

EXPLANATORY NOTES

UK BORDERS ACT 2007

INTRODUCTION

SUMMARY

Powers at ports

Biometric registration

Treatment of claimants

Enforcement

Deportation of criminals

Information

Border and Immigration Inspectorate

BACKGROUND

TERRITORIAL EXTENT

COMMENTARY ON SECTIONS

PART 1: POWERS AT PORTS

Section 1 to 4: Designated immigration officers with powers to detain

PART 2: BIOMETRIC REGISTRATION

Section 5 to 15: Registration of those subject to immigration control

PART 3: TREATMENT OF CLAIMANTS

Section 16: Conditional leave to enter or remain

Section 17: Support for failed asylum-seekers

Section 18: Support for asylum-seekers: enforcement

Section 19: Points-based applications: no new evidence on appeal

Section 20: Fees

Section 21: Children

PART 4: ENFORCEMENT

Section 22: Assaulting an immigration officer: offence

Section 23: Assaulting an immigration officer: powers of arrest, etc.

Section 24: Seizure of cash

Section 25: Forfeiture of detained property

Section 26: Disposal of property

Section 27: Employment: arrest

Section 28: Employment: search for personnel records

Section 29: Facilitation: arrival and entry

Section 30: Facilitation: territorial application

Section 31: People trafficking

PART 5: DEPORTATION OF CRIMINALS

Section 32: Automatic deportation

Section 33: Exceptions

Section 34: Timing

Section 35: Appeal

Section 36: Detention

Section 37: Family

Section 38: Interpretation

Section 39: Consequential amendments

PART 6: INFORMATION

Section 40: Supply of Revenue and Customs information

Section 41: Confidentiality

Section 42: Wrongful disclosure

Section 43: Supply of police information, etc.

Sections 44-47: Entry and search for nationality documents and seizure and retention of nationality documents

PART 7: BORDER AND IMMIGRATION INSPECTORATE

Section 48: Establishment

Section 49: Chief Inspector: supplemental

These notes refer to the UK Borders Act 2007 (c.30)

Section 50: Reports

Section 51: Plans

Section 52: Relationship with other bodies: general

Section 53: Relationship with other bodies: non-interference notices

Section 54: Abolition of other bodies

Section 55: Prescribed matters

Section 56: Senior President of Tribunals

PART 7: GENERAL

Section 57: Money

Section 58: Repeals

Section 59: Commencement

Section 60: Extent

HANSARD REFERENCES

ANNEX A EXISTING LEGAL FRAMEWORK