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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Article 2 of this Order permits the Secretary of State to give or refuse leave to enter the United Kingdom in the circumstances specified. It also requires notice of any such grant or refusal to be given in writing to the person affected or in such manner as is permitted by the Immigration (Leave to Enter or Remain) Order 2000.

Article 3 provides that, in relation to the giving or refusing of leave to enter, the Secretary of State may exercise certain powers exercised by immigration officers under Schedule 2 to the Immigration Act 1971 when determining whether a person should be given leave to enter.

Article 4 deals with the situation where an immigration officer has commenced the examination of an arriving passenger but the Secretary of State subsequently gives or refuses leave to enter. In such a case, the notice giving or refusing leave to enter is deemed to have been given within the period of 24 hours specified in paragraph 6(1) of Schedule 2 to the 1971 Act (period within which notice giving or refusing leave to enter must be given after completion of examination by an immigration officer).