

SCHEDULE 1

Article 2

Exceptions and modifications of sections 31, 32, 34 and 39 of the Immigration, Asylum and Nationality Act 2006 as they extend to Jersey

<i>Provision</i>	<i>Exceptions and Modifications</i>
Section 31 (provision of information to immigration officers)(1) (amending paragraphs 27 and 27B of Schedule 2 to and section 27 of the 1971 Act)	<ul style="list-style-type: none"> (a) for “United Kingdom” in each place it occurs, substitute “Bailiwick of Jersey”; (b) in subsection (2)— <ul style="list-style-type: none"> (i) in the substituted subparagraph (2), for “Secretary of State may by order require” substitute “Lieutenant-Governor may by directions require”; (ii) in the substituted subparagraphs (3) and (5), for “An order” substitute “Directions”; (iii) at the end of the substituted subparagraph (5)(b), insert “and”; (iv) for the substituted subparagraph 5(c), substitute “may require information to be provided to the immigration officer or as the immigration officer directs.”; and (v) omit the substituted subparagraph (5)(d); and (c) in subsection (3), in the inserted subparagraph (9A) after the word “specified” insert “by the Lieutenant-Governor”.
Section 32 (passenger and crew information: police powers)	<ul style="list-style-type: none"> (a) for “United Kingdom”, in each place it occurs, substitute “Bailiwick of Jersey”; (b) in subsection (2), for “constable of the rank of superintendent or above” substitute “police officer of the rank of chief inspector or above”; (c) for subsection (4), substitute— <p>“(4) A police officer may impose a requirement under subsection (2) only if he thinks it necessary for police purposes.”;</p> (d) in subsection (5)(a), for “by order of the Secretary of State” substitute “by Order of the Minister for Home Affairs”; (e) for subsection 5(b), substitute— <ul style="list-style-type: none"> “(b) “police purposes” means any of the following— <ul style="list-style-type: none"> (i) the prevention, detection, investigation or prosecution of criminal offences; (ii) safeguarding national security;

(1) Section 31 amends paragraphs 27 and 27B of Schedule 2 to the Immigration Act 1971 (c. 77). Paragraph 27 was extended to Jersey, with exceptions and modifications, by the Immigration (Jersey) Order 1993 (S.I. 1993/1797). Paragraph 27B was extended to Jersey, with exceptions and modifications, by the Immigration and Asylum Act 1999 (Jersey) Order 2003 (S.I. 2003/1252).

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	<ul style="list-style-type: none"> (iii) such other purposes as may be specified by Order of the Minister for Home Affairs;”;
	<ul style="list-style-type: none"> (f) for subsection (5)(c), substitute— <ul style="list-style-type: none"> “(c) “police officer” means a member of the States of Jersey Police Force, and (d) “ship” includes— <ul style="list-style-type: none"> (i) every description of vessel used in navigation, and (ii) hovercraft.”;
	<ul style="list-style-type: none"> (g) in subsection (7)— <ul style="list-style-type: none"> (i) for “The Secretary of State may make an order” substitute “The Minister for Home Affairs may make an Order”; and (ii) for “(within the meaning of the Human Rights Act 1998 (c 42))” substitute “(within the meaning of the Human Rights (Jersey) Law 2000)”; (h) in subsection (8)— <ul style="list-style-type: none"> (i) for “order” substitute “Order”; (ii) at the end of subsection 8(b), insert “and”; (iii) at the end of subsection 8(c), for “,” substitute “.”; and (iv) omit subsections (8)(d) and (e); and (i) after subsection (8), insert— <p>“(9) The Subordinate Legislation (Jersey) Law 1960 shall apply to Orders under subsection (5).”</p>
Section 34 (Offence)	<ul style="list-style-type: none"> (a) in subsection (1), “omit or 33(2)”; (b) omit subsection (2); (c) in subsection (3), omit “on summary conviction”; (d) in subsection (3)(a), for “not exceeding 51 weeks in England and Wales or 6 months in Scotland or Northern Ireland” substitute “not exceeding 6 months”; and (e) for subsection (4) substitute— <p>“(4) In subsection (3) the reference to the standard scale means the standard scale for the time being in the Schedule to the Criminal Justice (Standard Scale of Fines)(Jersey) Law 1993.”</p>
Section 39 (Disclosure to law enforcement agencies)	<ul style="list-style-type: none"> (a) in subsection (1)— <ul style="list-style-type: none"> (i) for “A chief officer of police” substitute “The Chief Officer of the States of Jersey Police Force”; and (ii) omit “or 33”; and (iii) for paragraph (a), substitute— <p>“(a) a police force in the United Kingdom;”;</p>

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	(b) in subsection (2), for “the United Kingdom”, in each place it occurs, substitute “the British Islands”; and
	(c) omit subsection (3).