



# Counter-Terrorism and Security Act 2015

## 2015 CHAPTER 6

### PART 4

#### AVIATION, SHIPPING AND RAIL

#### **24 Penalty for breach of authority-to-carry scheme**

- (1) The Secretary of State may make regulations imposing penalties for breaching the requirements of an authority-to-carry scheme.
- (2) Regulations under subsection (1) must identify the authority-to-carry scheme to which they refer.
- (3) Regulations under subsection (1) may in particular make provision—
  - (a) about how a penalty is to be calculated;
  - (b) about the procedure for imposing a penalty;
  - (c) about the enforcement of penalties;
  - (d) allowing for an appeal against a decision to impose a penalty;and the regulations may make different provision for different purposes.
- (4) Provision in the regulations about the procedure for imposing a penalty must provide for a carrier to be given an opportunity to object to a proposed penalty in the circumstances set out in the regulations.
- (5) The regulations must provide that no penalty may be imposed on a carrier for breaching the requirements of an authority-to-carry scheme where—
  - (a) the breach consists of a failure to provide information that the carrier has also been required to provide under paragraph 27, 27B or 27BA of Schedule 2 to the Immigration Act 1971 and—
    - (i) a penalty has been imposed on the person in respect of a failure to provide that information by virtue of regulations made under paragraph 27BB of Schedule 2 to that Act, or
    - (ii) proceedings have been instituted against the carrier under section 27 of that Act in respect of a failure to provide that information, or

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**Changes to legislation:** Counter-Terrorism and Security Act 2015, Section 24 is up to date with all changes known to be in force on or before 20 April 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](#)

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- (b) the breach consists of a failure to provide information that the carrier has also been required to provide under section 32 or 32A of the Immigration, Asylum and Nationality Act 2006 and—
  - (i) a penalty has been imposed on the person in respect of a failure to provide that information by virtue of regulations made under section 32B of that Act, or
  - (ii) proceedings have been instituted against the carrier under section 34 of that Act in respect of a failure to provide that information.
- (6) Any penalty paid by virtue of this section must be paid into the Consolidated Fund.
- (7) Regulations under this section are to be made by statutory instrument; and any such statutory instrument may not be made unless a draft of the instrument has been laid before each House of Parliament and approved by a resolution of each House.

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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. 31(1)(ba) inserted by [2023 c. 16 Sch. para. 15\(2\)\(b\)](#)