
Changes to legislation: Immigration Act 2014, Paragraph 3 is up to date with all changes known to be in force on or before 22 March 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

SCHEDULES

SCHEDULE 1

ENFORCEMENT POWERS

Entry and search of premises

- 3 (1) Paragraph 25A of Schedule 2 to the Immigration Act 1971 (power to enter premises and search for documents following arrest) is amended as follows.
- (2) In sub-paragraph (1)(b) for “by a constable (other than under this Schedule)” substitute “other than under this Schedule”.
- (3) After sub-paragraph (6) insert—
- “**(6A)** If, on an application made by an immigration officer, a justice of the peace is satisfied that—
- (a) there are reasonable grounds for believing that relevant documents may be found on premises not within sub-paragraph (2) which are specified in the application, and
- (b) any of the conditions in sub-paragraph (6B) is met,
- the justice of the peace may issue a warrant authorising an immigration officer to enter and search the premises.
- (6B)** The conditions are that—
- (a) it is not practicable to communicate with any person entitled to grant entry to the premises;
- (b) it is practicable to communicate with a person entitled to grant entry to the premises but it is not practicable to communicate with any person entitled to grant access to the relevant documents;
- (c) entry to the premises will not be granted unless a warrant is produced;
- (d) the purpose of a search may be frustrated or seriously prejudiced unless an immigration officer arriving at the premises can secure immediate entry.
- (6C)** In the application of sub-paragraph (6A) to Scotland, references to a justice of the peace are to be treated as references to the sheriff or a justice of the peace.”
- (4) In sub-paragraph (7)—
- (a) for “sub-paragraph (2)” substitute “this paragraph”;
- (b) in paragraph (a) omit “and retain”;
- (c) omit paragraph (b) and the “but” before it.
- (5) After sub-paragraph (8) insert—

Changes to legislation: Immigration Act 2014, Paragraph 3 is up to date with all changes known to be in force on or before 22 March 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

- “(8A) An immigration officer may retain a document seized under sub-paragraph (7) while the officer has reasonable grounds for believing that—
- (a) the arrested person may be liable to removal from the United Kingdom in accordance with a provision of the Immigration Acts, and
 - (b) retention of the document may facilitate the person's removal.”

Commencement Information

II Sch. 1 para. 3 in force at 28.7.2014 by S.I. 2014/1820, art. 3(y)

Changes to legislation:

Immigration Act 2014, Paragraph 3 is up to date with all changes known to be in force on or before 22 March 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 :

- specified provision(s) amendment to earlier commencing S.I. 2014/2771 by [S.I. 2015/371 art. 78](#)
- specified provision(s) savings for earlier commencing SI 2014/2771 by [S.I. 2014/2928 art. 2](#) (Amendment already reflected in Appended Commentary in EXTOES for 2014 SI2771.)

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. 21(4A) inserted by [S.I. 2019/745 reg. 21\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(2)(3) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- s. 27(7) inserted by [S.I. 2019/745 reg. 21\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(2)(3) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- s. 70A(6A) inserted by [S.I. 2019/745 reg. 21\(7\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(7) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- Sch. 3 para. 8A inserted by [2016 c. 19 Sch. 12 para. 16](#)