



# Immigration and Asylum Act 1999

## 1999 CHAPTER 33

### PART II

#### CARRIERS' LIABILITY

*[<sup>F1</sup>Penalties for failure to secure goods vehicle and for carrying clandestine entrants]*

#### 33 [<sup>F1</sup>Prevention of clandestine entrants: code of practice]

- [<sup>F2</sup>(1) The Secretary of State must issue a code of practice to be followed by any person operating a system for preventing the carriage of clandestine entrants.
- (2) Before issuing the code, the Secretary of State must—
- (a) consult such persons as he considers appropriate; and
  - (b) lay a draft before [<sup>F3</sup>both Houses of] Parliament.
- (3) The requirement of subsection (2)(a) may be satisfied by consultation before the passing of this Act.
- (4) After laying the draft code before Parliament, the Secretary of State may bring the code into operation by an order.
- (5) The Secretary of State may from time to time revise the whole or any part of the code and issue the code as revised.
- (6) Subsections (2) and (4) also apply to any revision, or proposed revision, of the code.]

#### Textual Amendments

- F1** [S. 33](#) heading substituted (8.12.2002 for specified purposes, 11.5.2012 for specified purposes, 13.2.2023 for specified purposes) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\), s. 162\(1\), Sch. 8 para. 4](#) (with s. 159); [S.I. 2002/2811, art. 2, Sch.](#); [S.I. 2012/1263, art. 2](#); [S.I. 2023/32, art. 2\(1\)\(b\)\(2\)](#)

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**Changes to legislation:** Immigration and Asylum Act 1999, Section 33 is up to date with all changes known to be in force on or before 21 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](#)

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- F2** [S. 33](#) omitted (28.4.2022 for specified purposes, 13.2.2023 for specified purposes) by virtue of [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(1)(4)(c), [Sch. 5 para. 6](#); [S.I. 2023/33](#), reg. 2(1)(c)(i)(2) (with [reg. 4](#))
- F3** Words in [s. 33\(2\)\(b\)](#) repealed (8.12.2002 for specified purposes, 11.5.2012 for specified purposes, 13.2.2023 for specified purposes) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), s. 162(1), [Sch. 8 para. 5](#), [Sch. 9](#) (with s. 159); [S.I. 2002/2811](#), [art. 2](#), Sch.; [S.I. 2012/1263](#), art. 2; [S.I. 2023/32](#), art. 2(1)(b)(2)

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**Modifications etc. (not altering text)**

- C1** [S. 33](#) applied (with modifications) (7.2.2001 for certain purposes and otherwise 1.3.2001) by [S.I. 2001/208](#), [arts. 1\(2\)](#), 3, 4 (with [art. 5](#))

**Changes to legislation:**

Immigration and Asylum Act 1999, Section 33 is up to date with all changes known to be in force on or before 21 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:**

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

- s. 10(12) inserted by [2023 c. 37 s. 10\(6\)](#)
- s. 40(1)-(1C) substituted for s. 40(1) by [2022 c. 36 s. 76\(2\)](#)
- s. 40(4A)(4B) inserted by [2022 c. 36 s. 76\(5\)](#)
- s. 72(10) repealed by [2004 c. 19 Sch. 4](#)
- s. 94(2A)-(2C) inserted by [2016 c. 19 Sch. 11 para. 3\(3\)](#)
- s. 94(2D) inserted by [2016 c. 19 Sch. 11 para. 7\(4\)](#)
- s. 94(3)(3A) substituted for s. 94(3) by [2002 c. 41 s. 44\(4\)](#) (This amendment is repealed (prosp.) by [2016 c. 19, Sch. 11 para. 41](#))
- s. 94(3A)-(3D) inserted by [2016 c. 19 Sch. 11 para. 3\(5\)](#)
- s. 95A inserted by [2016 c. 19 Sch. 11 para. 9](#)
- s. 96(1A) inserted by [2016 c. 19 Sch. 11 para. 10\(3\)](#)
- s. 97(3A)(b)(iv) inserted by [2022 c. 36 s. 13\(2\)\(c\)\(ii\)](#)
- s. 97(8)(9) inserted by [2016 c. 19 Sch. 11 para. 11\(4\)](#)
- s. 98A inserted by [2016 c. 19 Sch. 11 para. 13](#)
- s. 98A(5) inserted by [2022 c. 36 s. 13\(4\)](#)
- s. 103(4)(a) words substituted by [2004 c. 19 s. 10\(4\)\(b\)](#)
- s. 103(5)(b) word substituted by [S.I. 2008/2833 Sch. 3 para. 183\(ii\)](#)
- s. 103A(1) words substituted by [2004 c. 19 s. 10\(5\)](#)
- s. 103A(1) heading words substituted by [2004 c. 19 s. 10\(5\)](#)
- s. 103A(1) words substituted by [S.I. 2008/2833 Sch. 3 para. 184](#)
- s. 125(2)(ba) inserted by [2016 c. 19 Sch. 11 para. 22\(3\)\(b\)](#)
- s. 146(2)(za) inserted by [2016 c. 19 s. 44\(9\)](#)
- s. 166(5)(ca) substituted for word in s. 166(5)(c) by [2016 c. 19 Sch. 11 para. 24\(2\)](#)
- s. 166(5A)(5B) inserted by [2016 c. 19 Sch. 11 para. 24\(3\)](#)
- s. 166(6)(aa) substituted for word in s. 166(6)(a) by [2016 c. 19 Sch. 11 para. 24\(4\)](#)
- Sch. 2 para. 21 modified by [2002 c. 41 s. 23\(2\)\(a\)](#)
- Sch. 3 para. 2(5) modified by [2002 c. 41 s. 23\(2\)\(b\)](#)