



# UK Borders Act 2007

## 2007 CHAPTER 30

### *Information*

#### **[<sup>F1</sup>46A Requirement to produce nationality document**

- (1) This section applies where—
  - (a) an individual has been arrested on suspicion of the commission of an offence, and
  - (b) the individual is to be released after arrest (whether or not on bail)—
    - (i) before a decision is taken on whether the individual should be charged with an offence, or
    - (ii) after being charged with an offence.
- (2) Before the individual is released an immigration officer or a constable may give the individual a notice requiring the production of a nationality document not later than 72 hours after the individual is released.
- (3) A notice may be given under subsection (2) only if the immigration officer or constable giving it suspects that the individual may not be a British citizen.
- (4) A notice under subsection (2) must be given in writing.
- (5) The notice must include statements that—
  - (a) the individual to whom it is given must produce the nationality document not later than 72 hours after the individual is released, and
  - (b) an offence may be committed if an individual fails to comply with a notice given under this section.
- (6) The notice must also set out—
  - (a) the person to whom the document must be produced, and
  - (b) the means by which the document must be produced.
- (7) In this section, and in sections 46B and 46C—

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“nationality document” means a passport relating to the individual or, if there is no passport relating to the individual, one or more documents that enable the individual’s nationality or citizenship to be established;

“passport” means—

- (a) a United Kingdom passport (within the meaning of the Immigration Act 1971),
- (b) a passport issued by or on behalf of the authorities of a country or territory outside the United Kingdom, or by or on behalf of an international organisation, or
- (c) a document that can be used (in some or all circumstances) instead of a passport.]

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#### **Textual Amendments**

**F1** Ss. 46A-46C inserted (31.1.2017 for specified purposes) by [Policing and Crime Act 2017 \(c. 3\)](#), ss. [160](#), [183\(1\)\(5\)\(e\)](#)

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

- Act excluded by [2024 c. 8 s. 2\(5\)\(a\)](#)<sup>5</sup>

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

- s. 33(4)(4A)(4B) substituted for s. 33(4) by [S.I. 2019/745 reg. 17\(3\)](#) (This amendment not applied to legislation.gov.uk. Reg. 17(3)(4) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- s. 61(2)(o) and word inserted by [2024 c. 8 s. 7\(1\)\(b\)](#)