



Immigration, Asylum and Nationality Act 2006

2006 CHAPTER 13

Employment

22 Offence: bodies corporate, &c.

(1) For the purposes of section 21(1) a body (whether corporate or not) shall be treated as knowing a fact about an employee if a person who has responsibility within the body for an aspect of the employment knows the fact.

[^{F1}(1A) For the purposes of section 21(1A) a body (whether corporate or not) shall be treated as having reasonable cause to believe a fact about an employee if a person who has responsibility within the body for an aspect of the employment has reasonable cause to believe that fact.]

(2) If an offence under section 21(1) [^{F2}or (1A)] is committed by a body corporate with the consent or connivance of an officer of the body, the officer, as well as the body, shall be treated as having committed the offence.

(3) In subsection (2) a reference to an officer of a body includes a reference to—
(a) a director, manager or secretary,
(b) a person purporting to act as a director, manager or secretary, and
(c) if the affairs of the body are managed by its members, a member.

(4) Where an offence under section 21(1) [^{F3}or (1A)] is committed by a partnership (whether or not a limited partnership) subsection (2) above shall have effect, but as if a reference to an officer of the body were a reference to—
(a) a partner, and
(b) a person purporting to act as a partner.

Changes to legislation: Immigration, Asylum and Nationality Act 2006, Section 22 is up to date with all changes known to be in force on or before 31 May 2023. 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

Textual Amendments

- F1** S. 22(1A) inserted (12.7.2016) by [Immigration Act 2016 \(c. 19\)](#), **ss. 35(6)**, 94(1); S.I. 2016/603, reg. 3(f)
- F2** Words in s. 22(2) inserted (12.7.2016) by [Immigration Act 2016 \(c. 19\)](#), **ss. 35(7)**, 94(1); S.I. 2016/603, reg. 3(f)
- F3** Words in s. 22(4) inserted (12.7.2016) by [Immigration Act 2016 \(c. 19\)](#), **ss. 35(7)**, 94(1); S.I. 2016/603, reg. 3(f)
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Commencement Information

- I1** S. 22 in force at 29.2.2008 by [S.I. 2008/310](#), **art. 2(1)(b)** (with art. 5(2))

Changes to legislation:

Immigration, Asylum and Nationality Act 2006, Section 22 is up to date with all changes known to be in force on or before 31 May 2023. 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.

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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. 32(5)(d) and word inserted by [2006 c. 48 s. 14\(3\)](#)
- s. 33(5)(d) and word inserted by [2006 c. 48 s. 14\(3\)](#)
- s. 38(5A) inserted by [2006 c. 48 s. 14\(5\)](#)