

---

STATUTORY INSTRUMENTS

---

**2008 No. 212**

**The Independent Police Complaints Commission (Immigration and Asylum Enforcement Functions) Regulations 2008**

**Conferral of functions on the Independent Police Complaints Commission**

**3.—**(1) Subject to regulation 4, the Commission shall have functions in relation to the exercise (in, or in relation to, England and Wales) by—

- (a) immigration officers of the enforcement functions specified in paragraph (2), and
- (b) officials of the Secretary of State of the enforcement functions specified in paragraph (2) when carried out in relation to immigration or asylum.

(2) Subject to paragraphs (3) and (4) the enforcement functions are—

- (a) powers of entry;
- (b) powers to search persons and property;
- (c) powers to seize or detain property;
- (d) powers to arrest persons;
- (e) powers to detain persons;
- (f) powers to examine persons or otherwise obtain information (including powers to take fingerprints or to acquire other personal data); and
- (g) powers in connection with the removal of persons from the United Kingdom.

(3) The following shall not be regarded as an enforcement function—

- (i) the making of an immigration decision;
- (ii) the making of any decision to grant or refuse asylum; or
- (iii) the giving of directions to remove persons from the United Kingdom.

(4) For the avoidance of doubt, the enforcement functions specified in paragraph (2) include their exercise in connection with any authorisation granted under Part 2 of the Regulation of Investigatory Powers Act 2000.