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S T A T U T O R Y   I N S T R U M E N T S

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**2003 No. 1040 (C. 54)**

**IMMIGRATION**

**The Nationality, Immigration and Asylum Act 2002  
(Commencement No. 4) (Amendment of Transitional  
Provisions) Order 2003**

*Made - - - - - 7th April 2003*

*Coming into force in accordance with article 1*

The Secretary of State, in exercise of the powers conferred on him by section 162(1) and (6) of the Nationality, Immigration and Asylum Act 2002(a), hereby makes the following Order:

**1.** This Order may be cited as the Nationality, Immigration and Asylum Act 2002 (Commencement No. 4) (Amendment of Transitional Provisions) Order 2003 and shall come into force on the day after it is made.

**2.** For paragraph 2(2) of Schedule 2 to the Nationality, Immigration and Asylum Act 2002 (Commencement No. 4) Order 2003(b) there is substituted—

“(2) Section 3C of the 1971 Act(c) (continuation of leave pending variation decision), as substituted by section 118 of the 2002 Act, shall apply in relation to an application made before 1st April 2003, in respect of which no decision has been made on or before 1st April 2003, as it applies to such an application made after 1st April 2003.”.

Home Office  
7th April 2003

*Beverley Hughes*  
Minister of State

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(a) 2002 c. 41.  
(b) S.I. 2003/754 (C. 37).  
(c) 1971 c. 77.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends a provision of Schedule 2 to the Nationality, Immigration and Asylum Act 2002 (Commencement No. 4) Order 2003. The transitional provision affected relates to section 3C of the Immigration Act 1971 (continuation of leave pending variation decision). This Order corrects the date referred to in that transitional provision from 1st April 2002 to 1st April 2003, as that is the date that the amendment to the 1971 Act takes effect.

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