



UK Borders Act 2007

2007 CHAPTER 30

Information

[^{F1}46C Offence of failing to produce nationality document

- (1) A person commits an offence if, without reasonable excuse, the person fails to comply with a notice given in accordance with section 46A.
- (2) The fact that a person deliberately destroyed or disposed of a nationality document is not a reasonable excuse for the purposes of subsection (1) unless the destruction or disposal was—
 - (a) for a reasonable cause, or
 - (b) beyond the control of the person charged with the offence.
- (3) In subsection (2)(a) “reasonable cause” does not include the purpose of—
 - (a) delaying the handling or resolution of a claim or application or the taking of a decision,
 - (b) increasing the chances of success of a claim or application, or
 - (c) complying with instructions given by a person who offers advice about, or facilitates, immigration into the United Kingdom, unless in the circumstances of the case it is unreasonable to expect non-compliance with the instructions or advice.
- (4) A person who is guilty of an offence under subsection (1) is liable—
 - (a) on summary conviction in England and Wales, to either or both of the following—
 - (i) imprisonment for a term not exceeding 51 weeks (or 6 months if the offence was committed before the commencement of section 281(5) of the Criminal Justice Act 2003);
 - (ii) a fine;
 - (b) on summary conviction in Scotland, to either or both of the following—
 - (i) imprisonment for a term not exceeding 12 months;
 - (ii) a fine not exceeding level 5 on the standard scale;

Changes to legislation: There are currently no known outstanding effects for the UK Borders Act 2007, Section 46C. (See end of Document for details)

- (c) on summary conviction in Northern Ireland, to either or both of the following—
- (i) imprisonment for a term not exceeding 6 months;
 - (ii) a fine not exceeding level 5 on the standard scale.]

Textual Amendments

F1 Ss. 46A-46C inserted (31.1.2017 for specified purposes) by [Policing and Crime Act 2017 \(c. 3\)](#), ss. **160**, 183(1)(5)(e)

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