



Immigration Act 1971

1971 CHAPTER 77

PART III

CRIMINAL PROCEEDINGS

[^{F2}25 Assisting unlawful immigration to member State [^{F1}or the United Kingdom]

- (1) A person commits an offence if he—
- does an act which facilitates the commission of a breach [^{F3}or attempted breach] of immigration law by an individual who is not [^{F4}a national of the United Kingdom],
 - knows or has reasonable cause for believing that the act facilitates the commission of a breach [^{F3}or attempted breach] of immigration law by the individual, and
 - knows or has reasonable cause for believing that the individual is not [^{F4}a national of the United Kingdom].
- (2) In subsection (1) “immigration law” means a law which has effect in a member State [^{F5}or the United Kingdom] and which controls, in respect of some or all persons who are not nationals of the State [^{F6}or, as the case may be, of the United Kingdom], entitlement to—
- enter [^{F7}or arrive in] the State [^{F8}or the United Kingdom],
 - transit across the State [^{F9}or the United Kingdom], or
 - be in the State [^{F10}or the United Kingdom].

- [In subsections (1) and (2), “national of the United Kingdom” means—
- ^{F11}(2A) (a) a British citizen;
- a person who is a British subject by virtue of Part 4 of the British Nationality Act 1981 and who has the right of abode in the United Kingdom; or
 - a person who is a British overseas territories citizen by virtue of a connection with Gibraltar.]

- (3) A document issued by the government of a member State certifying a matter of law in that State—

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- (a) shall be admissible in proceedings for an offence under this section, and
- (b) shall be conclusive as to the matter certified.

[^{F12}(4) Subsection (1) applies to things done whether inside or outside the United Kingdom.]

- (6) A person guilty of an offence under this section shall be liable—
 - (a) on conviction on indictment, to [^{F13}imprisonment for life], to a fine or to both, or
 - (b) on summary conviction, to imprisonment for a term not exceeding six months, to a fine not exceeding the statutory maximum or to both.]

[^{F14}(7) In this section—

- (a) a reference to a member State includes a reference to [^{F15}Norway or Iceland],
^{F16}...

^{F16}(b)

^{F17}(8)]

Textual Amendments

- F1** Words in s. 25 heading inserted (31.12.2020) by [The Immigration, Nationality and Asylum \(EU Exit\) Regulations 2019 \(S.I. 2019/745\)](#), regs. 1(2), **4(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Ss. 25-25C substituted (10.2.2003) for s. 25 by 2002 c. 41, s. 143 (with s. 159); S.I. 2003/1, **art. 2**, Sch.
- F3** Words in s. 25(1)(a)(b) inserted (31.5.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), **Sch. 14 para. 2**; S.I. 2016/603, reg. 2(d)
- F4** Words in s. 25(1) substituted (31.12.2020) by [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1309\)](#), regs. 1(2), **5(3)(a)**
- F5** Words in s. 25(2) inserted (31.12.2020) by [The Immigration, Nationality and Asylum \(EU Exit\) Regulations 2019 \(S.I. 2019/745\)](#), regs. 1(2), **4(3)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in s. 25(2) inserted (31.12.2020) by [The Immigration, Nationality and Asylum \(EU Exit\) Regulations 2019 \(S.I. 2019/745\)](#), regs. 1(2), **4(3)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in s. 25(2)(a) inserted (28.6.2022 save in so far as it relates to the insertion of s. 24(E1), otherwise prosp.) by [Nationality and Borders Act 2022 \(c. 36\)](#), **ss. 40(4)**, 87(1); S.I. 2022/590, regs. 1(2), 2, Sch. 1 para. 20 (with Sch. 2 para. 7)
- F8** Words in s. 25(2)(a) inserted (31.12.2020) by [The Immigration, Nationality and Asylum \(EU Exit\) Regulations 2019 \(S.I. 2019/745\)](#), regs. 1(2), **4(3)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in s. 25(2)(b) inserted (31.12.2020) by [The Immigration, Nationality and Asylum \(EU Exit\) Regulations 2019 \(S.I. 2019/745\)](#), regs. 1(2), **4(3)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in s. 25(2)(c) inserted (31.12.2020) by [The Immigration, Nationality and Asylum \(EU Exit\) Regulations 2019 \(S.I. 2019/745\)](#), regs. 1(2), **4(3)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** S. 25(2A) inserted (31.12.2020) by [The Immigration, Nationality and Asylum \(EU Exit\) Regulations 2019 \(S.I. 2019/745\)](#), regs. 1(2), **4(3)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** S. 25(4) substituted for s. 25(4)(5) (31.1.2008) by [UK Borders Act 2007 \(c. 30\)](#), **ss. 30(1)**, 59; S.I. 2008/99, art. 2(l)
- F13** Words in s. 25(6)(a) substituted (28.6.2022) by [Nationality and Borders Act 2022 \(c. 36\)](#), **ss. 41(2)**, 87(1); S.I. 2022/590, regs. 1(2), 2, Sch. 1 para. 21 (with Sch. 2 para. 7)
- F14** S. 25(7)(8) added (1.10.2004) by [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), **s. 1(1)**; S.I. 2004/2523, **art. 2**, Sch.
- F15** Words in s. 25(7)(a) substituted (31.12.2020) by [The Immigration, Nationality and Asylum \(EU Exit\) Regulations 2019 \(S.I. 2019/745\)](#), regs. 1(2), **4(3)(e)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F16** S. 25(7)(b) and word omitted (31.12.2020) by virtue of [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1309\)](#), regs. 1(2), **5(3)(b)**
- F17** S. 25(8) omitted (31.12.2020) by virtue of [The Immigration, Nationality and Asylum \(EU Exit\) Regulations 2019 \(S.I. 2019/745\)](#), regs. 1(2), **4(3)(g)**; 2020 c. 1, Sch. 5 para. 1(1)

Modifications etc. (not altering text)

- C1** Pt. 3 modified by Immigration Act 2014 (c. 22), s. 33C(6) (as inserted (1.11.2016 for specified purposes, 1.12.2016 in so far as not already in force) by [Immigration Act 2016 \(c. 19\)](#), **ss. 39(2)**, 94(1); [S.I. 2016/1037](#), regs. 2(a), 5(c))
- C2** Ss. 24-29: amendment to earlier affecting [S.I. 1993/1797](#), Sch. 1 Pt. 1 (11.10.2017 coming into force in accordance with art. 1) by [The Immigration \(Jersey\) \(Amendment\) Order 2017 \(S.I. 2017/981\)](#), **Sch. Pt. 1 para. 1** (with art. 6)

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Changes and effects yet to be applied to :

- s. 25(1) word substituted by [S.I. 2019/745 reg. 4\(3\)\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(3)(b) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- s. 25(1) words inserted by [S.I. 2019/745 reg. 4\(3\)\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(3)(b) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- s. 25(7)(b) words substituted by [S.I. 2019/745 reg. 4\(3\)\(f\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [2008 c. 4 s. 133\(7\)\(8\)](#)

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

- s. 10(1A)(1B) inserted by [1999 c. 33 Sch. 14 para. 47\(3\)](#)
- s. 24(1)(fa) inserted by [2023 c. 37 s. 10\(2\)](#)
- s. 24C-24F inserted by [2016 c. 19 s. 44\(2\)](#)
- s. 26A(1)(b)(ia) inserted by [2016 c. 19 Sch. 11 para. 25](#)
- s. 27(1)(aa) inserted by [2023 c. 37 s. 10\(3\)\(a\)](#)
- s. 27(1)(ba) inserted by [2023 c. 37 s. 10\(3\)\(b\)](#)
- s. 28CA(1)(bb) substituted for word in s. 28CA(1)(b) by [2016 c. 19 s. 44\(5\)](#)
- Sch. 2 para. 27B(4A) inserted by [2004 c. 19 s. 16](#)
- Sch. 2 para. 26(4) inserted by [2016 c. 19 s. 74\(1\)](#)
- Sch. 2 Pt. 1A inserted by [2016 c. 19 Sch. 13](#)
- Sch. 2 para. 11A inserted by [2023 c. 37 s. 10\(4\)](#)