



# Immigration Act 1971

## 1971 CHAPTER 77

### PART III

#### CRIMINAL PROCEEDINGS

#### 26 General offences in connection with administration of Act.

- (1) A person shall be guilty of an offence punishable on summary conviction with a fine of not more than [<sup>F1</sup>[<sup>F2</sup>level 5] on the standard scale] or with imprisonment for not more than six months, or with both, in any of the following cases—
- (a) if, without reasonable excuse, he refuses or fails to submit to examination under Schedule 2 to this Act;
  - (b) if, without reasonable excuse, he refuses or fails to furnish or produce any information in his possession, or any documents in his possession or control, which he is on an examination under that Schedule required to furnish or produce;
  - (c) if on any such examination or otherwise he makes or causes to be made to an immigration officer or other person lawfully acting in the execution of [<sup>F3</sup>a relevant enactment] a return, statement or representation which he knows to be false or does not believe to be true;
  - (d) if, without lawful authority, he alters any [<sup>F4</sup>certificate of entitlement], entry clearance, work permit or other document issued or made under or for the purposes of this Act, or uses for the purposes of this Act, or has in his possession for such use, any passport, [<sup>F4</sup>certificate of entitlement], entry clearance, work permit or other document which he knows or has reasonable cause to believe to be false;
  - (e) if, without reasonable excuse, he fails to complete and produce a landing or embarkation card in accordance with any order under Schedule 2 to this Act;
  - (f) if, without reasonable excuse, he fails to comply with any requirement of regulations under section 4(3) or of an order under section 4(4) above;
  - (g) if, without reasonable excuse, he obstructs an immigration officer or other person lawfully acting in the execution of this Act.

*Changes to legislation: Immigration Act 1971, Section 26 is up to date with all changes known to be in force on or before 08 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

[<sup>F5</sup>(h) if, without reasonable excuse, the person fails to comply with a direction under paragraph 1(6) of Schedule 2 (direction to move a container for purposes of a search).]

(2) The extended time limit for prosecutions which is provided for by section 28 below shall apply to offences under subsection (1)(c) and (d) above.

[<sup>F6</sup>(3) “Relevant enactment” means—

- (a) this Act;
- (b) the <sup>M1</sup>Immigration Act 1988;
- (c) the <sup>M2</sup>Asylum and Immigration Appeals Act 1993 (apart from section 4 or 5);<sup>F7</sup> . . .
- (d) the Immigration and Asylum Act 1999 (apart from Part VI) [<sup>F8</sup> ; or
- (e) the Nationality, Immigration and Asylum Act 2002 (apart from Part 5).]

#### Textual Amendments

- F1** Words substituted (E.W.) (S.) (11.4.1983) by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48\)](#), **ss. 38, 46** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), **ss. 289F, 289G** (as inserted by [Criminal Justice Act 1982 \(c. 48\)](#), **s. 54**), and (N.I) by virtue of [S.I. 1984/703 \(N.I. 3\)](#), **arts. 5, 6**
- F2** Words in s. 26(1) substituted (1.10.1996) by [1996 c. 49, s. 6](#); [S.I. 1996/2053](#), **art. 2**, **Sch. Pt. III**
- F3** Words in s. 26(1)(c) substituted (14.2.2000) by [1999 c. 33, s. 30\(1\)\(2\)](#); [S.I. 2000/168](#), **art. 2**, **Sch.** (which amending provision is extended (with modifications) to Jersey (5.6.2003) by [S.I. 2003/1252](#), **art. 2**, **Sch.**)
- F4** Words substituted by [British Nationality Act 1981 \(c. 61\)](#), **s. 52(7)**, **Sch. 4 para. 3(1)** (with [Sch. 8 para. 8](#))
- F5** [S. 26\(1\)\(h\)](#) inserted (28.6.2022) by [Nationality and Borders Act 2022 \(c. 36\)](#), **ss. 44(4)**, **87(5)(f)**
- F6** [S. 26\(3\)](#) inserted (14.2.2000) by [1999 c. 33, s. 30\(1\)\(3\)](#); [S.I. 2000/168](#), **art. 2**, **Sch.** (which amending provision is extended (with modifications) to Jersey (5.6.2003) by [S.I. 2003/1252](#), **art. 2**, **Sch.**)
- F7** Word after [s. 26\(3\)\(c\)](#) repealed (10.2.2003) by [2002 c. 41, ss. 151\(a\), 161](#), **Sch. 9** (with [s. 159](#)); [S.I. 2003/1](#), **art. 2**, **Sch.**
- F8** [S. 26\(3\)\(e\)](#) and preceding word inserted (10.2.2003) by [2002 c. 41, s. 151\(b\)](#) (with [s. 159](#)); [S.I. 2003/1](#), **art. 2**, **Sch.**

#### 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](#))
- C3** [S. 26\(1\)\(d\)](#) modified (11.11.2000) by [1999 c. 33, ss. 31\(1\)\(2\)\(3\)\(c\)\(4\)\(d\)](#), **170(3)** (which amending provision is extended (with modifications) to Jersey (5.6.2003) by [S.I. 2003/1252](#), **art. 2**, **Sch.**)
- C4** [S. 26\(1\)\(f\)](#) amended (S.) by [Criminal Justice \(Scotland\) Act 1980 \(c. 62\)](#), **s. 26**, **Sch. 1**

#### Marginal Citations

- M1** [1988 c. 14](#).
- M2** [1993 c. 23](#).

**Changes to legislation:**

Immigration Act 1971, Section 26 is up to date with all changes known to be in force on or before 08 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**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\(4\)](#)