



Immigration Act 1971

1971 CHAPTER 77

PART III

CRIMINAL PROCEEDINGS

[^{F1}28L Interpretation of Part III.

[^{F3}Subject to subsection (1A)] in this Part, “premises” and “items subject to legal ^{F2}(1) privilege” have the same meaning—

- (a) in relation to England and Wales, as in the ^{M1}Police and Criminal Evidence Act 1984;
- (b) in relation to Northern Ireland, as in the ^{M2}Police and Criminal Evidence (Northern Ireland) Order 1989; and
- (c) in relation to Scotland, as in section [^{F4}412 of the Proceeds of Crime Act 2002].]

[^{F5}(1A) In this Part “premises” also includes any artificial island, installation or structure (including one in the territorial sea adjacent to the United Kingdom).]

[^{F6}(2) In this Part “business premises” means premises (or any part of premises) not used as a dwelling.

(3) In this Part “employee records” means records which show an employee’s—

- (a) name,
- (b) date of birth,
- (c) address,
- (d) length of service,
- (e) rate of pay, or
- (f) nationality or citizenship.

(4) The Secretary of State may by order amend section 28CA(3)(a) to reflect a change in nomenclature.

(5) An order under subsection (4)—

Changes to legislation: Immigration Act 1971, Section 28L is up to date with all changes known to be in force on or before 22 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

- (a) must be made by statutory instrument, and
- (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F1** S. 28L inserted (14.2.2000) by 1999 c. 33, s. 139(1); 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.)
- F2** S. 28L renumbered (8.1.2003) as s. 28L(1) by virtue of 2002 c. 41, s. 155(1) (with s. 159); S.I. 2002/2811, art. 2, Sch.
- F3** Words in s. 28L(1) inserted (12.4.2023) by Nationality and Borders Act 2022 (c. 36), s. 87(1), Sch. 6 para. 5(a); S.I. 2023/283, reg. 3(b)
- F4** Words in s. 28L(1)(c) substituted (24.2.2003) by 2002 c. 29, s. 456, Sch. 11 para. 6; S.I. 2003/120, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-6 (as amended by S.I. 2003/333, art. 14))
- F5** S. 28L(1A) inserted (12.4.2023) by Nationality and Borders Act 2022 (c. 36), s. 87(1), Sch. 6 para. 5(b); S.I. 2023/283, reg. 3(b)
- F6** S. 28L(2)-(5) inserted (8.1.2003) by 2002 c. 41, s. 155(2) (with s. 159); S.I. 2002/2811, 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. 28L(1) applied by Immigration and Asylum Act 1999 (c. 33), s. 109B(2)(d) (as inserted (31.1.2008) by UK Borders Act 2007 (c. 30), ss. 18, 59; S.I. 2008/99, art. 2)
S. 28L(1) applied (31.1.2008) by UK Borders Act 2007 (c. 30), ss. 23(3)(d), 59; S.I. 2008/99, art. 2

Marginal Citations

- M1** 1984 c. 60.
- M2** S.I. 1989/1341 (N.I. 12).

Changes to legislation:

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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\(4\)](#)