



# UK Borders Act 2007

## 2007 CHAPTER 30

### *Information*

#### [<sup>F1</sup>46C Offence of failing to produce nationality document

- (1) A person commits an offence if, without reasonable excuse, the person fails to comply with a notice given in accordance with section 46A.
- (2) The fact that a person deliberately destroyed or disposed of a nationality document is not a reasonable excuse for the purposes of subsection (1) unless the destruction or disposal was—
  - (a) for a reasonable cause, or
  - (b) beyond the control of the person charged with the offence.
- (3) In subsection (2)(a) “reasonable cause” does not include the purpose of—
  - (a) delaying the handling or resolution of a claim or application or the taking of a decision,
  - (b) increasing the chances of success of a claim or application, or
  - (c) complying with instructions given by a person who offers advice about, or facilitates, immigration into the United Kingdom, unless in the circumstances of the case it is unreasonable to expect non-compliance with the instructions or advice.
- (4) A person who is guilty of an offence under subsection (1) is liable—
  - (a) on summary conviction in England and Wales, to either or both of the following—
    - (i) imprisonment for a term not exceeding 51 weeks (or 6 months if the offence was committed before the commencement of section 281(5) of the Criminal Justice Act 2003);
    - (ii) a fine;
  - (b) on summary conviction in Scotland, to either or both of the following—
    - (i) imprisonment for a term not exceeding 12 months;
    - (ii) a fine not exceeding level 5 on the standard scale;

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*Changes to legislation: There are currently no known outstanding effects for the UK Borders Act 2007, Section 46C. (See end of Document for details)*

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- (c) on summary conviction in Northern Ireland, to either or both of the following—
- (i) imprisonment for a term not exceeding 6 months;
  - (ii) a fine not exceeding level 5 on the standard scale.]

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**Textual Amendments**

**F1** Ss. 46A-46C inserted (31.1.2017 for specified purposes) by [Policing and Crime Act 2017 \(c. 3\)](#), **ss. 160, 183(1)(5)(e)**

**Changes to legislation:**

There are currently no known outstanding effects for the UK Borders Act 2007, Section 46C.