

Draft Regulations laid before Parliament under sections 23(2)(a) and 24(7) of the Counter-Terrorism and Security Act 2015.

DRAFT STATUTORY INSTRUMENTS

2021 No.

**IMMIGRATION
PREVENTION AND
SUPPRESSION OF TERRORISM**

The Authority to Carry Scheme and
Civil Penalties Regulations 2021

Made - - - - 2021

Coming into force in accordance with regulation 1(2)

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 23(1) and (5) and 24(1) of the Counter-Terrorism and Security Act 2015⁽¹⁾.

The Secretary of State has, in accordance with section 23(2) of that Act, laid before Parliament a draft of an authority-to-carry scheme made under section 22(1) of that Act.

A draft of these Regulations, which relate to that scheme, has been laid before Parliament and approved by each House of Parliament in accordance with sections 23(2)(a) and (b) and 24(7) of that Act.

Citation, commencement and expiry

1.—(1) These Regulations may be cited as the Authority to Carry Scheme and Civil Penalties Regulations 2021.

(2) These Regulations come into force on the twenty-first day after the day on which they are made.

(3) These Regulations cease to have effect at the end of the period of seven years beginning on the day on which these Regulations come into force.

Authority to Carry Scheme

2. The Authority to Carry Scheme 2021 which was laid before Parliament on 28th January 2021 comes into force on the day on which these Regulations come into force.

(1) 2015 c. 6.

Amendment of the Authority to Carry Scheme (Civil Penalties) Regulations 2015

3.—(1) The Authority to Carry Scheme (Civil Penalties) Regulations 2015⁽²⁾ are amended as follows.

(2) For regulation 1(3) (expiry) substitute—

“(3) These Regulations cease to have effect on the day on which the Authority to Carry Scheme and Civil Penalties Regulations 2021 cease to have effect.”.

(3) In regulation 2 (interpretation), in the definition of “authority-to-carry scheme”, for “2nd March 2015” substitute “28th January 2021”.

Revocation and transitional provision

4.—(1) The Counter-Terrorism and Security Act 2015 (Authority to Carry Scheme) Regulations 2015⁽³⁾ are revoked.

(2) In respect of anything done in connection with the Counter-Terrorism and Security Act 2015 (Authority to Carry Scheme) Regulations 2015, the Authority to Carry Scheme (Civil Penalties) Regulations 2015 are to be read as if the amendments made by regulation 3 above have not been made.

Date

Name
Minister of State
Home Office

(2) S.I. 2015/957.
(3) S.I. 2015/997.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force the Authority to Carry Scheme 2021 (“the Scheme”) which replaces the Authority to Carry Scheme 2015. The Scheme requires that a carrier must seek authority to carry persons on inbound or outbound journeys to and from the UK who come within the scope of the Scheme. The Scheme specifies the classes of carriers to which it applies, the passengers and crew in respect of whom authority must be requested and sets out the process for carriers to request authority to carry.

These Regulations make amendments to the Authority to Carry Scheme (Civil Penalties) Regulations 2015.

These Regulations revoke the Counter-Terrorism and Security Act 2015 (Authority to Carry Scheme) Regulations 2015. Transitional arrangements provide for the service of penalty notices for breaches of the Authority to Carry Scheme 2015.

The Secretary of State will arrange for this Scheme to be published at <https://www.gov.uk/government/publications/authority-to-carry-scheme-2021>.

The Scheme can be requested in hard copy from the Home Office by contacting predeparturechecks@homeoffice.gov.uk.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.