



UK Borders Act 2007

2007 CHAPTER 30

Information

44 Search for evidence of nationality

- (1) This section applies where an individual has been arrested on suspicion of the commission of an offence and an immigration officer or a constable suspects—
 - (a) that the individual may not be a British citizen, and
 - (b) that nationality documents relating to the individual may be found on—
 - (i) premises occupied or controlled by the individual,
 - (ii) premises on which the individual was arrested, or
 - (iii) premises on which the individual was, immediately before being arrested.
- (2) The immigration officer or constable may enter and search the premises for the purpose of finding those documents.
- (3) The power of search may be exercised only with the written authority of a senior officer; and for that purpose—
 - (a) “senior officer” means—
 - (i) in relation to an immigration officer, an immigration officer of at least the rank of chief immigration officer, and
 - (ii) in relation to a constable, a constable of at least the rank of inspector, and
 - (b) a senior officer who gives authority must arrange for a written record to be made of—
 - (i) the grounds for the suspicions in reliance on which the power of search is to be exercised, and
 - (ii) the nature of the documents sought.
- (4) The power of search may not be exercised where the individual has been released without being charged with an offence.
- (5) In relation to an individual “nationality document” means a document showing—

Changes to legislation: There are currently no known outstanding effects for the UK Borders Act 2007, Section 44. (See end of Document for details)

- (a) the individual's identity, nationality or citizenship,
- (b) the place from which the individual travelled to the United Kingdom, or
- (c) a place to which the individual is proposing to go from the United Kingdom.

Commencement Information

II S. 44 in force at 31.3.2008 by [S.I. 2008/309](#), **art. 3(b)**

Changes to legislation:

There are currently no known outstanding effects for the UK Borders Act 2007, Section 44.