

*Status: This version of this provision is prospective.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Illegal Migration Act 2023. 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*



# Illegal Migration Act 2023

## 2023 CHAPTER 37

### *Legal proceedings*

PROSPECTIVE

#### **54 Interim remedies**

- (1) This section applies to any court proceedings relating to a decision to remove a person from the United Kingdom under this Act (whether the proceedings involve consideration of Convention rights or otherwise).
- (2) Any power of the court or tribunal to grant an interim remedy (whether on an application of the person or otherwise) is restricted as follows.
- (3) The court or tribunal may not grant an interim remedy that prevents or delays, or that has the effect of preventing or delaying, the removal of the person from the United Kingdom in pursuance of the decision.
- (4) In this section—

“Convention rights” has the same meaning as in the Human Rights Act 1998 (see section 1(1) of that Act);

“court proceedings” means proceedings in any court or tribunal (including, in particular, proceedings on an application for judicial review);

“decision” includes any purported decision;

“interim remedy” means any interim remedy or relief however described (including, in particular, an interim injunction or interdict).

#### **Commencement Information**

**II** S. 54 not in force at Royal Assent, see [s. 68\(1\)](#)

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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\(5\)\(a\)](#)

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

- s. 39(4A) inserted by [2024 c. 8 s. 7\(2\)](#)