



Illegal Migration Act 2023

2023 CHAPTER 37

Credibility of claimant

62 Credibility of claimant: concealment of information etc

(1) Section 8 of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (claimant's credibility) is amended as follows.

(2) In subsection (3)—

- (a) in paragraphs (a) and (c) for “a passport” substitute “an identity document”;
- (b) in paragraph (b) for “passport” substitute “identity document”;
- (c) after paragraph (d) (but before the “and”) insert—
 - “(da) failure to provide to an immigration officer or the Secretary of State, on request, any information or anything else required in order to access any information stored in electronic form on a thing in the possession of an immigration officer or the Secretary of State that—
 - (i) was found on the claimant, or
 - (ii) appears to an immigration officer or the Secretary of State to have been in the possession of the claimant,”.

(3) In subsection (7)—

- (a) insert at the appropriate place—
 - ““document” includes information recorded in any form;”;
 - ““identity document” means any document that may be used (whether by itself or otherwise and with or without modifications) to establish, or provide evidence of, a person's identity or address;”;
- (b) omit the definition of “passport”.

(4) In subsection (8) for “A passport” substitute “An identity document”.

Commencement Information

11 S. 62 not in force at Royal Assent, see [s. 68\(1\)](#)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Illegal Migration Act 2023. 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](#)

I2 [S. 62](#) in force at 28.9.2023 by [S.I. 2023/989](#), [reg. 2\(f\)](#)

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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\(5\)\(a\)](#)

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

- s. 39(4A) inserted by [2024 c. 8 s. 7\(2\)](#)