

## SCHEDULE 2

Article 6

### Modifications in the Application of the Immigration Act 1971 Act to Designated Persons

1. In section 28C(4)(1) (search and arrest without warrant) for the words “identification showing that he is an immigration officer” there is substituted “documentary evidence showing that he is a designated person”.

2.—(1) In section 28CA(2)(c)(2) (business premises: entry to arrest) for the words “the Secretary of State (in the case of an immigration officer)” there is substituted “the Director General of SOCA (in the case of a designated person)”.

(2) In section 28CA(2)(d) omit the words “or immigration officer” and at the end insert “or the designated person produces documentary evidence showing that he is a designated person”.

(3) In section 28CA(3)(a) for the words from “Secretary” to the end there is substituted “Director General of SOCA only by a Deputy Director of SOCA”.

(4) In section 28CA(4)(a) omit the words “or immigration officer” and after “identification” insert “or a designated person is asked to produce documentary evidence showing that he is a designated person”.

3. In section 28F(8)(3) (entry and search of premises following arrest under section 25, 25A or 25B) for the words “an immigration officer not below the rank of chief immigration officer” there is substituted “a designated person not below grade 4”.

4.—(1) In section 28FA(4)(b)(4) (search for personnel records: warrant unnecessary) omit the words “or immigration officer” and after the word “status” insert “or the designated person produces documentary evidence showing that he is a designated person”.

(2) In section 28FA(6)(a) omit the words “or immigration officer” and after the word “identification” insert “or a designated person is asked to produce documentary evidence showing that he is a designated person”.

5. In section 28K(4)(a)(5) (execution of warrants) for the words “identification showing he is an immigration officer” there is substituted “documentary evidence showing that he is a designated person”.

6. In section 33 (interpretation), after the definition of—

(a) “crew”, insert—

““designated person” means a member of the staff of SOCA designated as having the powers of an immigration officer under section 43(1)(c) of the Serious Organised Crime and Police Act 2005;”;

(b) “ship”, insert—

““SOCA” means the Serious Organised Crime Agency established under section 1 of, and Schedule 1 to, the Serious Organised Crime and Police Act 2005;”.

7. In paragraph 1(5) of Schedule 2 omit the words “for the purpose of satisfying himself whether there are persons he may wish to examine under paragraph 2 below” and at the end insert “for the purpose of ascertaining whether there is any person who may be required to submit to examination under paragraph 2 below”.

(1) Section 28C was inserted by section 130 of the Immigration and Asylum Act 1999.

(2) Section 28CA was inserted by section 153(1) of the Nationality, Immigration and Asylum Act 2002 (c. 41).

(3) Section 28F was inserted by section 133 of the Immigration and Asylum Act 1999.

(4) Section 28FA was inserted by section 154 of the Nationality, Immigration and Asylum Act 2002.

(5) Section 28K was inserted by section 138 of the Immigration and Asylum Act 1999.

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

**8.** In—

- (a) paragraph 22(1A)(**6**),
- (b) paragraph 25A(10)(**7**), and
- (c) paragraph 27C(8)(**8**),

of Schedule 2, for the words “an immigration officer not below the rank of chief immigration officer” there is substituted “a designated person not below grade 4”.

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(6) Paragraph 22(1A) was inserted by section 12(1) of, and paragraph 11(1) of Schedule 2 to, the Asylum and Immigration Act 1996 (c. 49).

(7) Paragraph 25A was inserted by section 132(2) of the Immigration and Asylum Act 1999.

(8) Paragraph 27C was inserted by section 19 of the Immigration and Asylum Act 1999.