



UK Borders Act 2007

2007 CHAPTER 30

Deportation of criminals

32 Automatic deportation

- (1) In this section “foreign criminal” means a person—
 - (a) who is not a British citizen [^{F1}or an Irish citizen],
 - (b) who is convicted in the United Kingdom of an offence, and
 - (c) to whom Condition 1 or 2 applies.
- (2) Condition 1 is that the person is sentenced to a period of imprisonment of at least 12 months.
- (3) Condition 2 is that—
 - (a) the offence is specified by order of the Secretary of State under section 72(4) (a) of the Nationality, Immigration and Asylum Act 2002 (c. 41) (serious criminal), and
 - (b) the person is sentenced to a period of imprisonment.
- (4) For the purpose of section 3(5)(a) of the Immigration Act 1971 (c. 77), the deportation of a foreign criminal is conducive to the public good.
- (5) The Secretary of State must make a deportation order in respect of a foreign criminal (subject to section 33).
- (6) The Secretary of State may not revoke a deportation order made in accordance with subsection (5) unless—
 - (a) he thinks that an exception under section 33 applies,
 - (b) the application for revocation is made while the foreign criminal is outside the United Kingdom, or
 - (c) section 34(4) applies.
- (7) Subsection (5) does not create a private right of action in respect of consequences of non-compliance by the Secretary of State.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to UK Borders Act 2007. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

- F1** Words in s. 32(1)(a) inserted (31.12.2020) by [The Immigration, Nationality and Asylum \(EU Exit\) Regulations 2019 \(S.I. 2019/745\)](#), regs. 1(2), **17(2)**; 2020 c. 1, Sch. 5 para. 1(1)
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Commencement Information

- I1** S. 32 in force at 1.8.2008 for specified purposes by [S.I. 2008/1818](#), art. 2(a), **Sch.** (with art. 3)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act excluded by [2024 c. 8 s. 2\(5\)\(a\)](#)⁵

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33(4)(4A)(4B) substituted for s. 33(4) by [S.I. 2019/745 reg. 17\(3\)](#) (This amendment not applied to legislation.gov.uk. Reg. 17(3)(4) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- s. 61(2)(o) and word inserted by [2024 c. 8 s. 7\(1\)\(b\)](#)