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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.](#)
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\(c\)](#))
- C1** Sch. 2 applied in part (with modifications) by S.I. 2006/1003, reg. 29AA(6)(7) (as inserted (28.7.2014) by [The Immigration \(European Economic Area\) \(Amendment\) \(No. 2\) Regulations 2014 \(S.I. 2014/1976\), reg. 1, Sch. para. 8](#) (with reg. 4))
- C1** Sch. 2 applied (1.2.2017 for specified purposes) by [The Immigration \(European Economic Area\) Regulations 2016 \(S.I. 2016/1052\), regs. 1\(2\)\(b\), 40\(7\), 41\(7\)](#)

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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- C5** Sch. 2 Pt. I applied (1.2.2017 for specified purposes) by [The Immigration \(European Economic Area\) Regulations 2016 \(S.I. 2016/1052\)](#), regs. 1(2)(b), **40(4)**

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 [^{F2}authorising any immigration officer or constable to enter], [^{F3}if need be by reasonable force], the premises named in the warrant for the purpose of searching for and arresting that person.
- [^{F4}(3) Sub-paragraph (4) applies where an immigration officer or constable—
- (a) enters premises in reliance on a warrant under sub-paragraph (2), and
- (b) detains a person on the premises.
- (4) A detainee custody officer may enter the premises, if need be by reasonable force, for the purpose of carrying out a search.
- (5) In sub-paragraph (4)—
- “detainee custody officer” means a person in respect of whom a certificate of authorisation is in force under section 154 of the Immigration and Asylum Act 1999 (c. 33) (detained persons: escort and custody), and
- “search” means a search under paragraph 2(1)(a) of Schedule 13 to that Act (escort arrangements: power to search detained 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 in Sch. 2 para. 17(2) substituted (11.11.1999) by [1999 c. 33, ss. 140\(2\), 170\(3\)](#) (which amending provision is extended (with modifications) to Jersey (5.6.2003) by [S.I. 2003/1252, art. 2](#), [Sch.](#))
- F3** Words in Sch. 2 para. 17(2) substituted (10.2.2003) by [2002 c. 41, s. 63](#) (with s. 159); [S.I. 2003/1, art. 2](#), [Sch. 2](#), [Sch.](#)
- F4** Sch. 2 para. 17(3)-(5) inserted (10.2.2003) by [2002 c. 41, s. 64](#) (with s. 159); [S.I. 2003/1, art. 2](#), [Sch.](#)

Modifications etc. (not altering text)

- C1** Sch. 2 para. 17 applied (2.10.2000) by [1999 c. 33, ss. 9\(4\), 10\(7\)](#); [S.I. 2000/2444, art. 2](#), [Sch. 1](#) (subject to transitional provisions in [art. 3](#), [Sch. 2 para. 2](#)) (which amending provision is extended (with modifications) to Jersey (5.6.2003) by [S.I. 2003/1252, art. 2](#), [Sch.](#))
- C2** Sch. 2 paras. 2-4, 7, 16-18, 21-24 applied (with modifications) (2.10.2000) by [S.I. 2000/2326, reg. 24\(2\)](#) (with [regs. 9, 28](#))
- Sch. 2 para. 17 applied (2.10.2000) by [S.I. 2000/2326, reg. 25\(3\)\(a\)](#) (with [regs. 9, 28](#))
- C3** Sch. 2 para. 17 applied by [The Immigration \(European Economic Area\) Regulations 2006 \(S.I. 2006/1003\)](#), [reg. 24\(1\)](#) (as substituted (1.6.2009) by [The Immigration \(European Economic Area\) \(Amendment\) Regulations 2009 \(S.I. 2009/1117\)](#), [reg. 2](#), [Sch. 1 para. 10\(a\)](#))

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- C4** Sch. 2 para. 17 applied by 1999 c. 33, s. 10(9)(c) (as substituted (20.10.2014) by Immigration Act 2014 (c. 22), ss. 1, 75(3); S.I. 2014/2771, art. 2(a) (with arts. 9-11) (as amended (2.3.2015 and 6.4.2015) by S.I. 2015/371, arts. 1(2)(3), 7, 8; and with transitional provisions and savings in S.I. 2014/2928, art. 2 (which S.I. is revoked (6.4.2015) by S.I. 2015/371, arts. 1(3), 9)))
- C6** Sch. 2 para. 17 applied (1.2.2017 for specified purposes) by The Immigration (European Economic Area) Regulations 2016 (S.I. 2016/1052), regs. 1(2)(b), 32(1), 40(7), 41(7)
- C7** Sch. 2 paras. 16-18A applied (with modifications) (31.1.2020) by The Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020 (S.I. 2020/61), reg. 1(2), Sch. 3 para. 2(1)(a)(2)
- C8** 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 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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