

## SCHEDULE 1

Article 4

## Exceptions and modifications of sections 31, 32, 34 and 39 of the Immigration, Asylum and Nationality Act 2006 as they extend to Guernsey

<i>Provision</i>	<i>Exceptions and Modifications</i>
Section 31  (provision of information to immigration officers)(1)  (amending paragraphs 27 and 27B of Schedule 2 to and section 27 of the 1971 Act)	<p>(a) for “United Kingdom” in each place it occurs, substitute “Bailiwick of Guernsey”;</p> <p>(b) in subsection (2)—</p> <p>(i) in the substituted subparagraph (2), for “Secretary of State may by order require” substitute “Lieutenant-Governor may by directions require”;</p> <p>(ii) in the substituted subparagraphs (3) and (5), for “An order” substitute “Directions”;</p> <p>(iii) at the end of the substituted subparagraph (5)(b) insert “and”;</p> <p>(iv) for the substituted subparagraph 5(c), substitute “may require information to be provided to the immigration officer or as the immigration officer directs.”; and</p> <p>(v) omit the substituted subparagraph (5)(d); and</p> <p>(c) in subsection (3), in the inserted subparagraph (9A), after the words “may be specified” insert “by the Lieutenant-Governor”.</p>
Section 32  (passenger and crew information: police powers)	<p>(a) for “Secretary of State”, in each place it occurs, substitute “Lieutenant-Governor”;</p> <p>(b) in subsection (1)(a), for “in the United Kingdom” substitute “at any place in the Bailiwick of Guernsey (whether from a place in the Bailiwick of Guernsey or from outside the Bailiwick of Guernsey)”;</p> <p>(c) in subsection (1)(b) for “the United Kingdom” substitute “from any place in the Bailiwick of Guernsey (whether for a place in the Bailiwick of Guernsey or for outside the Bailiwick of Guernsey)”;</p> <p>(d) in subsection (2) for “constable of the rank of superintendent or above” substitute “police officer of the rank of chief inspector or above”;</p> <p>(e) for subsection (4) substitute—</p> <p>“(4) A police officer may impose a requirement under subsection (2) only if he thinks it necessary for police purposes.”;</p> <p>(f) for subsection 5(b) substitute—</p>

(1) Section 31 amends paragraphs 27 and 27B of Schedule 2 to the Immigration Act 1971 (c. 77). Paragraph 27 was extended to Guernsey, with exceptions and modifications, by the Immigration (Guernsey) Order 1993 (S.I. 1993/1796). Paragraph 27B was extended to Guernsey, with exceptions and modifications, by the Immigration and Asylum Act 1999 (Guernsey) Order 2003 (S.I. 2003/2900).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Provision</i>	<i>Exceptions and Modifications</i>
	<ul style="list-style-type: none"> <li>“(b) “police purposes” means any of the following— <ul style="list-style-type: none"> <li>(i) the prevention, detection, investigation or prosecution of criminal offences;</li> <li>(ii) safeguarding national security; or</li> <li>(iii) such other purposes as may be specified by order of the States Home Department.”;</li> </ul> </li> <li>(g) for subsection (5)(c) substitute— <ul style="list-style-type: none"> <li>“(c) “police officer” means a member of the salaried Police Force of the Island of Guernsey, and</li> <li>(d) “ship” includes— <ul style="list-style-type: none"> <li>(i) every description of vessel used in navigation, and</li> <li>(ii) hovercraft.”;</li> </ul> </li> </ul> </li> <li>(h) in subsection (7) for “(within the meaning of the Human Rights Act 1998 (c 42))” substitute “(within the meaning of the Human Rights (Bailiwick of Guernsey) Law, 2000)”;</li> <li>(i) in subsection 8— <ul style="list-style-type: none"> <li>(i) at end of paragraph (b) insert “and”;</li> <li>(ii) at the end of subsection 8(c) for “,” substitute “.”; and</li> <li>(iii) omit subsections (8)(d) and (e).</li> </ul> </li> </ul>
Section 34  (offence)	<ul style="list-style-type: none"> <li>(a) in subsection (1) omit “or 33(2)”;</li> <li>(b) omit subsection (2);</li> <li>(c) in subsection (3)— <ul style="list-style-type: none"> <li>(i) for paragraph (a) substitute— <ul style="list-style-type: none"> <li>“(a) imprisonment for a term not exceeding a year.”; and</li> </ul> </li> <li>(ii) in paragraph (b), for “standard” substitute “uniform”; and</li> </ul> </li> <li>(d) for subsection (4) substitute— <ul style="list-style-type: none"> <li>“(4) In subsection (3) the reference to the uniform scale means the scale of fines designated by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989.”.</li> </ul> </li> </ul>
Section 39  (disclosure to law enforcement agencies)	<ul style="list-style-type: none"> <li>(a) in subsection (1)— <ul style="list-style-type: none"> <li>(i) for “A chief officer of police” substitute “The chief officer of the salaried Police Force of the Island of Guernsey”; and</li> <li>(ii) omit “or 33”;</li> </ul> </li> <li>(b) for subsection (1)(b) substitute—</li> </ul>

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<i>Provision</i>	<i>Exceptions and Modifications</i>
	“(b) a police force in the United Kingdom;”
	(c) in subsection (2) for “the United Kingdom” in, each place it occurs, substitute “the British Islands”; and
	(d) omit subsection (3).