Immigration and Asylum Act 1999

1999 CHAPTER 33

PART VII

POWER TO ARREST, SEARCH AND FINGERPRINT

Use of force

146 Use of force.

(1) An immigration officer exercising any power conferred on him by **[**[F1]the Immigration Acts**]** may, if necessary, use reasonable force.

[[F2](2) A person exercising a power under any of the following may if necessary use reasonable force—

(a) section 28CA, 28FA or 28FB of the 1971 Act (business premises: entry to arrest or search),

[[F3](aa) paragraph 25CA, 25CB or 25CC of Schedule 2 to the 1971 Act (powers to search for and seize driving licences),**]**

(b) section 141 or 142 of this Act, and

(c) regulations under section 144 of this Act.**]**

Textual Amendments

F1 Words in s. 146(1) substituted (28.7.2014) by Immigration Act 2014 (c. 22), s. 75(3), **Sch. 1 para. 5**; S.I. 2014/1820, art. 3(y)

F2 S. 146(2) substituted (8.1.2003) by Nationality, Immigration and Asylum Act 2002 (c. 41), **s. 153(2)** (with s. 159); S.I. 2002/2811, **art. 2**, Sch.

F3 S. 146(2)(aa) inserted (31.7.2017 for specified purposes) by Immigration Act 2016 (c. 19), **ss. 43(4)**, 94(1); S.I. 2017/799, reg. 2

Modifications etc. (not altering text)

C1 S. 146 extended (Guernsey) (with modifications) (coming into force in accordance with art. 1(1) of the amending S.I.) by The Immigration (Guernsey) Order 2020 (S.I. 2020/1560), arts. 1(1), 2, Schs. 1, **1A**

Changes to legislation: *Immigration and Asylum Act 1999, Cross Heading: Use of force is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information

I1 S. 146 partly in force; s. 146(1) in force at Royal Assent, see s. 170(3)(o)

Changes to legislation:
Immigration and Asylum Act 1999, Cross Heading: Use of force is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made 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:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 10(12) inserted by 2023 c. 37 s. 10(6)
- s. 40(1)-(1C) substituted for s. 40(1) by 2022 c. 36 s. 76(2)
- s. 40(4A)(4B) inserted by 2022 c. 36 s. 76(5)
- s. 72(10) repealed by 2004 c. 19 Sch. 4
- s. 94(2A)-(2C) inserted by 2016 c. 19 Sch. 11 para. 3(3)
- s. 94(2D) inserted by 2016 c. 19 Sch. 11 para. 7(4)
- s. 94(3)(3A) substituted for s. 94(3) by 2002 c. 41 s. 44(4) (This amendment is repealed (prosp.) by 2016 c. 19, Sch. 11 para. 41)
- s. 94(3A)-(3D) inserted by 2016 c. 19 Sch. 11 para. 3(5)
- s. 95A inserted by 2016 c. 19 Sch. 11 para. 9
- s. 96(1A) inserted by 2016 c. 19 Sch. 11 para. 10(3)
- s. 97(3A)(b)(iv) inserted by 2022 c. 36 s. 13(2)(c)(ii)
- s. 97(8)(9) inserted by 2016 c. 19 Sch. 11 para. 11(4)
- s. 98A inserted by 2016 c. 19 Sch. 11 para. 13
- s. 98A(5) inserted by 2022 c. 36 s. 13(4)
- s. 103(4)(a) words substituted by 2004 c. 19 s. 10(4)(b)
- s. 103(5)(b) word substituted by S.I. 2008/2833 Sch. 3 para. 183(ii)
- s. 103A(1) words substituted by 2004 c. 19 s. 10(5)
- s. 103A(1) heading words substituted by 2004 c. 19 s. 10(5)
- s. 103A(1) words substituted by S.I. 2008/2833 Sch. 3 para. 184
- s. 125(2)(ba) inserted by 2016 c. 19 Sch. 11 para. 22(3)(b)
- s. 146(2)(za) inserted by 2016 c. 19 s. 44(9)
- s. 166(5)(ca) substituted for word in s. 166(5)(c) by 2016 c. 19 Sch. 11 para. 24(2)
- s. 166(5A)(5B) inserted by 2016 c. 19 Sch. 11 para. 24(3)
- s. 166(6)(aa) substituted for word in s. 166(6)(a) by 2016 c. 19 Sch. 11 para. 24(4)
- Sch. 2 para. 21 modified by 2002 c. 41 s. 23(2)(a)
- Sch. 3 para. 2(5) modified by 2002 c. 41 s. 23(2)(b)