STATUTORY INSTRUMENTS

2004 No. 251

IMMIGRATION AND ASYLUM

The Carriers' Liability (Clandestine Entrants) (Level of Penalty: Revised Code of Practice) Order 2004

Made - - - - -	*3rd February 2004*
Laid before Parliament	*6th February 2004*
Coming into force - -	*1st March 2004*

Whereas—

(1) the Immigration and Asylum Act 1999: Level of Penalty: Code of Practice, issued pursuant to section 32A of the Immigration and Asylum Act 1999(**a**) ("the 1999 Act") and which specifies matters to be considered in determining the amount of a penalty under section 32 of the 1999 Act, came into operation on 8th December 2002(**b**);

(2) as a consequence of the Carriers' Liability (Amendment) Regulations 2004(**c**), the Secretary of State has revised the said Code of Practice in pursuance of section 32A(5) of the 1999 Act; and

(3) in pursuance of section 32A(3) and (6) of the 1999 Act the Secretary of State has laid a draft of the revised code of practice before Parliament;

Now, therefore, the Secretary of State, in exercise of the powers conferred upon him by section 32A(4) and (6) of the 1999 Act, hereby orders as follows:

1. This Order may be cited as the Carriers' Liability (Clandestine Entrants) (Level of Penalty: Revised Code of Practice) Order 2004 and shall come into force on 1st March 2004.

2. The code of practice entitled "Immigration and Asylum Act 1999: Level of Penalty: Revised Code of Practice", laid in draft before Parliament on 27th January 2004 and which specifies matters to be considered in determining the amount of a penalty under section 32 of the 1999 Act, shall come into operation on 1st March 2004.

Home Office
3rd February 2004

Beverley Hughes
Minister of State

(**a**) 1999 c. 33. Section 32A of the 1999 Act was inserted by paragraph 3 of Schedule 8 to the Nationality, Immigration and Asylum Act 2002 (c. 41).
(**b**) S.I. 2002/2816.
(**c**) S.I. 2004/244.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation on 1st March 2004 the Immigration and Asylum Act 1999: Level of Penalty: Revised Code of Practice. This code of practice is a revision of the Immigration and Asylum Act 1999: Level of Penalty: Code of Practice, issued pursuant to section 32A of the Immigration and Asylum Act 1999 ("the 1999 Act"), as inserted by paragraph 3 of Schedule 8 to the Nationality, Immigration and Asylum Act 2002, specifying matters to be considered in determining the amount of a penalty under section 32 of the 1999 Act (penalty for carrying clandestine entrants). The Immigration and Asylum Act 1999: Level of Penalty: Revised Code of Practice inserts references to the additional control zones outside the United Kingdom prescribed by the Carriers' Liability (Amendment) Regulations 2004 for the purposes of section 32(10) of the 1999 Act.

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