Draft Regulations laid before Parliament under paragraph 27BB(6) of Schedule 2 to the Immigration Act 1971 and section 32B(6) of the Immigration, Asylum and Nationality Act 2006 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2022 No. XX

IMMIGRATION

POLICE

The Passenger, Crew and Service Information (Civil Penalties) (Amendment) Regulations 2022

Made - - - -	****
Coming into force - -	*31st March 2022*

The Secretary of State, in exercise of the powers conferred by paragraph 27BB of Schedule 2 to the Immigration Act 1971(**a**), and section 32B of the Immigration, Asylum and Nationality Act 2006(**b**), makes the following Regulations.

In accordance with paragraph 27BB(6) of that Schedule and subsection (6) of that section, a draft of these Regulations was laid before and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Passenger, Crew and Service Information (Civil Penalties) (Amendment) Regulations 2022.

(2) These Regulations come into force on 31st March 2022.

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

(**a**) 1971 c. 77. Paragraph 27BB of Schedule 2 was inserted by paragraph 1 of Schedule 5 to the Counter-Terrorism and Security Act 2015 (c. 6). The Immigration Act 1971 is applied with modifications by article 7 of, and Schedule 4 to, the Channel Tunnel (International Arrangements) Order 1993 (S.I. 1993/1813), article 7 of the Channel Tunnel (Miscellaneous Provisions) Order 1994 (S.I. 1994/1405) and article 6 of the Channel Tunnel (Arrangements with the Kingdom of the Netherlands) Order 2020 (S.I. 2020/916) with respect to persons seeking to arrive in, or leave, the United Kingdom through the Channel Fixed Link.

(**b**) 2006 c. 13. Section 32B was inserted by paragraph 7 of Schedule 5 to the Counter-Terrorism and Security Act 2015 (c. 6). The Immigration, Asylum and Nationality Act 2006 is applied with modifications by article 7 of, and Schedule 4 to, the Channel Tunnel (International Arrangements) Order 1993 (S.I. 1993/1813), article 7 of the Channel Tunnel (Miscellaneous Provisions) Order 1994 (S.I. 1994/1405) and article 6 of the Channel Tunnel (Arrangements with the Kingdom of the Netherlands) Order 2020 (S.I. 2020/916) with respect to persons seeking to arrive in, or leave, the United Kingdom through the Channel Fixed Link.

Amendments to the Passenger, Crew and Service Information (Civil Penalties) Regulations 2015

2.—(1) The Passenger, Crew and Service Information (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).

(4) In regulation 2, after the definition of "penalty notice", insert—

> ""shuttle train" and "through train" have the same meanings as in the Channel Tunnel (International Arrangements) Order 1993(**b**).".

(5) In regulation 3(1), for "or aircraft" substitute ", aircraft, shuttle train or through train".

(6) In regulation 4(1)(a), for "or aircraft" substitute ", aircraft, shuttle train or through train".

Name
Parliamentary Under Secretary of State
Home Office

Date

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Passenger, Crew and Service Information (Civil Penalties) Regulations 2015 (S.I. 2015/961) ("the 2015 Regulations").

Regulation 2(3) removes the sunset provision in regulation 1(3) of the 2015 Regulations.

Regulation 2(4) to (6) amends regulations 2, 3(1) and 4(1)(a) of the 2015 Regulations to include references to Channel Tunnel rail operators, allowing the Secretary of State to levy a penalty on a person who is required to supply information about passengers or crew on board a shuttle train or through train (as well as a ship or aircraft) but fails to comply with the requirement to do so, whether that requirement is imposed by an immigration officer, the Secretary of State or by a constable.

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. 2015/961.
(**b**) S.I. 1993/1813; "shuttle train" and "through train" are defined in paragraph 1 of Schedule 1, to which there are amendments not relevant to these Regulations.

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