
STATUTORY INSTRUMENTS

2015 No. 961

The Passenger, Crew and Service Information (Civil Penalties) Regulations 2015

Penalty for failure to comply with paragraph 27 or 27B of Schedule 2 to IA 1971

3.—(1) Paragraph (2) applies to a person who is required by an order under paragraph 27(2) of Schedule 2 to IA 1971⁽¹⁾ to supply information about passengers or crew on board a ship or aircraft.

(2) The Secretary of State may require the person to pay a penalty if satisfied that the person has failed to comply with any of the following requirements of the order—

- (a) a requirement to supply the information by a specified time or within a specified period;
- (b) a requirement to supply the information in a specified form and manner;
- (c) a requirement to be able to receive, in a specified form and manner, communications from the Secretary of State or an immigration officer relating to the information.

(3) In paragraph (2) “specified” means specified in the order.

(4) Paragraph (5) applies to a person—

- (a) who is required under paragraph 27B(2) of Schedule 2 to IA 1971⁽²⁾ to provide passenger information or service information to an immigration officer, or
- (b) who is required under paragraph 27B(8A) of that Schedule⁽³⁾ to be able to receive communications from an immigration officer in a form and manner directed by the Secretary of State.

(5) The Secretary of State may require the person to pay a penalty if satisfied that—

- (a) the person has failed to provide the information by the time stated in the request under paragraph 27B(2),
- (b) the person has failed to provide the information in the form and manner directed by the Secretary of State under paragraph 27B(8)(a), or
- (c) the person has failed to comply with a requirement under paragraph 27B(8A) to be able to receive communications from the immigration officer.

(6) But the Secretary of State may not require a person to pay a penalty under this regulation if—

- (a) the person shows that there was a reasonable excuse for the failure, or
- (b) paragraph (7) applies.

(7) This paragraph applies where—

- (a) proceedings have been instituted against the person, under section 27 of IA 1971 or (in the case of a failure consisting of the provision of false information) under section 5 of the Perjury Act 1911⁽⁴⁾, in respect of the same failure;

(1) Paragraph 27(2) was substituted by IANA 2006, section 31.

(2) Paragraph 27B was inserted by the Immigration and Asylum Act 1999 (c. 33), section 18.

(3) Paragraph 27B(8A) was inserted by CTSA 2015, paragraph 1 of Schedule 5.

(4) 1911 c. 6 (1 & 2 Geo 5); section 5 was amended by the Criminal Justice Act 1948 (c. 58), section 1(2).

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Passenger, Crew and Service Information (Civil Penalties) Regulations 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) the failure consists of a failure to comply with a requirement that the person is also obliged to comply with by virtue of section 32 of IANA 2006 and—
 - (i) a penalty has been imposed on the person under regulation 4 in respect of the same failure, or
 - (ii) proceedings have been instituted against the person under section 34 of IANA 2006 in respect of the same failure; or
 - (c) the failure consists of a failure to comply with a requirement that the person is also obliged to comply with by virtue of an authority-to-carry scheme, and a penalty has been imposed on that person, under regulations made under section 24 of CTSA 2015, in respect of the same failure.
- (8) A penalty imposed under this regulation may not exceed £10,000.
- (9) The penalty is payable to the Secretary of State on demand.

Commencement Information

11 Reg. 3 in force at 31.3.2015, see [reg. 1\(2\)](#)

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Changes and effects yet to be applied to :

- reg. 3 heading words inserted by [S.I. 2024/470 reg. 6\(3\)\(a\)](#)
- reg. 3(1) words substituted by [S.I. 2022/262 reg. 2\(5\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 3(5A)-(5C) inserted by [S.I. 2024/470 reg. 6\(3\)\(b\)](#)