



UK Borders Act 2007

2007 CHAPTER 30

Enforcement

24 Seizure of cash

- (1) Chapter 3 of Part 5 of the Proceeds of Crime Act 2002 (c. 29) (recovery of cash) shall apply in relation to an immigration officer as it applies in relation to a constable.
- (2) For that purpose—
 - [^{F1}(a) unlawful conduct”, in or in relation to section 289, means conduct which—
 - (i) relates to the entitlement of one or more persons who are not nationals of the United Kingdom to enter, transit across, or be in, the United Kingdom (including conduct which relates to conditions or other controls on any such entitlement), or
 - (ii) is undertaken for the purposes of, or otherwise in relation to, a relevant nationality enactment,and (in either case) constitutes an offence,]
 - (c) “senior officer” in [^{F2}sections 290 and 297A] means an official of the Secretary of State who is a civil servant [^{F3}at or above the grade which is designated by the Secretary of State as being equivalent to the rank of police inspector],
 - (d) in section 292 the words “(in relation to England and Wales ^{F4}...)” shall be disregarded,
 - (e) [^{F5}sections 293 and 293A] shall not apply,
 - (f) an application for an order under section 295(2) must be made—
 - (i) in relation to England and Wales or Northern Ireland, by an immigration officer, and
 - (ii) in relation to Scotland, by the Scottish Ministers in connection with their functions under section 298 or by a procurator fiscal,
 - (g) an application for forfeiture under section 298 must be made—
 - (i) in relation to England and Wales or Northern Ireland, by an immigration officer, and
 - (ii) in relation to Scotland, by the Scottish Ministers, and

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Changes to legislation: There are currently no known outstanding effects for the UK Borders Act 2007, Section 24. (See end of Document for details)

(h) any compensation under section 302 shall be paid by the Secretary of State.

[^{F6}(2A) In subsection (2)(a)(ii) “ relevant nationality enactment ” means any enactment in—

- (a) the British Nationality Act 1981,
- (b) the Hong Kong Act 1985,
- (c) the Hong Kong (War Wives and Widows) Act 1996,
- (d) the British Nationality (Hong Kong) Act 1997,
- (e) the British Overseas Territories Act 2002, or
- (f) an instrument made under any of those Acts.]

(3) The Secretary of State may by order amend subsection (2)(c) to reflect a change in nomenclature; and an order—

- (a) shall be made by statutory instrument, and
- (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** S. 24(2)(a) substituted for s. 24(2)(a)(b) (25.6.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), **ss. 55(6)(a)**, 61(2) (with [Sch. 21 para. 40](#)); S.I. 2013/1042, art. 4(g)
- F2** Words in s. 24(2)(c) substituted (1.6.2015) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), **Sch. 7 para. 113**; S.I. 2015/983, arts. 2(2)(e), 3(hh)
- F3** Words in s. 24(2)(c) substituted (25.6.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), **Sch. 21 para. 39** (with [Sch. 21 para. 40](#)); S.I. 2013/1042, art. 4(l)
- F4** Words in s. 24(2)(d) omitted (18.10.2012) by virtue of [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2012 \(S.I. 2012/2595\)](#), arts. 1(2), **16(2)** (with arts. 24-28)
- F5** Words in s. 24(2)(e) substituted (18.10.2012) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2012 \(S.I. 2012/2595\)](#), arts. 1(2), **16(3)** (with arts. 24-28)
- F6** S. 24(2A) inserted (25.6.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), **ss. 55(6)(b)**, 61(2) (with [Sch. 21 para. 40](#)); S.I. 2013/1042, art. 4(g)

Commencement Information

- I1** S. 24 in force at 1.4.2010 by [S.I. 2010/606](#), **art. 2**

Status:

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Changes to legislation:

There are currently no known outstanding effects for the UK Borders Act 2007, Section 24.