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**Changes to legislation:** Courts Act 2003, Cross Heading: Immigration Act 1971 (c. 77) is up to date with all changes known to be in force on or before 23 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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## SCHEDULES

### SCHEDULE 8

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Immigration Act 1971 (c. 77)*

- 147 In section 25D(6)(a) (court to which application may be made following detention of ships, aircraft and vehicles), for sub-paragraphs (i) and (ii) substitute—  
“(ia) if the arrested person has not been charged, or he has been charged but proceedings for the offence have not begun to be heard, a magistrates' court;”.
- 148 (1) Amend section 28K (execution of search warrants issued to immigration officers) as follows.
- (2) For subsection (9)(a), substitute—  
“(a) if issued by a justice of the peace in England and Wales, to the designated officer for the local justice area in which the justice was acting when he issued the warrant;”.
- (3) In subsection (10), for “justices' chief executive” substitute “ designated officer ”.
- 149 (1) Amend Schedule 2 (administrative provisions about control on entry) as follows.
- (2) In paragraphs 23(1A)(a) and 31(3A)(a), for “justices' chief executive” substitute “ designated officer ”.
- (3) In paragraphs 23(3) and 31(4), for “purposes of the Justices of the Peace Act 1997 and, in particular section 60 of that Act, as being” substitute “ purposes of section 38 of the Courts Act 2003 (application of receipts of designated officers) as being ”.
- (4) In paragraphs 24(2)(a) and 33(2)(a), after “hours, before” insert “ in England and Wales, a justice of the peace, in Northern Ireland, ”.
- 150 (1) Amend Schedule 3 (supplementary provisions about deportation) as follows.
- (2) After paragraph 6(2) insert—  
“(2A) Where the Crown Court directed release, the appropriate court is that court or a magistrates' court.”
- (3) In paragraph 6(3), omit “the Crown Court or” and “commission area or”.
- (4) In paragraph 8(1)—  
(a) for “England or Wales or” substitute “ England or Wales in pursuance of paragraph 7 above shall be brought as soon as practicable and in any event within twenty-four hours after his arrest before a justice of the peace in England or Wales, and a person arrested in ”;  
(b) omit “area or”.

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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. 75(6) inserted by [2022 c. 35 Sch. 4 para. 3\(2\)](#)
- s. 76(2B) inserted by [2010 c. 26 Sch. 3 para. 14](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22](#), s. 17(4) ; S.I. 2013/2200 art. 2(a))
- s. 81(6) inserted by [2022 c. 35 Sch. 4 para. 3\(3\)](#)
- s. 85EA(5) words substituted by [2022 c. 32 Sch. 11 para. 29](#)
- Sch. 5 para. 13(1)(ca) inserted by [2013 c. 22 s. 26\(3\)](#)

**Commencement Orders yet to be applied to the Courts Act 2003**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2005/547 art. 2](#) commences ([2003 c. 39](#))