

IMMIGRATION ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6: Miscellaneous

Schedule 8: Embarkation checks

Part 1: Functions Exercisable by Designated Persons

Directions to carriers and operators of ports

425. *Paragraph 6* inserts new paragraph 5B in Schedule 2 to the 1971 Act to enable the Secretary of State to direct carriers and port operators to make specified arrangements for the exercise of functions by designated persons.
426. New paragraph 5B(1) makes provision for the Secretary of State to direct carriers or port operators to make arrangements for “designated persons” to exercise a specified function in relation to persons of a specified description. So a carrier or port operator may be required to make arrangements for designated persons to exercise the power of examination in respect of embarking passengers travelling on a specified route, or from a specified port.
427. New paragraph 5B(2) provides that such a direction must specify the port where, and the date (or dates) and time (or times) when a function is to be exercised under the arrangements.
428. New paragraph 5B(3) requires a direction under this paragraph to be given in writing.
429. New paragraph 5B(4) provides that a direction given under this paragraph may specify a description of persons by reference to destination, route, date and time of travel to which it applies.
430. New paragraph 5B(5) defines “function” and “specified” in directions under this paragraph.