

These notes refer to the Anti-Social Behaviour, Crime and Policing Act 2014 (c.12) which received Royal Assent on 13 March 2014

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

EXPLANATORY NOTES

BACKGROUND

Part 11: Policing etc

Power to seize invalid passports etc

65. The Government's ability to disrupt individuals from travelling abroad to engage in terrorism-related and other serious or organised criminal activity has become increasingly important with developments in various parts of the world. The Home Secretary has the power under the Royal Prerogative to refuse or withdraw a British passport on public interest grounds. The public interest criteria were updated in a Written Ministerial Statement on 25 April 2013.¹
66. There are no explicit statutory enforcement powers specifically to require the return of a cancelled passport. There is also a need to provide clarity on the statutory powers available at ports to disrupt people from travelling on invalid documents. Section 147 and Schedule 8 address these issues by creating two new sets of powers. The first is for police officers, immigration officers and designated customs officials to search for and seize invalid travel documents (including cancelled passports) at ports. The second comprises powers for police officers to search for and seize passports cancelled on public interest grounds within the UK (not at ports) in specified circumstances.

¹ <https://www.gov.uk/government/speeches/the-issuing-withdrawal-or-refusal-of-passports>