



# Immigration Act 2016

## 2016 CHAPTER 19

### PART 3

#### ENFORCEMENT

##### *Powers of immigration officers etc*

#### **57 Powers to take fingerprints etc. from dependants**

- (1) Section 141 of the Immigration and Asylum Act 1999 (powers to take fingerprints from certain persons and their dependants) is amended as follows.
- (2) In subsection (7) for paragraph (f) substitute—
  - “(f) any person (“F”) who is—
    - (i) a member of the family of a person within any of paragraphs (a), (b) or (ca) to (e), or
    - (ii) a dependant of a person within paragraph (c)(i).”
- (3) In subsection (8)(f) after “person” insert “ of whose family he is a member or ”.
- (4) In subsection (9)(f) after “person” insert “ of whose family he is a member or ”.
- (5) After subsection (13) insert—
  - “(13A) For the purposes of subsection (7)(f)(i), a person is a member of the family of another person (“P”) if—
    - (a) the person is—
      - (i) P's partner,
      - (ii) P's child, or a child living in the same household as P in circumstances where P has care of the child,
      - (iii) in a case where P is a child, P's parent, or
      - (iv) an adult dependant relative of P, and
    - (b) the person does not have a right of abode in the United Kingdom or indefinite leave to enter or remain in the United Kingdom.

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*Changes to legislation: Immigration Act 2016, Section 57 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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- (13B) In subsection (13A) “child” means a person who is under the age of 18.”
- (6) In subsection (14) for “(7)(f)” substitute “ (7)(f)(ii) ”.
- (7) Section 142 of the Immigration and Asylum Act 1999 (attendance for fingerprinting) is amended as follows.
- (8) In subsection (2) for “a dependant of” substitute “ a member of the family of, or a dependant of, ”.
- (9) In subsection (2A) for “a dependant of” substitute “ a member of the family of”.
- (10) Until the commencement of the repeal of section 143 of the Immigration and Asylum Act 1999 (destruction of fingerprints) by paragraph 17(2) of Schedule 9 to the Immigration Act 2014, subsection (9) of that section has effect as if after “the person” there were inserted “ of whose family he is a member or ”.
- (11) In section 144A(2) of the Immigration and Asylum Act 1999 (application of regulations about use and retention of fingerprints etc to dependants) after “the person” insert “ of whose family F is a member or ”.

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**Commencement Information**

**II** S. 57 in force at 12.7.2016 by S.I. 2016/603, reg. 3(j)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2017/1241, Sch. by [S.I. 2018/31 reg. 2](#)

**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. 69(9)(d) and word inserted by [2023 c. 37 s. 21\(2\)\(b\)](#)
- Sch. 10 para. 3(2)(eza) inserted by [2023 c. 37 s. 13\(3\)\(a\)](#)
- Sch. 10 para. 3(3A)-(3C) inserted by [2023 c. 37 s. 13\(3\)\(b\)](#)
- Sch. 10 para. 3A and cross-heading inserted by [2023 c. 37 s. 13\(4\)](#)