

# **POLICING AND CRIME ACT 2009**

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## **EXPLANATORY NOTES**

### **TERRITORIAL EXTENT AND APPLICATION**

#### **Part 8 – Miscellaneous** **Chapter 2 – Other**

#### **Border controls**

#### ***Section 101 Prohibition on importation or exportation of false identity documents etc***

557. **Section 101** prohibits the importation and exportation of false identity documents.
558. Subsection (1) creates a prohibition on the importation and exportation of false identity documents. A prohibition on importation or exportation engages the existing powers in CEMA. This means that where the prohibited items are discovered they are liable to forfeiture under section 49 CEMA and can be seized under section 139 of that Act. Improper importation of a prohibited item is an offence under section 50 of CEMA and evading the prohibition is an offence under section 170 of that Act.
559. Subsection (2) sets out which documents are caught by the prohibition.
560. Subsection (3) defines “document”, “false” and “identity document”. It relies on definitions in the Identity Cards Act 2006 and the Forgery and Counterfeiting Act 1981.