



Immigration Act 1971

1971 CHAPTER 77

PART III

CRIMINAL PROCEEDINGS

24 **Illegal entry and similar offences**

- (1) A person who is not patrial shall be guilty of an offence punishable on summary conviction with a fine of not more than £200 or with imprisonment for not more than six months, or with both, in any of the following cases:—
- (a) if contrary to this Act he knowingly enters the United Kingdom in breach of a deportation order or without leave;
 - (b) if, having only a limited leave to enter or remain in the United Kingdom, he knowingly either—
 - (i) remains beyond the time limited by the leave; or
 - (ii) fails to observe a condition of the leave ;
 - (c) if, having lawfully entered the United Kingdom without leave by virtue of section 8(1) above, he remains without leave beyond the time allowed by section 8(1);
 - (d) if, without reasonable excuse, he fails to comply with any requirement imposed on him under Schedule 2 to this Act to report to a medical officer of health, or to attend, or submit to a test or examination, as required by such an officer;
 - (e) if, without reasonable excuse, he fails to observe any restriction imposed on him under Schedule 2 or 3 to this Act as to residence or as to reporting to the police or to an immigration officer;
 - (f) if he disembarks in the United Kingdom from a ship or aircraft after being placed on board under Schedule 2 or 3 to this Act with a view to his removal from the United Kingdom;
 - (g) if he embarks in contravention of a restriction imposed by or under an Order in Council under section 3(7) of this Act.

Status: This is the original version (as it was originally enacted).

- (2) A constable or immigration officer may arrest without warrant anyone who has, or whom he, with reasonable cause, suspects to have, committed or attempted to commit an offence under this section other than an offence under subsection (1)(d) above.
- (3) The extended time limit for prosecutions which is provided for by section 28 below shall apply to offences under subsection (1)(a), (b)(i) and (c) above.
- (4) In proceedings for an offence against subsection (1)(a) above of entering the United Kingdom without leave,—
 - (a) any stamp purporting to have been imprinted on a passport or other travel document by an immigration officer on a particular date for the purpose of giving leave shall be presumed to have been duly so imprinted, unless the contrary is proved ;
 - (b) proof that a person had leave to enter the United Kingdom shall lie on the defence if, but only if, he is shown to have entered within six months before the date when the proceedings were commenced.