

Status: Point in time view as at 01/02/2017.

Changes to legislation: Immigration Act 1971, Cross Heading: Search for nationality documents is up to date with all changes known to be in force on or before 23 August 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

[^{F1}SCHEDULE 4A

ENFORCEMENT POWERS IN RELATION TO SHIPS

Textual Amendments

- F1** Sch. 4A inserted (31.5.2016) by Immigration Act 2016 (c. 19), s. 94(1), Sch. 14 para. 8; S.I. 2016/603, reg. 2(d)

PART 1

ENGLAND AND WALES

Search for nationality documents

- 6 (1) A relevant officer may require a person found on the ship to produce a nationality document.
- (2) The relevant officer may search a person found on the ship where the officer has reasonable grounds to believe that a nationality document is concealed on the person.
- (3) The power conferred by sub-paragraph (2) may be exercised—
- (a) only if the officer has reasonable grounds to believe that a nationality document is concealed on the person; and
 - (b) only to the extent that it is reasonably required for the purpose of discovering any such document.
- (4) Subject as follows, the officer may seize and retain a nationality document for as long as the officer believes the person to whom it relates will arrive in the United Kingdom by virtue of the exercise of the power in paragraph 2.
- (5) The power to retain a nationality document in sub-paragraph (4) does not affect any other power of an immigration officer to retain a document.
- (6) Where the nationality document has been seized and retained by a relevant officer who is not an immigration officer, the document must be passed to an immigration officer as soon as is practicable after the ship has arrived in the United Kingdom.
- (7) The power conferred by this paragraph to search a person does not authorise a relevant officer to—
- (a) require the person to remove any clothing in public other than an outer coat, jacket or gloves, or
 - (b) seize and retain any document the officer has reasonable grounds to believe to be an item subject to legal privilege.

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- (8) In this paragraph a “nationality document”, in relation to a person, means any document which might—
- (a) establish the person's identity, nationality or citizenship, or
 - (b) indicate the place from which the person has travelled to the United Kingdom or to which the person is proposing to go.
- (9) A power conferred by this paragraph may be exercised on the ship or elsewhere.]

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