

Status: Point in time view as at 08/12/2002.

Changes to legislation: Nationality, Immigration and Asylum Act 2002, Paragraph 9 is up to date with all changes known to be in force on or before 04 September 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 8

CARRIERS' LIABILITY

- 9 (1) Section 36 (detention of vehicle) shall be amended as follows.
- (2) In subsection (1)—
- (a) for “given” substitute “ issued ”,
 - (b) after paragraph (b) omit “or”, and
 - (c) after paragraph (c) insert “or
 - (d) rail freight wagon.”.
- (3) After subsection (2) insert—
- “(2A) A vehicle may be detained under subsection (1) only if—
- (a) the driver of the vehicle is an employee of its owner or hirer,
 - (b) the driver of the vehicle is its owner or hirer, or
 - (c) a penalty notice is issued to the owner or hirer of the vehicle.
- (2B) A senior officer may detain a relevant vehicle, small ship, small aircraft or rail freight wagon pending—
- (a) a decision whether to issue a penalty notice,
 - (b) the issue of a penalty notice, or
 - (c) a decision whether to detain under subsection (1).
- (2C) That power may not be exercised in any case—
- (a) for longer than is necessary in the circumstances of the case, or
 - (b) after the expiry of the period of 24 hours beginning with the conclusion of the first search of the vehicle, ship, aircraft or wagon by an immigration officer after it arrived in the United Kingdom.”

Commencement Information

- II** Sch. 8 para. 9 partly in force; Sch. 8 para. 9 not in force at Royal Assent see s. 162(2); Sch. 8 para. 9 in force at 8.12.2002 for certain purposes by S.I. 2002/2811, art. 2, Sch.

Status:

Point in time view as at 08/12/2002.

Changes to legislation:

Nationality, Immigration and Asylum Act 2002, Paragraph 9 is up to date with all changes known to be in force on or before 04 September 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.