



UK Borders Act 2007

2007 CHAPTER 30

Deportation of criminals

34 Timing

- (1) Section 32(5) requires a deportation order to be made at a time chosen by the Secretary of State.
- (2) A deportation order may not be made under section 32(5) while an appeal or further appeal against the conviction or sentence by reference to which the order is to be made—
 - (a) has been instituted and neither withdrawn nor determined, or
 - (b) could be brought.
- (3) For the purpose of subsection (2)(b)—
 - (a) the possibility of an appeal out of time with permission shall be disregarded, and
 - (b) a person who has informed the Secretary of State in writing that the person does not intend to appeal shall be treated as being no longer able to appeal.
- (4) The Secretary of State may withdraw a decision that section 32(5) applies, or revoke a deportation order made in accordance with section 32(5), for the purpose of—
 - (a) taking action under the Immigration Acts or rules made under section 3 of the Immigration Act 1971 (c. 77) (immigration rules), and
 - (b) subsequently taking a new decision that section 32(5) applies and making a deportation order in accordance with section 32(5).

Commencement Information

II S. 34 in force at 1.8.2008 for specified purposes by S.I. 2008/1818, art. 2(a), Sch.

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.

[View outstanding changes](#)

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\(1\)\(b\)](#)