

*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Illegal Migration Act 2023, Paragraph 3. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

#### ELECTRONIC DEVICES ETC

PROSPECTIVE

##### *Power to search relevant persons*

- 3 (1) An immigration officer may search a relevant person for any relevant article, if the officer has reasonable grounds to suspect that the relevant person is in possession of a relevant article.
- (2) The power of an immigration officer under this paragraph to search a person—
- (a) authorises the search of their mouth;
  - (b) authorises the officer to require the person to remove an outer coat, jacket or glove (but no other clothing) in public;
  - (c) if the conditions in [sub-paragraph \(3\)](#) are met, authorises the officer to require the person to remove any clothing;
  - (d) does not authorise the carrying out of an intimate search.
- (3) The conditions referred to in [sub-paragraph \(2\)\(c\)](#) are—
- (a) that the search is not carried out in public;
  - (b) that the person carrying out the search is of the same sex as the person searched;
  - (c) that the only persons present when the search is carried out are immigration officers, any person present at the request of the person searched, and any person present as a result of [paragraph \(e\)](#);
  - (d) that, subject to any exceptions made at the request of the person searched, the persons present when the search is carried out are of the same sex as the person searched;
  - (e) that if it appears to the person carrying out the search that the person searched is under the age of 18, an appropriate adult is present when the search is carried out.

##### **Commencement Information**

**II** Sch. 2 para. 3 not in force at Royal Assent, see [s. 68\(1\)](#)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Illegal Migration Act 2023, Paragraph 3.