

## SCHEDULE 2

Article 7

### Modifications in the application of the Immigration Act 1971 to designated persons

1. In section 28C(4)(1)(search and arrest without warrant) for “identification showing that he is an immigration officer” substitute “documentary evidence showing that he is a designated person”.
2. In section 28CA(2) (business premises: entry to arrest)—
  - (a) in subsection (2)—
    - (i) in paragraph (c) for “Secretary of State (in the case of an immigration officer)” substitute “Director General of the NCA (in the case of a designated person)”;
    - (ii) in paragraph (d) omit “or immigration officer” and at the end insert “or the designated person produces documentary evidence showing his status”;
  - (b) in subsection (3)(a) from “Secretary” to the end substitute “Director General of the NCA only by a designated person of at least grade 3, and ”;
  - (c) in subsection (4)(a) omit “or immigration officer” and after “identification” insert “or the designated person is asked to produce documentary evidence showing that he is a designated person”.
3. In section 28F(8)(3)(entry and search of premises following arrest under section 25, 25A or 25B) for “an immigration officer not below the rank of chief immigration officer” substitute “a designated person not below grade 4”.
4. In section 28FA(4) (search for personnel records: warrants unnecessary)—
  - (a) in subsection (4)(b) omit “or immigration officer” and after “status” insert “or designated person produces documentary evidence showing that he is a designated person”;
  - (b) in subsection (6)(a) omit “or immigration officer” and after “identification” insert “or a designated person is asked to produce documentary evidence showing that he is a designated person”.
5. In section 28K(4)(a)(5) (execution of warrants) for “identification showing that he is an immigration officer” substitute “documentary evidence showing that he is a designated person”.
6. In section 33 (interpretation) after the definition of—
  - (a) “crew” insert—

““designated person” means a NCA officer designated as a person having the powers of an immigration officer under section 9(2)(c) or 10(1)(c) of the Crime and Courts Act 2013;”;
  - (b) “limited leave” and “indefinite leave” insert—

““NCA” means the National Crime Agency formed under section 1 of the Crime and Courts Act 2013;”.
7. In Schedule 2 (administrative provisions as to control on entry etc)—
  - (a) in paragraph 1(5) omit “for the purpose of satisfying himself whether there are persons he may wish to examine under paragraph 2 below” and at the end insert “for the purpose of ascertaining whether there is any person who may be required to submit to examination under paragraph 2 below”;

(1) Section 28C was inserted by section 130 of the Immigration and Asylum Act 1999 (c.33).

(2) Section 28CA was inserted by section 153(1) of the Nationality, Immigration and Asylum Act 2002 (c.41).

(3) Section 28F was inserted by section 133 of the Immigration and Asylum Act 1999 (c.33).

(4) Section 28FA was inserted by section 154 of the Nationality, Immigration and Asylum Act 2002 (c.41).

(5) Section 28K was inserted by section 138 of the Immigration and Asylum Act 1999 (c.33).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) in paragraph 22(1A)(6) for “An immigration officer not below the rank of chief immigration officer” substitute “A designated person not below grade 4”;
- (c) in paragraphs 25A(10)(7) and 27C(8)(8) for “an immigration officer not below the rank of chief immigration officer” substitute “a designated person not below grade 4”.

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(6) Paragraph 22(1A) was inserted by section 12(1) of, and paragraph 11(1) of Schedule 2 to, the Asylum and Immigration Act 1996 (c.49).

(7) Paragraph 25A was inserted by section 132(2) of the Immigration and Asylum Act 1999 (c.33).

(8) Paragraph 27C was inserted by section 19 of the Immigration and Asylum Act 1999 (c.33).