Changes to legislation: UK Borders Act 2007, Section 41A is up to date with all changes known to be in force on or before 22 April 2020. 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

UK Borders Act 2007

2007 CHAPTER 30

Information

[41A Supply of information to UK Border Agency

(1) HMRC and the CPS may each supply a person to whom this section applies with information for use for the purpose of the customs functions exercisable by that person.

(2) This section applies to—
   (a) a designated customs official,
   (b) the Secretary of State by whom general customs functions are exercisable,
   (c) the Director of Border Revenue, and
   (d) a person acting on behalf of a person mentioned in paragraphs (a) to (c).

(3) This section applies to a document or article which comes into the possession of, or is discovered by, HMRC or the CPS, or a person acting on behalf of HMRC or the CPS, as it applies to information.

(4) A person to whom this section applies—
   (a) may retain for a purpose within subsection (1) a document or article supplied by virtue of subsection (3);
   (b) may dispose of a document or article supplied by virtue of subsection (3).

Subsections (1) and (3) are subject to subsection (4B).

(4A) In relation to the CPS, this section applies to—
   (a) information held by the CPS in connection with a Revenue and Customs function of the Director of Public Prosecutions;
   (b) a document or article which comes into the possession of, or is discovered by, the CPS, or a person acting on behalf of the CPS, in the exercise of a Revenue and Customs function of the Director of Public Prosecutions.

(4C) In this section “Revenue and Customs function of the Director of Public Prosecutions” has the meaning given by section 40(4C).]
(5) A power conferred by this section on HMRC or [F5 the CPS] may be exercised on behalf of HMRC or [F5 the CPS] by a person who is authorised (generally or specifically) for the purpose.

(6) In this section and section 41B “customs function” and “general customs function” have the meanings given by Part 1 of the Borders, Citizenship and Immigration Act 2009.

[F6 Nothing in this section affects any power to supply information apart from this section.]

**Textual Amendments**

| F1 | Ss. 41A, 41B inserted (21.7.2009) by Borders, Citizenship and Immigration Act 2009 (c. 11), ss. 20(1), 58(1) (with s. 36(4)) |
| F2 | Words in s. 41A(1) substituted (27.3.2014) by The Public Bodies (Merger of the Director of Public Prosecutions and the Director of Revenue and Customs Prosecutions) Order 2014 (S.I. 2014/834), art. 1(1), Sch. 2 para. 57(2) |
| F3 | Words in s. 41A(3) substituted (27.3.2014) by The Public Bodies (Merger of the Director of Public Prosecutions and the Director of Revenue and Customs Prosecutions) Order 2014 (S.I. 2014/834), art. 1(1), Sch. 2 para. 57(3) |
| F4 | Ss. 41A(4A)-(4C) inserted (27.3.2014) by The Public Bodies (Merger of the Director of Public Prosecutions and the Director of Revenue and Customs Prosecutions) Order 2014 (S.I. 2014/834), art. 1(1), Sch. 2 para. 57(4) |
| F5 | Words in s. 41A(5) substituted (27.3.2014) by The Public Bodies (Merger of the Director of Public Prosecutions and the Director of Revenue and Customs Prosecutions) Order 2014 (S.I. 2014/834), art. 1(1), Sch. 2 para. 57(5) |
| F6 | S. 41A(7) inserted (27.3.2014) by The Public Bodies (Merger of the Director of Public Prosecutions and the Director of Revenue and Customs Prosecutions) Order 2014 (S.I. 2014/834), art. 1(1), Sch. 2 para. 57(6) |
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View outstanding changes

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. 33(4)(4A)(4B) substituted for s. 33(4) by S.I. 2019/745 reg. 17(3)