

SCHEDULE 4A

Article 5

Provisions of the Immigration Act 2014 as extended to Guernsey

Provision as extended to Guernsey

9 Identifying persons liable to detention

In paragraph 18(2) of Schedule 2 to the Immigration Act 1971 (power to take steps for identifying persons detained under paragraph 16 of that Schedule), after “detained” insert “or liable to be detained”.

12 Meaning of “biometric information”

[...]

(4) Schedule 2 (which amends other enactments) has effect.

13 Safeguards for children

(1) Schedule 2 to the Immigration Act 1971 (entry control) is amended as follows.

(2) In paragraph 4 (power to take biometric information on examination), after sub-paragraph (6) (as inserted by paragraph 1(3) of Schedule 2) insert —

“(7) A person (“P”) who is under 16 may not be required to provide biometric information under sub-paragraph (5) unless—

(a) the decision to require P to provide the information has been confirmed by a senior immigration officer, and

(b) the information is provided in the presence of a person of full age who is—

(i) P’s parent or guardian, or

(ii) a person who for the time being takes responsibility for P.

(8) The person mentioned in sub-paragraph (7)(b)(ii) may not be—

(a) a person who is entitled to require the provision of information under sub-paragraph (5) (an “authorised person”), or

(b) an officer responsible to the States of Guernsey Committee for Home Affairs who is not such a person.

(9) Sub-paragraph (7) does not prevent an authorised person requiring the provision of biometric information by a person the authorised person reasonably believes to be 16 or over.”

(3) In paragraph 18 (power to take biometric information from detained persons), after sub-paragraph (2A) insert —

“(2B) Paragraph 4(7) to (9) applies to sub-paragraph (2) as it applies to paragraph 4(5).”

77 Short title

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Provision as extended to Guernsey

This Act may be cited as the Immigration Act 2014.

SCHEDULE 2

Meaning of Biometric Information

Section 12

Immigration Act 1971 (c 77)

1

(1) Schedule 2 to the Immigration Act 1971 (entry control) is amended as follows.

(2) In paragraph 4(5) —

(a) after “provide” insert “biometric”;

(b) omit from “about his external physical characteristics” to the end.

(3) After paragraph 4(5) insert —

“(6) “Biometric information” has the meaning given by section 15 of the UK Borders Act 2007.”

(4) In paragraph 18(2A), for “fingerprints”, substitute “biometric information (within the meaning given by section 15 of the UK Borders Act 2007)”.
