



Immigration Act 1971

1971 CHAPTER 77

PART III

CRIMINAL PROCEEDINGS

27 Offences by persons connected with ships or aircraft or with ports.

[^{F1}(1)] A person shall be guilty of an offence punishable on summary conviction with a fine of not more than [^{F2}[^{F3}level 5] on the standard scale] or with imprisonment for not more than six months, or with both, in any of the following cases—

- (a) if, being the captain of a ship or aircraft,—
 - (i) he knowingly permits a person to disembark in the United Kingdom when required under Schedule 2 or 3 to this Act to prevent it, or fails without reasonable excuse to take any steps he is required by or under Schedule 2 to take in connection with the disembarkation or examination of passengers or for furnishing a passenger list or particulars of members of the crew; or
 - (ii) he fails, without reasonable excuse, to comply with any directions given him under Schedule 2 or 3 [^{F4}or under the Immigration and Asylum Act 1999] with respect to the removal of a person from the United Kingdom;
- (b) if, as owner or agent of a ship or aircraft,—
 - (i) he arranges, or is knowingly concerned in any arrangements, for the ship or aircraft to call at a port other than a port of entry contrary to any provision of Schedule 2 to this Act; or
 - (ii) he fails, without reasonable excuse, to take any steps required by an order under Schedule 2 for the supply to passengers of landing or embarkation cards; or
 - (iii) he fails, without reasonable excuse, to make arrangements for [^{F5}or in connection with] the removal of a person from the United Kingdom when required to do so by directions given under Schedule 2 or 3 to this Act; [^{F6}or under the Immigration and Asylum Act 1999; or

Status: Point in time view as at 12/02/2015. This version of this provision has been superseded.

Changes to legislation: Immigration Act 1971, Section 27 is up to date with all changes known to be in force on or before 12 June 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)

- [he fails, without reasonable excuse, to comply with a direction under ^{F7}(iia) paragraph 5B of Schedule 2; or]
- (iv) he fails, without reasonable excuse, to comply with [^{F8}^{F9}any other requirement] imposed by or under Schedule 2] ;]
- (c) if, ^{F10} . . . as a person concerned in the management of a port, he fails, without reasonable excuse, to take any steps required by Schedule 2 in relation to the embarkation or disembarkation of passengers where a control area is designated.
- [^{F11}(ca) if as a person concerned in the management of a port he fails, without reasonable excuse, to comply with a direction under paragraph 5B of Schedule 2.]
- [^{F12}(d)]
- [^{F13}(2) Proceedings may not be instituted against a person under subsection (1)(a)(i) or (1)(b)(iv) for a failure to provide information or otherwise to comply with a requirement imposed under paragraph 27, 27B or 27BA of Schedule 2 where—
- (a) the person has paid a penalty in respect of the same failure, or a failure to provide the same information, by virtue of regulations made under—
- (i) paragraph 27BB of Schedule 2,
- (ii) section 32B of the Immigration, Asylum and Nationality Act 2006, or
- (iii) section 24 of the Counter-Terrorism and Security Act 2015 (penalty for breach of authority-to-carry scheme); or
- (b) proceedings have been instituted against the person under section 34 of the Immigration, Asylum and Nationality Act 2006 in respect of a failure to provide the same information.]

Textual Amendments

- F1** S. 27(1): s. 27 renumbered as s. 27(1) (12.2.2015) by Counter-Terrorism and Security Act 2015 (c. 6), s. 52(5), **Sch. 5 para. 2(a)**
- F2** Words substituted: (E.W.) (11.4.1983) by virtue of (E.W.) Criminal Justice Act 1982 (c. 48), **ss. 38, 46**; (S.) (11.4.1983) by virtue of Criminal Procedure (Scotland) Act 1975 (c. 21), **ss. 289F, 289G** (as inserted by Criminal Justice Act 1982 (c. 48), **s. 54**); (N.I.) (19.7.1984) by virtue of S.I. 1984/703 (N.I. 3), **arts. 5, 6**
- F3** Words in s. 27 substituted (1.10.1996) by 1996 c. 49, **s. 6**; S.I. 1996/2053, **art. 2, Sch. Pt. III**
- F4** Words in s. 27(a)(ii) inserted (2.10.2000) by 1999 c. 33, s. 169(1), **Sch. 14 paras. 43, 52(1)(2)**; 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.**)
- F5** Words in s. 27(b)(iii) inserted (1.3.2000) by 1999 c. 33, s. 169(1), **Sch. 14 paras. 43, 52(1)(3)(a)**; S.I. 2000/464, **art. 2, Sch.** (which amending provision is extended (with modifications) to Jersey (5.6.2003) by S.I. 2003/1252, **art. 2, Sch.**)
- F6** S. 27(b)(iv) and preceding words inserted (3.4.2000) by 1999 c. 33, s. 169(1), **Sch. 14 paras. 43, 52(1)(3)(b)**; S.I. 2000/464, **art. 2, Sch.** (which amending provision is extended (with modifications) to Jersey (5.6.2003) by S.I. 2003/1252, **art. 2, Sch.**)
- F7** S. 27(b)(iia) inserted (28.7.2014) by Immigration Act 2014 (c. 22), s. 75(3), **Sch. 8 para. 7(2)(a)**; S.I. 2014/1820, **art. 3(bb)**
- F8** Words in s. 27(b)(iv) substituted (1.3.2008) by Immigration, Asylum and Nationality Act 2006 (c. 13), **ss. 31(4)(a), 62**; S.I. 2007/3138, **art. 3(b)** (as amended by S.I. 2007/3580, **art. 2**)
- F9** Words in s. 27(b)(iv) substituted (28.7.2014) by Immigration Act 2014 (c. 22), s. 75(3), **Sch. 8 para. 7(2)(b)**; S.I. 2014/1820, **art. 3(bb)**

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- F10** Words in s. 27(c) repealed (1.3.2008) by Immigration, Asylum and Nationality Act 2006 (c. 13), **ss. 31(4)(b), 61, 62, Sch. 3**; S.I. 2007/3138, **art. 3(b)(c)** (as amended by S.I. 2007/3580, **art. 2**)
- F11** S. 27(ca) inserted (28.7.2014) by Immigration Act 2014 (c. 22), s. 75(3), **Sch. 8 para. 7(3)**; S.I. 2014/1820, **art. 3(bb)**
- F12** S. 27(d) repealed (2.8.1993) by S.I. 1993/1813, arts. 9, 1, **Sch. 6 Pt. I**
- F13** S. 27(2) inserted (12.2.2015) by Counter-Terrorism and Security Act 2015 (c. 6), s. 52(5), **Sch. 5 para. 2(b)**

Modifications etc. (not altering text)

- C1** S. 27 modified (2.8.1993) by S.I. 1993/1813, arts. 7(1), 1, **Sch. 4 para 1(9)**(as amended (1.12.1997) by S.I. 1994/1405, **art. 8, Sch. 4 para. 11** Table; and as further amended (5.8.2014) by S.I. 2014/1814, arts. 1, **2(2)**)
- C2** S. 27: amendment to earlier affecting provision S.I. 1993/1813, Sch. 4 para. 1(9) (5.8.2014) by The Channel Tunnel (International Arrangements) (Amendment) Order 2014 (S.I. 2014/1814), arts. 1, **2(2)**

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