
Changes to legislation: Immigration Act 2016, Paragraph 4 is up to date with all changes known to be in force on or before 20 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

SCHEDULES

SCHEDULE 8

AMENDMENTS TO SEARCH WARRANT PROVISIONS

Immigration Act 1971 (c. 77)

- 4 (1) Section 28J (search warrants: safeguards) is amended as follows.
- (2) In subsection (2)—
- (a) after paragraph (a) insert—
- “(aa) if the application is for a warrant authorising entry and search on more than one occasion, state the ground on which the officer applies for such a warrant, and whether the officer seeks a warrant authorising an unlimited number of entries, or (if not) the maximum number of entries desired;”,
- and
- (b) for paragraph (b) substitute—
- “(b) specify the matters set out in subsection (2A) below; and”.
- (3) After subsection (2) insert—
- “(2A) The matters which must be specified pursuant to subsection (2)(b) above are—
- (a) if the application relates to one or more sets of premises specified in the application, each set of premises which it is desired to enter and search;
- (b) if the application relates to any premises occupied or controlled by a person specified in the application—
- (i) as many sets of premises which it is desired to enter and search as it is reasonably practicable to specify;
- (ii) the person who is in occupation or control of those premises and any others which it is desired to enter and search;
- (iii) why it is necessary to search more premises than those specified under sub-paragraph (i);
- (iv) why it is not reasonably practicable to specify all the premises which it is desired to enter and search.”
- (4) In subsection (6) at the end insert “ unless it specifies that it authorises multiple entries ”.
- (5) After subsection (6) insert—
- “(6A) If it specifies that it authorises multiple entries, it must also specify whether the number of entries authorised is unlimited, or limited to a specified maximum.”

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(6) In subsection (7) for paragraph (c) substitute—

“(c) each set of premises to be searched, or (in the case of an all premises warrant) the person who is in occupation or control of premises to be searched, together with any premises under the person's occupation or control which can be specified and which are to be searched; and”.

(7) For subsection (9) substitute—

“(9) Two copies must be made of a warrant which specifies only one set of premises and does not authorise multiple entries; and as many copies as are reasonably required may be made of any other kind of warrant.”

(8) After subsection (10) insert—

“(10A) All premises warrant” means a warrant issued in response to an application of the kind mentioned in section 24E(6)(b), 28D(1A)(b) or 28FB(1A)(b) or paragraph 25A(6AA)(b) of Schedule 2.

(10B) References in this section to a warrant authorising multiple entries is to a warrant of the kind mentioned in section 24E(8), 28D(1C) or 28FB(3A) or paragraph 25A(6AC) of Schedule 2.”

Commencement Information

II Sch. 8 para. 4 in force at 1.12.2016 by S.I. 2016/1037, reg. 5(k)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/1241, Sch. by [S.I. 2018/31 reg. 2](#)

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. 69(9)(d) and word inserted by [2023 c. 37 s. 21\(2\)\(b\)](#)
- Sch. 10 para. 3(2)(eza) inserted by [2023 c. 37 s. 13\(3\)\(a\)](#)
- Sch. 10 para. 3(3A)-(3C) inserted by [2023 c. 37 s. 13\(3\)\(b\)](#)
- Sch. 10 para. 3A and cross-heading inserted by [2023 c. 37 s. 13\(4\)](#)