

**Changes to legislation:** Immigration Act 1971, Cross Heading: Access and copying is up to date with all changes known to be in force on or before 18 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

## SCHEDULES

### SCHEDULE 2

#### ADMINISTRATIVE PROVISIONS AS TO CONTROL ON ENTRY ETC.

##### Modifications etc. (not altering text)

- C1** Sch. 2 modified (10.6.1991) by Criminal Justice (International Co-operation) Act 1990 (c. 5, SIF 39:1), s. 6(6)(b); S.I. 1991/1072, art. 2, Sch. Pt. I
- C1** Sch. 2 modified (2.8.1993) by S.I. 1993/1813, arts. 7(1), 1, Sch. 4 para. 1(11) (as amended: (1.12.1997) by S.I. 1994/1405, art. 8, Sch. 4 para. 11; (30.7.2000) by S.I. 2000/1775, arts. 1, 2(2); (25.5.2001) by S.I. 2001/1544, arts. 1(2), 6(3) (as itself amended (2.1.2008) by S.I. 2007/3579, art. 2(2)(3)); (5.8.2014) by S.I. 2014/1814, arts. 1, 2(3)(4); and (30.9.2020) by S.I. 2020/915, arts. 1(2), 5(5))  
Sch. 2 extended (with modifications): (Guernsey) (1.8.1993) by S.I. 1993/1796, art. 3(1), Sch. 1 Pt. 1; (Jersey) (1.8.1993) by S.I. 1993/1797, art. 3(1), Sch. 1 Pt. 1 (as amended (17.10.2012) by S.I. 2012/2593, arts. 1, 2(2))  
Sch. 2 applied (20.7.1994) by S.I. 1994/1895, art. 20(2)  
Sch. 2 amended (2.10.2000) by 1999 c. 33, s. 66; S.I. 2000/2444, art. 2, Sch. 1 (subject to transitional provisions in art. 3, Sch. 2 para. 2)  
Sch. 2 extended (10.2.2003) (with modifications) by 2002 c. 41, s. 62(3) (with s. 159); S.I. 2003/1, art. 2, Sch. 2, Sch.  
Sch. 2 amended (1.4.2003) by 2002 c. 41, s. 68 (with s. 159); S.I. 2003/754, art. 2, Sch. 1 (with transitional provisions in arts. 3, 4, Sch. 2) (as amended by S.I. 2003/1040 and S.I. 2003/1339)
- C1** Sch. 2 applied by The Immigration (European Economic Area) Regulations 2006 (S.I. 2006/1003), reg. 24(4) (as substituted (1.6.2009) by The Immigration (European Economic Area) (Amendment) Regulations 2009 (S.I. 2009/1117), reg. 2, Sch. 1 para. 10(c))
- C1** Sch. 2 applied in part (with modifications) by S.I. 2006/1003, reg. 29AA(6)(7) (as inserted (28.7.2014) by The Immigration (European Economic Area) (Amendment) (No. 2) Regulations 2014 (S.I. 2014/1976), reg. 1, Sch. para. 8 (with reg. 4))
- C1** Sch. 2 applied (1.2.2017 for specified purposes) by The Immigration (European Economic Area) Regulations 2016 (S.I. 2016/1052), regs. 1(2)(b), 40(7), 41(7)
- C1** Sch. 2 modified (31.7.2017) by The Criminal Justice (European Investigation Order) Regulations 2017 (S.I. 2017/730), regs. 1(1), 21(8)(b) (with reg. 3)
- C1** Sch. 2 modified (31.7.2017) by The Criminal Justice (European Investigation Order) Regulations 2017 (S.I. 2017/730), regs. 1(1), 55(7)(b) (with reg. 3)
- C1** Schs. 2-4: amendment to earlier affecting S.I. 1993/1797, Sch. 1 Pt. 1 (11.10.2017 coming into force in accordance with art. 1) by The Immigration (Jersey) (Amendment) Order 2017 (S.I. 2017/981), Sch. Pt. 1 para. 1 (with art. 6)
- C1** Sch. 2 modified by S.I. 1994/1405, art. 7 (as amended (coming into force in accordance with art. 1(3) of the amending S.I.) by The Channel Tunnel (International Arrangements and Miscellaneous Provisions) (Amendment) Order 2020 (S.I. 2020/915), arts. 1(3), 11)
- C1** Sch. 2 modified (30.9.2020 immediately after the entry into force of S.I. 2020/915, art. 5) by The Channel Tunnel (Arrangements with the Kingdom of the Netherlands) Order 2020 (S.I. 2020/916), arts. 1(3), 6
- C1** Sch. 2 applied (31.12.2020) by The Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020 (S.I. 2020/1213), regs. 1(2)(3), 16(1)(4)
- C1** Sch. 2 modified (31.12.2020) by The Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020 (S.I. 2020/1213), regs. 1(2)(3), 7

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- C1** Sch. 2 modified (31.12.2020) by [The Citizens' Rights \(Frontier Workers\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1213\)](#), regs. 1(2)(3), **13(2)**

## PART I

### GENERAL PROVISIONS

#### Modifications etc. (not altering text)

- C1** Sch. 2 Pt. I applied (with modifications) (2.10.2000) by [1999 c. 33, s. 58\(3\)](#), [Sch. 4 Pt. II para. 12](#); [S.I. 2000/2444, art. 2](#), [Sch. 1](#) (subject to transitional provisions in [art. 3](#), [Sch. 2 para. 2](#))  
 Sch. 2 Pt. I amended (2.10.2000) by [1999 c. 33, s. 58\(3\)](#), [Sch. 4 Pt. II para. 15](#); [S.I. 2000/2444, art. 2](#), [Sch. 1](#) (subject to transitional provisions in [art. 3](#), [Sch. 2 para. 2](#))  
 Sch. 2 Pt. I applied (with modifications) (2.10.2000 with application as mentioned in regs. 9, 28) by [S.I. 2000/2326, reg. 32\(3\)\(7\)](#) (as substituted (1.4.2003) for [reg. 34\(3\)\(10\)](#) by [S.I. 2003/549, reg. 2\(8\)](#) (with [reg. 3](#)))
- C1** Sch. 2 Pt. I applied (1.2.2017 for specified purposes) by [The Immigration \(European Economic Area\) Regulations 2016 \(S.I. 2016/1052\)](#), regs. 1(2)(b), **40(4)**

#### [<sup>F1</sup> Access and copying]

#### Textual Amendments

- F1** Heading inserted (14.2.2000) by [1999 c. 33, s. 136\(2\)](#); [S.I. 2000/168, art. 2](#), [Sch](#)

- [<sup>F2</sup>25D(1) If a person showing himself—
- (a) to be the occupier of the premises on which seized material was seized, or
  - (b) to have had custody or control of the material immediately before it was seized,
- asks the immigration officer who seized the material for a record of what he seized, the officer must provide the record to that person within a reasonable time.
- (2) If a relevant person asks an immigration officer for permission to be granted access to seized material, the officer must arrange for that person to have access to the material under the supervision of an immigration officer.
  - (3) An immigration officer may photograph or copy, or have photographed or copied, seized material.
  - (4) If a relevant person asks an immigration officer for a photograph or copy of seized material, the officer must arrange for—
    - (a) that person to have access to the material under the supervision of an immigration officer for the purpose of photographing or copying it; or
    - (b) the material to be photographed or copied.
  - (5) A photograph or copy made under sub-paragraph (4)(b) must be supplied within a reasonable time.

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- (6) There is no duty under this paragraph to arrange for access to, or the supply of a photograph or copy of, any material if there are reasonable grounds for believing that to do so would prejudice—
- (a) the exercise of any functions in connection with which the material was seized; or
  - (b) an investigation which is being conducted under this Act, or any criminal proceedings which may be brought as a result.
- (7) “Relevant person” means—
- (a) a person who had custody or control of seized material immediately before it was seized, or
  - (b) someone acting on behalf of such a person.
- (8) “Seized material” means anything which has been seized and retained under this Schedule [<sup>F3</sup>other than a driving licence seized under paragraph 25CC].]

#### Textual Amendments

- F2** Sch. 2 para. 25D inserted (14.2.2000) by 1999 c. 33, s. 136(2); S.I. 2000/168, art. 2, Sch. (which amending provision is extended (with modifications) to Jersey (5.6.2003) by S.I. 2003/1252, art. 2, Sch.)
- F3** Words in Sch. 2 para. 25D(8) inserted (31.7.2017 for specified purposes) by Immigration Act 2016 (c. 19), ss. 43(3), 94(1); S.I. 2017/799, reg. 2

#### Modifications etc. (not altering text)

- C1** Sch. 2 paras. 25A-25E applied by Immigration and Asylum Act 1999 (c. 33), s. 10(9)(j) (as substituted (20.10.2014) by Immigration Act 2014 (c. 22), ss. 1, 75(3); S.I. 2014/2771, art. 2(a) (with arts. 9-11) (as amended (2.3.2015 and 6.4.2015) by S.I. 2015/371, arts. 1(2)(3), 7, 8; and with transitional provisions and savings in S.I. 2014/2928, art. 2 (which S.I. is revoked (6.4.2015) by S.I. 2015/371, arts. 1(3), 9)))

[<sup>F4</sup>25E Section 28L applies for the purposes of this Schedule as it applies for the purposes of Part III.]

#### Textual Amendments

- F4** Sch. 2 para. 25E inserted (14.2.2000) by 1999 c. 33, s. 139; S.I. 2000/168, art. 2, Sch. (which amending provision is extended (with modifications) to Jersey (5.6.2003) by S.I. 2003/1252, art. 2, Sch.)

#### Modifications etc. (not altering text)

- C1** Sch. 2 paras. 25A-25E applied by Immigration and Asylum Act 1999 (c. 33), s. 10(9)(j) (as substituted (20.10.2014) by Immigration Act 2014 (c. 22), ss. 1, 75(3); S.I. 2014/2771, art. 2(a) (with arts. 9-11) (as amended (2.3.2015 and 6.4.2015) by S.I. 2015/371, arts. 1(2)(3), 7, 8; and with transitional provisions and savings in S.I. 2014/2928, art. 2 (which S.I. is revoked (6.4.2015) by S.I. 2015/371, arts. 1(3), 9)))

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied by [2008 c. 4 s. 133\(7\)\(8\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 10(1A)(1B) inserted by [1999 c. 33 Sch. 14 para. 47\(3\)](#)
- s. 24(1)(fa) inserted by [2023 c. 37 s. 10\(2\)](#)
- s. 24C-24F inserted by [2016 c. 19 s. 44\(2\)](#)
- s. 26A(1)(b)(ia) inserted by [2016 c. 19 Sch. 11 para. 25](#)
- s. 27(1)(aa) inserted by [2023 c. 37 s. 10\(3\)\(a\)](#)
- s. 27(1)(ba) inserted by [2023 c. 37 s. 10\(3\)\(b\)](#)
- s. 28CA(1)(bb) substituted for word in s. 28CA(1)(b) by [2016 c. 19 s. 44\(5\)](#)
- Sch. 2 para. 27B(4A) inserted by [2004 c. 19 s. 16](#)
- Sch. 2 para. 26(4) inserted by [2016 c. 19 s. 74\(1\)](#)
- Sch. 2 Pt. 1A inserted by [2016 c. 19 Sch. 13](#)
- Sch. 2 para. 11A inserted by [2023 c. 37 s. 10\(4\)](#)