Draft Regulations laid before Parliament under sections 23(2)(a) and 24(7) of the Counter-Terrorism and Security Act 2015, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2023 No. XXX

IMMIGRATION

PREVENTION AND SUPPRESSION OF TERRORISM

The Authority to Carry Scheme and Civil Penalties Regulations 2023

Made - - - -	***
Coming into force - -	***

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 23(1) and (5) and 24(1) of the Counter-Terrorism and Security Act 2015(**a**).

The Secretary of State has, in accordance with section 23(2) of that Act, laid before Parliament a draft of an authority-to-carry scheme made under section 22(1) of that Act.

A draft of these Regulations, which relate to that scheme, has been laid before Parliament and approved by each House of Parliament in accordance with sections 23(2)(a) and (b) and 24(7) of that Act.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Authority to Carry Scheme and Civil Penalties Regulations 2023.

(2) These Regulations come into force on the twenty-first day after the day on which they are made.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Authority to Carry Scheme

2. The Authority to Carry Scheme 2023 which was laid before Parliament on 9th January 2023 comes into force on the day on which these Regulations come into force.

(**a**) 2015 c. 6.

Amendment of the Authority to Carry Scheme (Civil Penalties) Regulations 2015

3.—(1) The Authority to Carry Scheme (Civil Penalties) Regulations 2015(**a**) are amended as follows.

(2) For the heading immediately before regulation 1, substitute "Citation and commencement".

(3) Omit regulation 1(3) (expiry).

(4) In regulation 2 (interpretation), in the definition of "authority-to-carry scheme", for "28th January 2021" substitute "9th January 2023".

Revocation and transitional provision

4.—(1) The Authority to Carry Scheme and Civil Penalties Regulations 2021(**b**) are revoked.

(2) In respect of anything done in connection with the Authority to Carry Scheme and Civil Penalties Regulations 2021, the Authority to Carry Scheme (Civil Penalties) Regulations 2015 are to be read as if the amendments made by regulation 3 above had not been made.

Name
Minister of State
Home Office

Date

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force the Authority to Carry Scheme 2023 ("the Scheme") which replaces the Authority to Carry Scheme 2021. The Scheme requires that a carrier must seek authority to carry persons on inbound or outbound journeys to and from the UK who come within the scope of the Scheme. The Scheme specifies the classes of carriers to which it applies, the passengers and crew in respect of whom authority must be requested and sets out the process for carriers to request authority to carry.

These Regulations make amendments to the Authority to Carry Scheme (Civil Penalties) Regulations 2015.

These Regulations revoke the Authority to Carry Scheme and Civil Penalties Regulations 2021. Transitional arrangements provide for the service of penalty notices for breaches of the Authority to Carry Scheme 2021.

The draft Scheme is published on the gov.uk website, with the final Scheme to be available in the same way.

The Scheme can be requested in hard copy from the Home Office by contacting predeparturechecks@homeoffice.gov.uk.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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(**a**) S.I. 2015/957, amended by S.I. 2021/323.
(**b**) S.I. 2021/323.

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