Borders, Citizenship and Immigration Act 2009

2009 CHAPTER 11

PART 1

BORDER FUNCTIONS

General customs functions of the Secretary of State

2 Power of Secretary of State to modify functions

(1) The Secretary of State may by order—

(a) amend section 1(2) (matters that are general customs matters) so as to add, modify or remove a matter;

(b) amend that section so as to exclude its application in relation to a function of the Commissioners for Her Majesty's Revenue and Customs or to modify or remove a reference to a function previously so excluded;

(c) make provision for that section to apply in relation to a function conferred on the Commissioners by an enactment passed or made after the end of the session in which this Act is passed;

(d) modify any enactment (including an enactment passed or made after the passing of this Act) in consequence of provision made under any of paragraphs (a) to (c);

(e) make provision for a function of the Secretary of State or general customs officials to be treated, or not to be treated, as a general customs function.

(2) The power under subsection (1)(a) may not be exercised to add any of the following to section 1(2)—

(a) a matter listed in Schedule 1 to the Commissioners for Revenue and Customs Act 2005 (c. 11),

(b) value added tax,

(c) a customs revenue matter (as to which, see section 7), or

Changes to legislation: *Borders, Citizenship and Immigration Act 2009, Section 2 is up to date with all changes known to be in force on or before 25 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*

(d) a matter listed at section 7(2)(e).

(3) The Secretary of State must consult the Treasury before exercising the power under this section.

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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. 54A(3A)(3B) inserted by 2023 c. 37 s. 14