a) in subsection (2), omit paragraph (a),
- (b) in subsection (4), omit paragraph (a), and
- (c) omit subsection (5).

40 Renaming of independent child trafficking advocates

(1) Section 48 of the Modern Slavery Act 2015 (independent child trafficking advocates) is amended as set out in subsections (2) to (4).

(2) In the following provisions, for "advocates" substitute "guardians"—
- (a) the heading;
- (b) subsection (1);
- (c) in subsection (6)—
  - (i) the opening words;
  - (ii) paragraph (d).

(3) In the following provisions, for "advocate" substitute "guardian"—
- (a) subsection (4);
- (b) subsection (5);
- (c) in subsection (6)—
  - (i) paragraph (a);
  - (ii) paragraph (b);
  - (iii) paragraph (c);
  - (iv) the opening words of paragraph (e);
  - (v) paragraph (e)(ii) (in both places).

(4) In subsection (6)(e)(i), for "advocate's" substitute "guardian's".

(5) In section 58(4)(f) of the Modern Slavery Act 2015 (application of affirmative procedure to regulations under section 48(6)), for "advocates" substitute "guardians: general regulations".

41 Functions of independent child trafficking guardians

(1) Section 48 of the Modern Slavery Act 2015 (independent child trafficking guardians) is amended as follows.

(2) In subsection (1), for the words from "represent" to the end substitute "represent or support (or represent and support) children who may be victims of human trafficking or victims of slavery."

(3) In subsection (2), for "represented and supported" substitute "represented or supported (or represented and supported)".

(4) After subsection (2) insert—

"(2A) Support provided to a child by an independent child trafficking guardian under this section may take the form of—

(a) support provided directly to the child, or

(b) support provided indirectly to the child by way of support to other persons who provide services or take decisions in relation to the child."

(5) In subsection (6)—

(a) in paragraph (c)—

(i) omit "there are reasonable grounds to believe";

(ii) at the end insert "or a victim of slavery";

(b) in paragraph (e)—

(i) omit the "and" at the end of sub-paragraph (i);

(ii) at the end insert ", and

(iii) involve the guardian in discussions and decisions relating to the child, so far as relating to the guardian's functions (and so far as the authority may do so without contravening a restriction on disclosure of information)."

42 Further amendments relating to independent child trafficking guardians

(1) In section 48 of the Modern Slavery Act 2015 (independent child trafficking guardians) omit subsection (7).

(2) In section 61 of that Act (commencement) omit subsections (5) to (7).

43 Assistance and support for potential victims

(1) Section 50A of the Modern Slavery Act 2015 (identified potential victims etc: assistance and support) is amended as follows.

(2) In subsection (2), after "the Secretary of State" insert "or an authorised person".

(3) After subsection (2) insert—

“(2A) But where the Secretary of State disagrees with an assessment by an authorised person that assistance and support is necessary, the Secretary of State may override that assessment.”

(4) After subsection (4) insert—

“(4A) Subsections (1) and (4) do not apply in relation to a child.”

(5) After subsection (5) insert—

“(5ZA) Subsections (1) and (4) do not impose a duty to secure that assistance or support is available to a person if—

(a) the assistance or support would have been available to the person otherwise than by reason of those subsections but for a contravention, failure or other adverse conduct on the part of the person, and

(b) the Secretary of State or an authorised person is satisfied that the contravention, failure or adverse conduct is not properly attributable to any physical, psychological or social harm which arose from the conduct which resulted in the positive reasonable grounds decision.”

(6) In subsection (7), after “section—” insert—

““authorised person” means a person authorised by the Secretary of State for the purposes of this section;”.

Slavery and human trafficking statements

44 Content of slavery and human trafficking statements

(1) The Modern Slavery Act 2015 is amended as follows.

(2) Section 54 (transparency in supply chains etc) is amended as set out in subsections (3) and (4).

(3) For subsections (4) and (5) substitute—

“(4) For the purposes of this section, a slavery and human trafficking statement for a financial year is a statement for the financial year that complies with the requirements specified in Schedule 4ZA.

(5) The Secretary of State may by regulations amend Schedule 4ZA so as to add, amend or remove a requirement.

(5A) Before making regulations under subsection (5), the Secretary of State must consult such persons as the Secretary of State considers appropriate.”

(4) In subsection (12), in the opening words, for “section” substitute “Part”.

(5) In section 58(4) (regulations subject to the affirmative procedure)—

(a) in the opening words, for “section” substitute “subsection”;

(b) after paragraph (j) insert—

"(jza) regulations under section 54(5) (power to amend Schedule 4ZA);".

(6) After Schedule 4, insert Schedule 4ZA as set out in Schedule 5 to this Act.

45 Approval etc of statements

(1) Section 54 of the Modern Slavery Act 2015 (transparency in supply chains etc) is amended as follows.

(2) For subsection (6) substitute—

"(6) A slavery and human trafficking statement must be certified either—

(a) by the organisation to which it relates, or

(b) if that organisation is a subsidiary undertaking, by a parent undertaking of the organisation.

(6A) A statement is certified for the purposes of subsection (6) if—

(a) where the organisation doing the certifying is a body corporate other than a limited liability partnership, the statement is approved by the board of directors (or equivalent management body) and signed by a director (or equivalent);

(b) where that organisation is a limited liability partnership, the statement is approved by the members and signed by a designated member;

(c) where that organisation is a limited partnership registered under the Limited Partnerships Act 1907, the statement is signed by a general partner;

(d) where that organisation is any other kind of partnership, the statement is signed by a partner.

(6B) A slavery and human trafficking statement may be approved or signed under subsection (6A) only after the end of the financial year to which the statement relates.

(6C) A slavery and human trafficking statement must—

(a) contain a declaration by the individual signing the statement that the statement is accurate to the best of their knowledge and belief,

(b) if the statement is required to be approved (under subsection (6A)(a) or (b)), specify the date on which it was approved, and

(c) specify the date on which it was signed."

(3) In subsection (12), after the definition of "commercial organisation" insert—

""parent undertaking" and "subsidiary undertaking" have the same meanings as in the Companies Acts (see section 1162 of the Companies Act 2006);".

46 Application to public authorities

(1) The Modern Slavery Act 2015 is amended as follows.

(2) In section 54 (transparency in supply chains etc), in the heading, at the end insert ": commercial organisations".

(3) After section 54 insert—

"54ZA Transparency in supply chains etc: public authorities

(1) A public authority within subsection (2) must prepare a slavery and human trafficking statement for each financial year of the authority.

(2) A public authority is within this subsection if it—

(a) has a total budget of not less than an amount prescribed by regulations made by the Secretary of State, and

(b) is not a commercial organisation within section 54(2).

(3) For the purposes of subsection (2)(a), a public authority's total budget is to be determined in accordance with regulations made by the Secretary of State.

(4) For the purposes of this section, a slavery and human trafficking statement for a financial year is a statement for the financial year that complies with the requirements specified in Schedule 4ZA.

(5) A slavery and human trafficking statement must be certified either—

(a) by the public authority to which it relates (the "first authority"), or

(b) if the first authority considers it appropriate, by another public authority.

(6) A statement is certified for the purposes of subsection (5) if it is signed—

(a) by the most senior of the officials who have responsibility for the day to day operations of the public authority doing the certifying (or, if there is more than one such senior official, by one of them), or

(b) in a case where a senior official mentioned in paragraph (a) is unable to act for any reason, by the next most senior official of that public authority who is able to act (or, if there is more than one such official, by one of them).

(7) A slavery and human trafficking statement may be signed under subsection (6) only after the end of the financial year to which the statement relates.

(8) A slavery and human trafficking statement must—

(a) contain a declaration by the official signing the statement that the statement is accurate to the best of their knowledge and belief, and

(b) specify the date on which it was signed.

(9) For the purposes of this Part, "public authority" means a person with functions of a public nature.

(10) But this Part does not apply to—

(a) the Security Service,

(b) the Secret Intelligence Service, or

(c) the Government Communications Headquarters.

(11) The Secretary of State may by regulations amend subsection (10) so as to—

(a) add or remove a public authority, or

(b) amend an entry relating to a public authority.

(12) Before making regulations under subsection (11) the Secretary of State must consult such persons as the Secretary of State considers appropriate.

(13) This section (and Schedule 4ZA) and section 54ZB bind the Crown.

(14) The reference to the Crown in subsection (13) does not include—

(a) His Majesty in His private capacity,

(b) His Majesty in right of the Duchy of Lancaster, or

(c) the Duke of Cornwall."

(4) In section 56(3) (interpretation), in the definition of "public authority"—

(a) after "authority"" insert "(except in Part 6)";

(b) at the end insert "(for its meaning in Part 6, see section 54ZA(9))".

(5) In section 58(4) (regulations subject to the affirmative procedure), after paragraph (jza) (inserted by section 44(5)) insert—

"(jzb) regulations under section 54ZA(2) (minimum total budget for application of section 54ZA);

(jzc) the first regulations under section 54ZA(3) (definition of total budget for purposes of section 54ZA);

(jzd) regulations under section 54ZA(11) which—

(i) add a public authority to section 54ZA(10), or

(ii) amend an entry in that provision relating to a public authority other than in consequence of the authority having changed its name;".

47 Statements: publication and submission

(1) The Modern Slavery Act 2015 is amended as follows.

(2) In section 54 (transparency in supply chains etc), omit subsections (7) and (8).

(3) After section 54ZA (inserted by section 46) insert—

“54ZB Statements: publication and submission

(1) This section applies in relation to a commercial organisation or public authority that is required to prepare a slavery and human trafficking statement under section 54 or 54ZA.

(2) If the organisation or authority has a website, it must—

(a) publish the slavery and human trafficking statement on that website, and

(b) include a link to the statement in a prominent place on that website’s homepage.

(3) The Secretary of State may by regulations make provision requiring a commercial organisation or public authority—

(a) to submit its slavery and human trafficking statement for a financial year to the Secretary of State by specified electronic means and in a specified electronic form;

(b) if it has a website, to submit a link to its slavery and human trafficking statement for a financial year as it appears on that website to the Secretary of State by specified electronic means.

(4) In subsection (3), “specified” means specified in the regulations.

(5) A commercial organisation or public authority must comply with subsection (2), and regulations under subsection (3), in relation to a slavery and human trafficking statement—

(a) as soon as reasonably practicable after the end of the financial year to which the statement relates, and

(b) in any event before the end of the period of 6 months beginning with the day after the last day of that financial year.

(6) The Secretary of State may by regulations amend the period for the time being specified in subsection (5)(b).”

(4) In section 58(4) (regulations subject to the affirmative procedure), after paragraph (jzd) (inserted by section 46(5)) insert—

“(jze) regulations under section 54ZB(6) (power to amend time period in section 54ZB(5)(b));”.

48 Guidance

(1) The Modern Slavery Act 2015 is amended as follows.

(2) In section 54 (transparency in supply chains etc), omit subsections (9) and (10).

(3) After section 54ZB (inserted by section 47(3)) insert—

“54ZC Guidance

(1) The Secretary of State—

(a) may issue guidance about the duties imposed on commercial organisations and public authorities by this Part or about any related matters;

(b) must publish any such guidance in a way the Secretary of State considers appropriate.

(2) The guidance may in particular include provision about the kind of information which may be included in a slavery and human trafficking statement under section 54 or 54ZA (in addition to the information required to be included).”

49 Enforcement

(1) The Modern Slavery Act 2015 is amended as follows.

(2) In section 54 (transparency in supply chains etc), omit subsection (11).

(3) After section 54ZC (inserted by section 48(3)) insert—

“54ZD Enforcement: financial penalties

(1) The Secretary of State may by regulations make provision for and in connection with the imposition of a financial penalty on a commercial organisation or public authority which, without reasonable excuse, fails to comply with a duty imposed by or under this Part.

(2) Regulations under subsection (1) must provide that the amount of a financial penalty imposed on a commercial organisation or public authority (excluding any interest) may not exceed the higher of—

(a) 1% of the relevant amount;

(b) £1 million.

(3) Regulations under subsection (1) must provide that only one financial penalty may be imposed on a commercial organisation or public authority in relation to each slavery and human trafficking statement which is prepared, or required to be prepared, by the organisation or authority for a financial year.

(4) The provision that may be made by regulations under subsection (1) includes, in particular, provision—

(a) for functions in relation to the imposition of financial penalties to be exercisable by the Secretary of State or a person specified in the regulations (“the enforcement authority”);

(b) about the matters to be taken into account by the enforcement authority in determining the amount of a financial penalty;

(c) requiring the enforcement authority to give a warning notice to an organisation or authority before imposing a financial penalty on it;

(d) allowing an organisation or authority to make representations to the enforcement authority in connection with a proposal to impose a financial penalty on it;

(e) for the recovery of costs incurred by the enforcement authority in connection with the imposition of a financial penalty from the organisation or authority on which the penalty is imposed;

(f) for the payment of interest in the event of the late payment of a financial penalty or of costs recoverable by virtue of paragraph (e);

(g) conferring rights of appeal against a financial penalty or a requirement to pay costs;

(h) about the enforcement of a financial penalty or a requirement to pay costs;

(i) about the publication of information relating to an organisation or authority on which a financial penalty is imposed.

(5) *A financial penalty received by the enforcement authority is to be paid into the Consolidated Fund.*

(6) The Secretary of State may by regulations amend the amount for the time being specified in subsection (2)(b) in order to take account of changes in the value of money.

(7) In this section "the relevant amount"—

(a) in relation to a commercial organisation, means the organisation's total turnover determined in accordance with regulations made under section 54(3);

(b) in relation to a public authority, means the authority's total budget determined in accordance with regulations made under section 54ZA(3).

54ZE Enforcement: other

The duties imposed on commercial organisations and public authorities by or under this Part are enforceable by the Secretary of State bringing civil proceedings in the High Court for an injunction or, in Scotland, for specific performance of a statutory duty under section 45 of the Court of Session Act 1988."

(4) In section 58(4) (regulations subject to the affirmative procedure), after paragraph (jze) (inserted by section 47(4)) insert—

"(jzf) regulations under section 54ZD(1) (financial penalties);".

PART 6

GENERAL

50 Regulations

(1) A power to make regulations under any provision of this Act includes power to make—

(a) consequential, supplementary, incidental, transitional, transitory or saving provision;

(b) different provision for different purposes.

(2) Regulations under this Act are to be made by statutory instrument.

(3) A statutory instrument containing (whether alone or with other provision) regulations to which subsection (4) applies may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

(4) This subsection applies to—

(a) regulations under section 16 which amend, repeal or revoke primary legislation (within the meaning of that section);

(b) regulations under section 21;

(c) regulations under subsection (4) of section 23, other than regulations containing only provision under any of paragraphs (c), (d) or (e) of that subsection.

(5) Any other statutory instrument containing regulations under this Act is subject to annulment in pursuance of a resolution of either House of Parliament.

(6) This section does not apply to regulations under section 52.

51 Extent

(1) This Act extends to England and Wales, Scotland and Northern Ireland, subject as follows.

(2) Any amendment, repeal or revocation made by this Act has the same extent within the United Kingdom as the provision to which it relates.

52 Commencement

(1) Subject to subsections (3) to (5), this Act comes into force on such day as the Secretary of State may by regulations appoint.

(2) Regulations under subsection (1) may appoint different days for different purposes.

(3) The following provisions come into force on the day on which this Act is passed—

(a) section 24(5);

(b) section 42;

(c) this Part;

(d) any other provision of this Act so far as is necessary for enabling the exercise on or after the day on which this Act is passed of any power to make regulations.

(4) The following provisions come into force at the end of the period of two months beginning with the day on which this Act is passed—

(a) Part 3;

(b) section 39;

(c) section 43(1) to (4) and (6).

(5) In section 17—

(a) subsection (3) comes into force at the same time as section 59(2)(a)(i) of the Illegal Migration Act 2023 comes into force;

(b) subsection (5) comes into force at the same time as section 50 of the Border Security, Asylum and Immigration Act 2025 comes fully into force.

(6) The Secretary of State may by regulations make transitional, transitory or saving provision in connection with the coming into force of any provision of this Act.

(7) The power to make regulations under subsection (6) includes power to make different provision for different purposes.

(8) Regulations under this section that bring any provision of Part 1 into force for specified descriptions of cases may in particular—

(a) make provision for all appeals and bail applications relating to a person to be heard by the same body, subject to any exceptions specified in the regulations;

(b) provide for cases for which proceedings have been commenced in the First-tier Tribunal to be transferred to the Independent Immigration Appeals Authority;

(c) require the Upper Tribunal to remit cases on appeal from the First-tier Tribunal to the Independent Immigration Appeals Authority.

(9) Regulations under this section made in connection with the coming into force of any provision of Part 2 may include provision that has retrospective effect.

(10) Regulations under this section are to be made by statutory instrument.

53 Short title

This Act may be cited as the Immigration and Asylum Act 2026.

SCHEDULES

SCHEDULE 1

Section 1(3)

CONSEQUENTIAL AMENDMENTS RELATING TO THE PRIMARY FUNCTION OF THE IIAA

Appeals in respect of protection and human rights claims

1 Part 5 of the Nationality, Immigration and Asylum Act 2002 (appeals in respect of protection and human rights claims) is amended as set out in paragraphs 2 to 12.

2 In the italic heading before section 81, for "Tribunal" substitute "IIAA".

3 For section 81 substitute—

"81 Meaning of "the IIAA"

In this Part "the IIAA" means the Independent Immigration Appeals Authority established under section 1 of the Immigration and Asylum Act 2026."

4 In section 82 (right of appeal)—
- (a) in the heading, for "Tribunal" substitute "IIAA";
- (b) in subsection (1), for "Tribunal" substitute "IIAA".

5 In section 85 (matters to be considered), for "the Tribunal", in each place it occurs, substitute "the IIAA".

6 In section 86(2) (determination of appeal), for "The Tribunal" substitute "The IIAA".

7 Omit sections 86A and 86B (timeframes for determination of certain appeals).

8 In section 104 (pending appeal)—
- (a) in subsection (2)—
  - (i) in paragraph (a), for "section 11 or" substitute "section 7 of the Immigration and Asylum Act 2026 or section";
  - (ii) in paragraph (c), for "that Act" substitute "the Tribunals, Courts and Enforcement Act 2007";
- (b) in subsection (4B)(b), after "with" insert "IIAA Procedure Rules or".

9 In section 106 (rules)—
- (a) in subsection (3) for "Tribunal Procedure Rules may enable the Tribunal" substitute "IIAA Procedure Rules may enable the IIAA";
- (b) in subsection (4)—
  - (i) for "Tribunal Procedure Rules" substitute "IIAA Procedure Rules";
  - (ii) for "the Tribunal" substitute "the IIAA".

10 Omit section 107 (practice directions).

11 In section 108(2) (forged documents: proceedings in private), for "The Tribunal" substitute "The IIAA".

12 In section 113 (interpretation), at the appropriate place insert—

""the IIAA" has the meaning given in section 81;

"IIAA Procedure Rules" means rules made under section 4 of the Immigration and Asylum Act 2026;".

Applications for immigration bail

13 Part 1 of Schedule 10 to the Immigration Act 2016 (immigration bail: main provisions) is amended as set out in paragraphs 14 to 17.

14 In that Part—

(a) for "First-tier Tribunal", in each place it occurs, substitute "IIAA";

(b) for "the Tribunal", in each place it occurs, substitute "the IIAA".

15 In the italic heading before paragraph 12, for "Tribunal" substitute "IIAA".

16 In paragraph 12 (IIAA Procedure Rules), in sub-paragraphs (1) and (2), for "Tribunal Procedure Rules" substitute "IIAA Procedure Rules".

17 After paragraph 13 insert—

"Interpretation: the IIAA and IIAA Procedure Rules

13A In this Schedule—

"the IIAA" means the Independent Immigration Appeals Authority established under section 1 of the Immigration and Asylum Act 2026;

"IIAA Procedure Rules" means rules made under section 4 of that Act."

18 In Schedule 3 to the Immigration Act 1971 (supplementary provisions as to deportation), in paragraph 2 (detention or control pending deportation)—

(a) in sub-paragraph (5), for "First-tier Tribunal" substitute "IIAA";

(b) in sub-paragraph (6), for "First-tier Tribunal" substitute "IIAA";

(c) at the end insert—

"(8) In this paragraph, "the IIAA" means the Independent Immigration Appeals Authority established under section 1 of the Immigration and Asylum Act 2026."

19 In Schedule 3 to the Special Immigration Appeals Commission Act 1997 (bail: modifications of Schedule 10 to the Immigration Act 2016)—

(a) for "First-tier Tribunal", in each place it occurs, substitute "IIAA";

(b) for "the Tribunal", in each place it occurs, substitute "the IIAA".

20 In section 36 of the UK Borders Act 2007 (detention)—

(a) in subsection (3A), for "First-tier Tribunal" substitute "IIAA";

(b) in subsection (3B), for "First-tier Tribunal" substitute "IIAA";

(c) after subsection (3B) insert—

"(3BA) In subsections (3A) and (3B), "the IIAA" means the Independent Immigration Appeals Authority established under section 1 of the Immigration and Asylum Act 2026."

Appeals in respect of deprivation of citizenship

21 In section 40A of the British Nationality Act 1981 (deprivation of citizenship: appeal), in subsection (1), for "the First-tier Tribunal" substitute "the Independent Immigration Appeals Authority established under section 1 of the Immigration and Asylum Act 2026".

Appeals under the Immigration (European Economic Area) Regulations 2016

22 The Immigration (European Economic Area) Regulations 2016 (S.I. 2016/1052), as they continue to have effect following their revocation, are amended as set out in paragraphs 23 to 25.

23 In Part 6 (appeals)—

(a) for "First-tier Tribunal", in each place it occurs, substitute "IIAA";

(b) in regulation 35(1) (interpretation of Part 6), after the definition of "Commission" insert—

""IIAA" means the Independent Immigration Appeals Authority established under section 1 of the Immigration and Asylum Act 2026;";

(c) in regulation 36(11), for "the Tribunal" substitute "the IIAA".

24 In Schedule 2 (appeals)—

(a) in the heading, for "First-tier Tribunal" substitute "IIAA";

(b) in paragraph 1—

(i) for "First-tier Tribunal" substitute "IIAA";

(ii) for "the Tribunal" substitute "the IIAA";

(c) omit paragraph 1A;

(d) in paragraph 3, for the words from the beginning to "2007" substitute "IIAA Procedure Rules made under section 4 of the Immigration and Asylum Act 2026".

25 In Schedule 7 (consequential modifications), for "First-tier Tribunal", in each place it occurs, substitute "IIAA".

Appeals under the Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020

26 The Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020 (S.I. 2020/61) are amended as set out in paragraphs 27 to 32.

27 In regulation 2 (interpretation)—

(a) after the definition of "healthcare leave" insert—

""the IIAA" means the Independent Immigration Appeals Authority established under section 1 of the Immigration and Asylum Act 2026;";

(b) in the definition of "relevant authority", in paragraph (b), for "the Tribunal" substitute "the IIAA";

(c) omit the definition of "the Tribunal".

28 In Part 2 (appeals in respect of citizens' rights immigration decisions), for "the Tribunal", in each place it occurs, substitute "the IIAA".

29 In that Part, in regulation 13 (pending appeal)—

(a) in paragraph (2)—

(i) in sub-paragraph (a), for "section 11 or" substitute "section 7 of the Immigration and Asylum Act 2026 or section";

(ii) in sub-paragraph (c), for "that Act" substitute "the Tribunals, Courts and Enforcement Act 2007";

(b) in paragraph (6), in the definition of "the relevant rules", in paragraph (a), for "Tribunal Procedure Rules" substitute "IIAA Procedure Rules made under section 4 of the Immigration and Asylum Act 2026".

30 (1) Schedule 2 (application of the 2002 Act) is amended as follows.

(2) In the heading, for "the Tribunal" substitute "the IIAA".

(3) In the heading before paragraph 1, for "the Tribunal" substitute "the IIAA".

(4) In paragraph 1—

(a) in the words before paragraph (a), for "the Tribunal" substitute "the IIAA";

(b) omit sub-paragraph (ba).

(5) In paragraph 2 (general modifications), in sub-paragraph (1), for "the Tribunal" substitute "the IIAA" in each place it occurs.

(6) In paragraph 3 (specific modifications)—

(a) in sub-paragraph (2)(a), for "First-tier Tribunal" substitute "Independent Immigration Appeals Authority";

(b) in sub-paragraph (3)—

(i) in paragraph (a), for "the First-tier Tribunal ("the Tribunal")" substitute "the Independent Immigration Appeals Authority ("the IIAA")";

(ii) in paragraph (b), for "the Tribunal" substitute "the IIAA";

(c) in sub-paragraph (5)(a), for "First-tier Tribunal" substitute "Independent Immigration Appeals Authority";

(d) omit sub-paragraph (5A);

(e) in sub-paragraph (10), for "the Tribunal" substitute "the IIAA".

31 In Schedule 3 (admission on bail to the United Kingdom to make submissions in person in connection with an appeal), in paragraph 1(2), for "the Tribunal", in each place it occurs, substitute "the IIAA".

32 In Schedule 4 (consequential amendments), omit paragraph 6 (amendment of the Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014.

Other consequential amendments

33 The Northern Ireland Act 1998 is amended as set out in paragraphs 34 and 35.

34 In section 75 (statutory duty on public bodies)—

(a) in subsection (3), before paragraph (d) insert—

"(cg) the Independent Immigration Appeals Authority established under section 1 of the Immigration and Asylum Act 2026;";

(b) after subsection (4A) insert—

"(4B) The references in subsections (1) and (2) and Schedule 9 to the functions of the Independent Immigration Appeals Authority do not include a judicial function or a function exercised on behalf of, or on the instructions of, a person exercising a judicial function."

35 In section 76 (discrimination by public authorities), in subsection (7), after paragraph (ea) insert—

"(eb) the Independent Immigration Appeals Authority established under section 1 of the Immigration and Asylum Act 2026;".

36 In section 72 of the Nationality, Immigration and Asylum Act 2002 (serious criminal)—

(a) in subsection (10), for "Tribunal" substitute "Authority";

(b) in subsection (10A), at the end insert "(as applied by section 7(4) of the Immigration and Asylum Act 2026)".

37 In section 98 of the Courts Act 2003 (register of judgments and orders etc), in subsection (1)(f)—

(a) omit the "or" at the end of sub-paragraph (iii);

(b) at the end of sub-paragraph (iv) insert ", or

(v) the Independent Immigration Appeals Authority established under section 1 of the Immigration and Asylum Act 2026,".

38 In Schedule 2 to the Access to Justice (Northern Ireland) Order 2003 (S.I. 2003/435 (N.I. 10)) (civil legal services: excluded services), in paragraph 2(ia)—

(a) for "First-tier Tribunal" substitute "Independent Immigration Appeals Authority";

(b) for paragraph (iv) substitute—

"(iv) the Immigration (European Economic Area) Regulations 2016 (S.I. 2016/1052) as they continue to have effect following their revocation,".

39 In section 55 of the Immigration, Asylum and Nationality Act 2006 (Refugee Convention: certification)—

(a) in subsection (3), for "First-tier Tribunal" substitute "Independent Immigration Appeals Authority";

(b) in subsection (4), for "Tribunal" substitute "Authority";

(c) in subsection (5), for "Tribunal" substitute "Authority";

(d) in subsection (5A), at the end insert "(as applied by section 7(4) of the Immigration and Asylum Act 2026)".

40 In Part 1 of Schedule 5 to the Tribunals, Courts and Enforcement Act 2007 (Tribunal Procedure Rules), after paragraph 10 insert—

"Failure to comply with requirements imposed by the IIAA

10A(1) Rules may make provision for the Upper Tribunal to deal with a failure to comply with a requirement imposed by the IIAA as though the requirement had been imposed by the Upper Tribunal.

(2) In this paragraph, "the IIAA" means the Independent Immigration Appeals Authority established under section 1 of the Immigration and Asylum Act 2026."

41 In Part 1 of Schedule 19 to the Equality Act 2010 (authorities subject to the public sector equality duty), under the italic heading "Court services and legal services", at the appropriate place insert—

"The Independent Immigration Appeals Authority."

42 Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (civil legal services) is amended as set out in paragraphs 43 to 45.

43 In Part 1 (services), in paragraph 19(7)(a) (judicial review), omit "to the First-tier Tribunal".

44 In Part 3 (advocacy: exclusion and exceptions), in paragraphs 11, 12 and 13, for "First-tier Tribunal" substitute "IIAA".

45 In Part 4 (interpretation), at the end insert—

"9 In this Schedule, "the IIAA" means the Independent Immigration Appeals Authority established under section 1 of the Immigration and Asylum Act 2026."

46 In the Border Security, Asylum and Immigration Act 2025, omit sections 49 and 50 (insertion of sections 86A and 86B of the Nationality, Immigration and Asylum Act 2002).

SCHEDULE 2

Section 2(10)

THE INDEPENDENT IMMIGRATION APPEALS AUTHORITY

Status

1 (1) The IIAA is not to be regarded—
(a) as a servant or agent of the Crown, or
(b) as enjoying any status, immunity or privilege of the Crown.

(2) The members and employees of the IIAA are not to be regarded as Crown servants.

Membership: selection and eligibility

2 (1) A person may not be appointed as a member of the IIAA unless they have been selected on merit on the basis of fair and open competition.

(2) In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies of which all members are disqualified), at the appropriate place insert—

"The Independent Immigration Appeals Authority."

(3) In Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies of which all members are disqualified), at the appropriate place insert—

"The Independent Immigration Appeals Authority."

(4) In Part 1 of the Schedule to the Scottish Parliament (Disqualification) Order 2025 (S.S.I. 2025/284) (office-holders disqualified from being a member of the Scottish Parliament), at the appropriate place insert—

"Any member of the Independent Immigration Appeals Authority."

(5) In the Schedule to the Senedd Cymru (Disqualification) Order 2025 (Gorchymyn Senedd Cymru (Anghymhwyso) 2025) (S.I. 2025/1183), in the table—
(a) in the Welsh language text, after the entry for "Yr Asiantaeth Safonau Bwyd" insert—

"Yr Awdurdod Apelau Mewnfudo Annibynnol	Yr holl aelodau";

(b) in the English language text, after the entry for "Human Tissue Authority" insert—

"The Independent Immigration Appeals Authority	All members".

Tenure of the non-executive members

3 (1) The non-executive members hold and vacate office in accordance with the terms of their appointment, subject as follows.

(2) A person may resign as a non-executive member by notifying the Secretary of State.

(3) A person may be removed as a non-executive member if the Secretary of State is satisfied that the person—

(a) is guilty of serious misconduct,

(b) has a conflict of interest, or

(c) is unable, unfit or unwilling to carry out their functions.

Remuneration and pension of the non-executive members

4 (1) The IIAA may pay to the non-executive members such remuneration and allowances as the Secretary of State may determine.

(2) The IIAA may pay, or make provision for paying, to or in respect of the non-executive members, such sums by way of pensions, allowances or gratuities (including pensions, allowances or gratuities paid by way of compensation in respect of loss of office) as the Secretary of State may determine.

Executive members: terms and conditions

5 (1) The executive members are to be employees of the IIAA.

(2) The executive members appointed by the Secretary of State are to be employed by the IIAA on such terms and conditions, including those as to remuneration, as the Secretary of State may determine.

(3) The other executive members are to be employed by the IIAA on such terms and conditions, including those as to remuneration, as the IIAA may determine.

(4) The IIAA may—

(a) pay to or in respect of the executive members such pensions, allowances and gratuities (including pensions, allowances or gratuities paid by way of compensation in respect of loss of employment), and

(b) provide and maintain for them such pension schemes (whether contributory or not),

as the IIAA may determine.

Other staff: appointment, terms and conditions

6 (1) The IIAA may—

(a) appoint other employees, and

(b) make such other arrangements for the staffing of the IIAA,

as it considers appropriate.

(2) In appointing an employee, the IIAA must have regard to the principle of selection on merit on the basis of fair and open competition.

(3) Employees appointed by the IIAA are to be appointed on such terms and conditions, including those as to remuneration, as the IIAA may determine.

(4) The IIAA may—

(a) pay to or in respect of those employees such pensions, allowances or gratuities (including pensions, allowances or gratuities paid by way of compensation in respect of loss of employment), and

(b) provide and maintain for them such pension schemes (whether contributory or not),

as the IIAA may determine.

Committees

7 (1) The IIAA may—

(a) establish a committee for the purpose of discharging any of its ancillary functions, and

(b) establish a committee for the purpose of giving advice to the IIAA about matters relating to the discharge of its functions.

(2) A committee may consist of or include persons who are not members, employees or staff members of the IIAA.

(3) But a committee that discharges any ancillary functions of the IIAA must include at least one person who is a member, employee or staff member of the IIAA.

(4) A committee may establish a sub-committee.

(5) A sub-committee must include at least one person who is a member of the committee that established it.

(6) A sub-committee that discharges any ancillary functions of the IIAA must include at least one person who is a member, employee or staff member of the IIAA.

(7) Where a person who is not a member, employee or staff member of the IIAA is a member of a committee or sub-committee of the IIAA, the IIAA may pay to that person such remuneration and expenses as it may determine.

(8) In this paragraph, an "ancillary function" of the IIAA is any function of the IIAA other than its primary function.

Delegation

8 (1) The IIAA may delegate any of its ancillary functions to—

(a) a member of the IIAA,

(b) an employee or other staff member of the IIAA, or

(c) a committee of the IIAA.

But this is subject to sub-paragraph (6).

(2) A function is delegated under sub-paragraph (1) to the extent and on the terms that the IIAA determines.

(3) A committee may delegate any function delegated to it to a member of the committee or to a sub-committee.

(4) A function is delegated under sub-paragraph (3) to the extent and on the terms that the committee determines.

(5) The delegation of a function by the IIAA or a committee of the IIAA under this paragraph does not prevent the IIAA or the committee from exercising that function.

(6) This paragraph does not apply to the functions of the Chief Appeals Officer mentioned in section 3(3) (which may only be delegated to a senior adjudicator: see section 3(4)).

(7) In this paragraph, an "ancillary function" of the IIAA is any function of the IIAA other than its primary function.

Procedure etc

9 (1) The IIAA may regulate its own procedures (including quorum) and the procedures of its committees.

(2) The IIAA's procedures must include arrangements for dealing with conflicts of interests of members, employees, staff members and members of committees, which must require a person who has or may have a conflict of interest—

(a) to declare any financial or other interest relevant to the exercise of a function, and

(b) to withdraw from the exercise of the function, unless the IIAA directs otherwise, being satisfied that the interest will not influence the exercise of the function.

(3) In this paragraph, "conflict of interest", in relation to a person, means a financial or other interest which is likely to affect prejudicially the discharge by the person of the person's functions as a member, employee or staff member of the IIAA or as a member of a committee of the IIAA.

(4) The IIAA must publish details of its procedures and the procedures of its committees.

(5) The IIAA must make arrangements for the keeping of proper records—

(a) of its proceedings,

(b) of the proceedings of its committees, and

(c) of anything done by a person to whom functions have been delegated.

(6) In this paragraph and in paragraph 10, references to a committee include a sub-committee.

Validity of acts

10 The validity of proceedings of the IIAA, or of a committee of the IIAA, is not affected by—

(a) a vacancy in the membership of the IIAA or of the committee, or

(b) a defect in the appointment of a member of the IIAA.

Reports and accounts

11 (1) As soon as reasonably practicable after the end of each financial year, the IIAA must send to the Secretary of State a report on the exercise of the IIAA's functions during that year.

(2) The report must include such other information as the Secretary of State may direct.

(3) On receiving the report, the Secretary of State must lay a copy of it before Parliament.

(4) The IIAA must—

(a) keep proper accounting records, and

(b) prepare a statement of accounts in respect of each financial year.

(5) The statement must be in such form as the Secretary of State may direct.

(6) The IIAA must send a copy of the statement of accounts to—

(a) the Secretary of State, and

(b) the Comptroller and Auditor General,

within the time period directed by the Secretary of State.

(7) The Comptroller and Auditor General must—

(a) examine, certify and report on the statement of accounts, and

(b) send a copy of the report to the Secretary of State.

(8) The Secretary of State must lay before Parliament a copy of the statement of accounts and a copy of the report of the Comptroller and Auditor General.

(9) A copy of a document laid before Parliament under this paragraph may omit material if the Secretary of State thinks that its publication—

(a) is undesirable for reasons of national security, or

(b) might jeopardise an individual's safety.

(10) In this paragraph, "financial year" means—

(a) the period beginning with the day on which this Schedule comes into force and ending with the following 31 March, and

(b) every subsequent period of 12 months ending with 31 March.

Funding

12 (1) *The Secretary of State may provide financial assistance to the IIAA.*

(2) Financial assistance under this paragraph may be provided subject to conditions.

SCHEDULE 3

Section 4(2)

IIAA PROCEDURE RULES

Interpretation

1 In this Schedule, "the Rules" means IIAA Procedure Rules.

Delegation

2 The Rules may make provision about the delegation of IIAA functions to employees or staff members in accordance with paragraph 8 of Schedule 2, and may in particular—

(a) provide for a function to be exercisable by an employee or staff member only if the person is, or is of a description, specified in exercise of a discretion conferred by the Rules;

(b) provide for a function to be exercisable by an employee or staff member only if the person is approved, or is of a description approved, for the purpose by a person specified in the Rules.

Time limits

3 The Rules may make provision for time limits as respects initiating, or taking any step in, proceedings before the IIAA.

Repeat applications

4 The Rules may make provision restricting the making of fresh applications where a previous application in relation to the same matter has been made.

IIAA acting of its own initiative

5 The Rules may make provision about the circumstances in which the IIAA may exercise its powers on its own initiative.

Reviews and appeals

6 (1) The Rules may make provision about the circumstances in which, and the procedure by which, the IIAA may exercise the power under section 6 to review its own decisions.

(2) The Rules may include provision—

(a) describing the cases which may be subject to review, either on the IIAA's own initiative or on an application;

(b) specifying the grounds on which the power for the IIAA to review a decision of its own initiative may be exercised or on which an application for review may be made.

(3) The Rules may make provision about appeals to the Upper Tribunal, including provision about the procedure for an application to the IIAA for permission to appeal to the Upper Tribunal.

Hearings

7 The Rules may make provision about hearings, including—
(a) provision for dealing with matters without a hearing;
(b) provision allowing or requiring a hearing to be held in private or in public;
(c) provision about remote hearings;
(d) provision for the protection or support of vulnerable witnesses at hearings;
(e) provision about the recording of hearings, and the storage and availability of recordings.

Proceedings without notice

8 The Rules may make provision for proceedings to take place, in circumstances described in the Rules, at the request of one party even though the other, or another, party has had no notice.

Advice and representation

9 (1) The Rules may make provision about who may represent people in cases before the IIAA.

(2) The Rules must provide that a person may initiate an appeal or bail application only if they make a statement that complies with sub-paragraphs (3) and (4).

(3) The statement must—
(a) state whether or not the person has had advice about the appeal or application from a qualified person,
(b) if the person has not had advice about the appeal or application from a qualified person, state whether or not they wish to have such advice, and
(c) if the person has not had advice about the appeal or application from a qualified person and wishes to have such advice, state—
(i) why they have not had such advice, and
(ii) what steps (if any) they have taken to obtain such advice.

(4) The statement must—
(a) state whether or not the person has in place arrangements to be represented by a qualified person in any proceedings relating to the appeal or application,
(b) if the person does not have such arrangements in place, state whether or not they wish to be represented by a qualified person in any such proceedings, and

(c) if the person does not have such arrangements in place and wishes to be represented by a qualified person in any such proceedings, state—

(i) why they do not have such arrangements in place,

(ii) what steps (if any) they have taken to put such arrangements in place.

(5) In this paragraph "qualified person" means a person who is qualified for the purposes of section 84 of the Immigration and Asylum Act 1999 (provision of immigration services).

Evidence, witnesses and attendance

10 (1) The Rules may make provision about evidence, including provision about—

(a) evidence on oath and administration of oaths,

(b) the time by which evidence must be submitted and the treatment of evidence submitted late.

(2) The Rules may make provision about the anonymity of witnesses.

(3) The Rules may make provision for the payment of expenses and allowances to persons in respect of giving evidence, producing documents or attending proceedings.

Failure to comply with requirements imposed by the IIAA etc

11 (1) The Rules must make provision for dealing with a person's failure to comply with a requirement imposed on them by the IIAA, including provision for the IIAA to refer cases of non-compliance to the Upper Tribunal.

(2) The Rules must make provision for an IIAA adjudicator to take account, as damaging the credibility of an appellant or applicant for immigration bail, of the submission of evidence by or on behalf of the appellant or applicant after any deadline imposed by or under the Rules, unless there are good reasons why it was submitted late.

(3) The Rules must make provision for an IIAA adjudicator to take account, as damaging the credibility of an appellant or applicant for immigration bail who has been served with a claim notice under section 11, of the submission of evidence to the IIAA by or on behalf of the appellant or applicant that was required by the claim notice but was not provided to the Secretary of State before the claim notice deadline, unless there are good reasons why it was not so provided.

(4) The Rules may make provision for an IIAA adjudicator to take account, as damaging the credibility of an appellant or applicant for immigration bail, of any other failure to comply with a requirement imposed on them by or under the Rules.

Use of information

12 (1) The Rules may make provision for the disclosure or non-disclosure of information received during the course of proceedings before the IIAA.

(2) The Rules may make provision for imposing reporting restrictions in circumstances described in the Rules.

Publication of decisions etc

13 (1) The Rules must provide that, subject to any provision made by virtue of rules under sub-paragraph (2), the IIAA must publish decisions made in the exercise of its primary function.

(2) The Rules may make provision—

(a) for an exception to the duty to publish such a decision where the IIAA is satisfied, having regard to the interests of justice, that it is proportionate not to do so;

(b) for the IIAA to publish a redacted or anonymised version of such a decision, so as to avoid publishing any information that would be likely to lead members of the public to identify any person whom the IIAA considers should not be identified.

(3) The Rules may make provision—

(a) about the form and manner in which such decisions may or must be published;

(b) for restricting further publication of such decisions in circumstances described in the Rules.

Fees

14 (1) The Rules may make provision about the fees payable in respect of cases dealt with by the IIAA, including in particular provision about—

(a) scales or rates of fees;

(b) exemptions from or reductions in fees;

(c) remission from fees (in whole or in part).

(2) Fees payable under sub-paragraph (1) are recoverable summarily as a civil debt.

(3) But sub-paragraph (2) does not apply to the recovery in Scotland of fees payable under this paragraph.

Costs and expenses

15 (1) The Rules may make provision about costs of proceedings before the IIAA, including in particular provision about the assessment or taxation of costs.

(2) The Rules may make provision for an IIAA adjudicator to order a party to the proceedings or their representative to pay to another party an amount in respect of—

(a) costs consisting of a fee paid (or required to be paid) by virtue of rules made under paragraph 14, or

(b) costs incurred (or to be incurred) by a party as a result of any improper, unreasonable or negligent act or omission on the part of another party to the proceedings, a representative of another party or an employee of such a representative (and any costs of applying for such costs).

(3) In the application of this paragraph to Scotland, any reference to costs is to be read as a reference to expenses.

Charges in respect of wasted resources

16 (1) The Rules may make provision for regulating matters relating to the charging of amounts under section 10 (charging power in respect of wasted resources).

(2) The provision mentioned in sub-paragraph (1) includes (in particular) provision prescribing scales of amounts that may be charged.

Correction of errors and setting aside of decisions on procedural grounds

17 (1) The Rules may make provision for the correction of errors in a decision or record of a decision.

(2) The Rules may make provision for the setting aside of a decision in proceedings before the IIAA—

(a) where a document relating to the proceedings was not sent to, or was not received at an appropriate time by, a party to the proceedings or a party's representative,

(b) where a document relating to the proceedings was not sent to the IIAA at an appropriate time,

(c) where a party to the proceedings, or a party's representative, was not present at a hearing, or

(d) where there has been any other procedural irregularity in the proceedings.

(3) Sub-paragraphs (1) and (2) do not affect, and are not affected by, any other power to correct errors or set aside decisions.

Presumptions

18 The Rules may make provision in the form of presumptions (including, in particular, presumptions as to service or notification).

Differential provision

19 The Rules may make different provision for different purposes.

SCHEDULE 4

Section 35(2)

FURTHER AMENDMENTS RELATING TO DECISIONS AS TO WHETHER A PERSON IS A VICTIM

Nationality and Borders Act 2022

1 The Nationality and Borders Act 2022 is amended as follows.

2 In section 62(2) (no entitlement to additional recovery period etc), in the words before paragraph (a)—

(a) for "the competent authority" substitute "the Secretary of State";

(b) for "the authority" substitute "the Secretary of State".

3 In section 63 (identified potential victims etc: disqualification from protection)—

(a) in subsection (1)—

(i) for "A competent authority" substitute "The Secretary of State";

(ii) for "the authority" substitute "the Secretary of State";

(b) in subsection (2A) (as inserted by section 29(3) of the Illegal Migration Act 2023)—

(i) for "A competent authority" substitute "The Secretary of State";

(ii) for "the competent authority" substitute "the Secretary of State".

4 After section 65A (as inserted by section 35) insert—

"65B Regulations about reasonable grounds decisions and conclusive grounds decisions

(1) The Secretary of State may by regulations make provision about the making of a reasonable grounds decision or a conclusive grounds decision (a "relevant decision").

(2) The regulations may in particular make provision—

(a) about the criteria to be applied by the competent authority when making a relevant decision,

(b) about the procedure to be followed by the competent authority when making a relevant decision,

(c) requiring a public authority other than the competent authority to participate in accordance with the regulations in the making of a relevant decision, and

(d) requiring the competent authority that makes a relevant decision to provide information relating to the decision to the Secretary of State.

(3) Provision made under subsection (2)(d) may confer on the Secretary of State a power to determine—

(a) the information to be provided, and

(b) the time within which the information is to be provided.

(4) Regulations under this section are subject to the affirmative resolution procedure.

65C Guidance about reasonable grounds decisions and conclusive grounds decisions

(1) The Secretary of State must issue guidance about—

(a) the procedure to be followed by a competent authority within section 65A(b)(ii) when making a reasonable grounds decision or a conclusive grounds decision (a "relevant decision"),

(b) the time within which a competent authority within section 65A(b)(ii) should ordinarily make a relevant decision,

(c) the manner in which the Secretary of State expects to exercise the power in section 65A(b)(ii) to nominate a public authority to be the competent authority in respect of a relevant decision, and

(d) any process the Secretary of State expects a public authority to complete before being nominated by the Secretary of State in exercise of that power.

(2) The Secretary of State may, from time to time, revise guidance issued under this section.

(3) The Secretary of State must arrange for any guidance issued or revised under this section to be published."

5 In section 69(1) (interpretation of Part 5)—

(a) in the definition of "competent authority", for the words from "means" to the end of the definition substitute "has the meaning given by section 65A";

(b) at the appropriate place insert—

""public authority", except in section 65, means any public authority within the meaning of section 6 of the Human Rights Act 1998 other than a court or tribunal;".

Modern Slavery Act 2015

6 The Modern Slavery Act 2015 is amended as follows.

7 In section 49 (guidance about identifying and supporting victims), omit subsection (4).

8 In section 50 (regulations about identifying and supporting victims)—

(a) for subsection (3) substitute—

"(3) Regulations under subsection (2) may in particular make provision—

(a) about the public authorities who may make such determinations;

(b) conferring on the Secretary of State a power to nominate the public authority who is to make such a determination in relation to a particular person;

(c) about the criteria to be applied by a public authority when making such a determination;

(d) about the procedure to be followed by a public authority when making such a determination;

(e) requiring a public authority to participate in accordance with the regulations in the making by another public authority of such a determination;

(f) requiring a public authority who makes such a determination to provide information to the Secretary of State about the determination.

(3A) Provision made under subsection (3)(f) may confer on the Secretary of State a power to determine—

(a) the information to be provided, and

(b) the time within which the information is to be provided.";

(b) after subsection (4) insert—

"(5) If regulations under subsection (2) contain provision by reason of which public authorities other than the Secretary of State may make determinations of a sort mentioned in that subsection, the Secretary of State must issue guidance for those authorities about—

(a) the procedure to be followed by them when making a determination of that sort, and

(b) the time within which they should ordinarily make such a determination.

(6) If regulations under subsection (2) make provision in reliance on subsection (3)(b), the Secretary of State must issue guidance about—

(a) the manner in which the Secretary of State expects to exercise the power to nominate a public authority, and

(b) any process the Secretary of State expects a public authority to complete before being nominated in exercise of that power.

(7) The Secretary of State may, from time to time, revise guidance issued under this section.

(8) The Secretary of State must arrange for any guidance issued or revised under this section to be published in a way the Secretary of State considers appropriate."

Legal Aid, Sentencing and Punishment of Offenders Act 2012

9 In Part 4 of Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (interpretation) in paragraph 8 (as inserted by section 66(6) of the Nationality and Borders Act 2022)—

(a) omit the definition of "competent authority";

(b) in the final definition for "and "conclusive grounds decision"" substitute ", "conclusive grounds decision" and "competent authority"".

SCHEDULE 5

Section 44(6)

CONTENT OF SLAVERY AND HUMAN TRAFFICKING STATEMENT

This is the Schedule 4ZA mentioned in section 44(6)—

"SCHEDULE 4ZA

Sections 54(4) and 54ZA(4)

CONTENT OF SLAVERY AND HUMAN TRAFFICKING STATEMENT

Interpretation

1 In this Schedule "relevant entity", in relation to a slavery and human trafficking statement, means—

(a) where the statement relates to a commercial organisation, that organisation;

(b) where the statement relates to a public authority, that authority.

Structure, operations and supply chains

2 The statement must contain information about—

(a) the relevant entity's structure,

(b) the relevant entity's operations, and

(c) the relevant entity's supply chains.

Steps taken to identify, and mitigate against, risk of slavery and human trafficking

3 (1) The statement must—

(a) specify the parts of the relevant entity's operations and supply chains where there is a risk of slavery and human trafficking taking place, so far as such information is reasonably available,

(b) contain a statement that there are no parts of the relevant entity's operations and supply chains where there is such a risk, or

(c) contain a statement that the relevant entity has not, during the financial year, carried out an assessment of whether there are parts of its operations and supply chains where there is such a risk and give reasons why it has not done so.

(2) Where the statement contains information under sub-paragraph (1)(a) it must also contain information about the steps the relevant entity has taken during the financial year—
(a) to assess that risk, and
(b) to reduce or remove that risk.

(3) Where the statement contains information under sub-paragraph (1)(b) it must also contain information about the steps the relevant entity has taken during the financial year to assess that risk.

Policies in relation to slavery and human trafficking

4 The statement must—
(a) contain information about the policies in relation to slavery and human trafficking that the relevant entity has had in place during the financial year, or
(b) contain a statement that the relevant entity has not had any such policies in place and give reasons why.

Due diligence processes in relation to slavery and human trafficking

5 The statement must—
(a) contain information about the due diligence processes the relevant entity has implemented during the financial year in relation to slavery and human trafficking in its operations and supply chains, or
(b) contain a statement that the relevant entity has not implemented any such processes and give reasons why it has not done so.

Training for staff

6 (1) The statement must—
(a) specify the training about slavery and human trafficking that the relevant entity has made available to its staff during the financial year, or
(b) contain a statement that the relevant entity had not made any such training available and give reasons why it has not done so.

(2) The statement must—
(a) specify the training about slavery and human trafficking that has been made available to the staff of the relevant entity’s supply chains during the financial year, so far as information about such training is reasonably available,
(b) contain a statement that no such training has been made available to the staff of the relevant entity’s supply chains, or
(c) contain a statement that the relevant entity has not made enquiries as to whether such training has been made available to the staff of its supply chains and give reasons why it has not done so.

Effectiveness of steps

7 The statement must—

(a) contain an assessment of the relevant entity's effectiveness during the financial year in ensuring that slavery and human trafficking is not taking place in its operations or supply chains, measured against such performance indicators as it considers appropriate,

(b) contain a statement that the relevant entity has not taken any steps during the financial year to ensure that slavery and human trafficking is not taking place in its operations or supply chains and give reasons why it has not done so, or

(c) contain a statement that the relevant entity has not, during the financial year, carried out an assessment of its effectiveness in ensuring that slavery and human trafficking is not taking place in its operations or supply chains and give reasons why it has not done so."

Immigration and Asylum Bill

[AS INTRODUCED]

A

B I L L

TO

Make provision about immigration, asylum and modern slavery; and for connected purposes.

Presented by Secretary Shabana Mahmood
supported by the Prime Minister,
the Chancellor of the Exchequer, Darren Jones,
Secretary Hilary Benn and
Secretary Douglas Alexander.

Ordered, by The House of Commons, to be Printed, 30th June 2026.

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