

Status: Point in time view as at 01/10/1996. This version of this provision has been superseded.

Changes to legislation: Immigration Act 1971, Paragraph 17 is up to date with all changes known to be in force on or before 18 July 2024. 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)

SCHEDULES

SCHEDULE 2

ADMINISTRATIVE PROVISIONS AS TO CONTROL ON ENTRY ETC.

Modifications etc. (not altering text)

- C1** Sch. 2 modified (10.6.1991) by [Criminal Justice \(International Co-operation\) Act 1990 \(c. 5, SIF 39:1\), s. 6\(6\)\(b\)](#); S.I. 1991/1072, art. 2, [Sch. Pt. I](#)
- C1** Sch. 2 modified (2.8.1993) by S.I. 1993/1813, arts. 7(1), 1, [Sch. 4 para. 1\(11\)](#) (as amended: (1.12.1997) by S.I. 1994/1405, art. 8, [Sch. 4 para. 11](#); (30.7.2000) by S.I. 2000/1775, arts. 1, [2\(2\)](#); (25.5.2001) by S.I. 2001/1544, arts. 1(2), [6\(3\)](#) (as itself amended (2.1.2008) by S.I. 2007/3579, [art. 2\(2\)\(3\)](#)); (5.8.2014) by S.I. 2014/1814, arts. 1, [2\(3\)\(4\)](#); and (30.9.2020) by S.I. 2020/915, arts. 1(2), [5\(5\)](#))
Sch. 2 extended (with modifications): (Guernsey) (1.8.1993) by S.I. 1993/1796, art. 3(1), [Sch. 1 Pt. 1](#); (Jersey) (1.8.1993) by S.I. 1993/1797, art. 3(1), [Sch. 1 Pt. 1](#) (as amended (17.10.2012) by S.I. 2012/2593, arts. 1, [2\(2\)](#))
Sch. 2 applied (20.7.1994) by S.I. 1994/1895, [art. 20\(2\)](#)
Sch. 2 amended (2.10.2000) by 1999 c. 33, s. 66; S.I. 2000/2444, art. 2, [Sch. 1](#) (subject to transitional provisions in [art. 3](#), [Sch. 2 para. 2](#))
Sch. 2 extended (10.2.2003) (with modifications) by 2002 c. 41, s. 62(3) (with s. 159); S.I. 2003/1, [art. 2](#), [Sch. 2](#), [Sch. 2](#)
Sch. 2 amended (1.4.2003) by 2002 c. 41, s. 68 (with s. 159); S.I. 2003/754, art. 2, [Sch. 1](#) (with transitional provisions in [arts. 3, 4](#), [Sch. 2](#)) (as amended by S.I. 2003/1040 and S.I. 2003/1339)
- C1** Sch. 2 applied by [The Immigration \(European Economic Area\) Regulations 2006 \(S.I. 2006/1003\)](#), reg. 24(4) (as substituted (1.6.2009) by [The Immigration \(European Economic Area\) \(Amendment\) Regulations 2009 \(S.I. 2009/1117\)](#), reg. 2, [Sch. 1 para. 10\(c\)](#))

PART I

GENERAL PROVISIONS

Modifications etc. (not altering text)

- C1** Sch. 2 Pt. I applied (with modifications) (2.10.2000) by 1999 c. 33, s. 58(3), [Sch. 4 Pt. II para. 12](#); S.I. 2000/2444, art. 2, [Sch. 1](#) (subject to transitional provisions in [art. 3](#), [Sch. 2 para. 2](#))
Sch. 2 Pt. I amended (2.10.2000) by 1999 c. 33, s. 58(3), [Sch. 4 Pt. II para. 15](#); S.I. 2000/2444, art. 2, [Sch. 1](#) (subject to transitional provisions in [art. 3](#), [Sch. 2 para. 2](#))
Sch. 2 Pt. I applied (with modifications) (2.10.2000 with application as mentioned in regs. 9, 28) by S.I. 2000/2326, reg. 32(3)(7) (as substituted (1.4.2003) for reg. 34(3)(10) by S.I. 2003/549, [reg. 2\(8\)](#) (with reg. 3))

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Detention of persons liable to examination or removal

- 17 (1) A person liable to be detained under paragraph 16 above may be arrested without warrant by a constable or by an immigration officer.
- (2) If—
- (a) a justice of the peace is by written information on oath satisfied that there is reasonable ground for suspecting that a person liable to be arrested under this paragraph is to be found on any premises; or
- (b) in Scotland, a sheriff, or a ^{F1} . . . justice of the peace, having jurisdiction in the place where the premises are situated is by evidence on oath so satisfied;
- he may grant a warrant authorising any constable [^{F2}[^{F3}acting for the police area in which the premises are situated,]] or in Northern Ireland any constable, [^{F3}at any time or times within one month from the date of the warrant] to enter, if need be by force, the premises named in the warrant for the purpose of searching for and arresting that person.

Textual Amendments

- F1** Words in Sch. 2 para. 17(2)(b) repealed (1.10.1996) by 1996 c. 49, s. 12(1)(3), Sch. 2 para. 7, **Sch.4**; S.I. 1996/2053, art. 2, **Sch. Pt.III**
- F2** Words repealed by S.I. 1989/1341 (N.I. 12), art. 90(2)(3), **Sch. 7 Pt. I**
- F3** Words repealed (E.W.) by Police and Criminal Evidence Act 1984 (c. 60, SIF 95), s. 119, **Sch. 7 Pt. I**

Modifications etc. (not altering text)

- C1** Sch. 2 para. 17(1) amended (2.8.1993) by S.I. 1993/1813, arts. 6, 1, **Sch. 3 Pt. 1 para. 2(2)(a)**; Sch. 2 para. 17(1) amended by the said S.I. 1993/1813, arts. 6, 7, Sch. 3 para. 2, **Sch. 4** as incorporated (with modifications) (1.12.1997) by S.I. 1994/1405, arts. 6, 8, Sch. 3 para. 3, **Sch. 4 para. 11** Table

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