

*These notes refer to the Immigration and Asylum Act 1999
(c.33) which received Royal Assent on 11 November 1999*

IMMIGRATION AND ASYLUM ACT 1999

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 14: Consequential amendments

Section 18: Passenger information

76. Under paragraph 27(2) of Schedule 2 to the 1971 Act, an order has been made by the Secretary of State allowing an immigration officer to require the captain of a ship or aircraft arriving in the United Kingdom to furnish a passenger list showing the names and nationality or citizenship of passengers on board the ship or aircraft. This power has been applied with modifications by order under the Channel Tunnel Act 1987 to through trains and shuttle trains arriving in the United Kingdom.
77. *Section 18* supplements this power by inserting a new paragraph 27B into Schedule 2 to the 1971 Act. The new paragraph allows immigration officers to require owners or agents (“carriers”) to disclose certain information relating to passengers who are expected to be carried on their ships or aircraft arriving in and departing from the United Kingdom, or which have arrived in or departed from the United Kingdom. This new power will be capable of being applied by order under the Channel Tunnel Act 1987 to through trains or shuttle trains arriving in or departing from the United Kingdom.
78. The types of information about passengers which can be required will be specified by order subject to the negative resolution procedure (this means that the order is laid before both Houses of Parliament and may be prayed against within 40 days). Carriers will not be required to provide information to which they do not have access but they may, in certain circumstances in the interests of a more flexible administration of immigration control, be required to provide information which they do not currently collect for their own purposes.