



Immigration Act 2016

2016 CHAPTER 19

PART 3

ENFORCEMENT

Powers of immigration officers etc

56 Detention etc. by immigration officers in Scotland

- (1) The Criminal Law (Consolidation) (Scotland) Act 1995 is amended as follows.
- (2) In section 24A (extension of period of detention under section 24) for subsection (7) substitute—
 - “(7) In this section and section 24B, “custody review officer” means—
 - (a) an officer who—
 - (i) is of a rank at least equivalent to that of police inspector, and
 - (ii) has not been involved in the investigation in connection with which the person is detained, or
 - (b) in relation to the detention of a person under section 24 by an immigration officer, a constable—
 - (i) of the rank of inspector or above, and
 - (ii) who has not been involved in the investigation in connection with which the person is detained.”
- (3) In section 26A(2) (power of arrest of authorised immigration officers) omit “or immigration enforcement offence”.
- (4) Section 26B(1) (interpretation of Part 3) is amended as follows.
- (5) In the definition of “immigration offence”—
 - (a) after “means” insert “ — (a) ”, and
 - (b) at the end of paragraph (a) insert “, or

Status: Point in time view as at 01/11/2016. This version of this provision has been superseded.

Changes to legislation: Immigration Act 2016, Section 56 is up to date with all changes known to be in force on or before 02 July 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)

- (b) (insofar as it is not an offence within paragraph (a)) an offence under the Immigration Acts or in relation to which a power of arrest is conferred on an immigration officer by the Immigration Acts;”.

(6) Omit the definition of “immigration enforcement offence”.

Commencement Information

II S. 56 in force at 12.7.2016 by [S.I. 2016/603, reg. 3\(i\)](#)

Status:

Point in time view as at 01/11/2016. This version of this provision has been superseded.

Changes to legislation:

Immigration Act 2016, Section 56 is up to date with all changes known to be in force on or before 02 July 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.