

**2002 No. 2816**

**IMMIGRATION AND ASYLUM**

**The Carriers' Liability (Clandestine Entrants)  
(Level of Penalty: Code of Practice) Order 2002**

*Made* - - - - - *15th November 2002*

*Laid before Parliament* *15th November 2002*

*Coming into force* - - *8th December 2002*

Whereas—

(1) in pursuance of section 32A of the Immigration and Asylum Act 1999<sup>(a)</sup> (“the 1999 Act”), the Secretary of State is required to issue a code of practice specifying matters to be considered in determining the amount of a penalty under section 32 of the 1999 Act (penalty for carrying clandestine entrants);

(2) section 32A has been brought into force for the purpose of enabling the exercise of the power to bring into operation the said code of practice;

(3) the Secretary of State has prepared the draft of such a code; and

(4) in pursuance of section 32A(3) of the 1999 Act the Secretary of State has laid a draft of the code of practice before Parliament;

Now, therefore, the Secretary of State, in exercise of the powers conferred upon him by section 32A(4) of the 1999 Act, hereby orders as follows:

**1.** This Order may be cited as the Carriers' Liability (Clandestine Entrants) (Level of Penalty: Code of Practice) Order 2002 and shall come into force on 8th December 2002.

**2.** The code of practice entitled “Immigration and Asylum Act 1999: Level of Penalty: Code of Practice”, laid in draft before Parliament on 14th November 2002 and which specifies matters to be considered in determining the amount of a penalty under section 32 of the 1999 Act, shall come into operation on 8th December 2002.

Home Office  
15th November 2002

*Filkin*  
Parliamentary Under-Secretary of State

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<sup>(a)</sup> 1999 c. 33. Section 32A of the 1999 Act was inserted by paragraph 3 of Schedule 8 to the Nationality, Immigration and Asylum Act 2002 (c. 41).

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into operation on 8th December 2002 the Immigration and Asylum Act 1999: Level of Penalty: Code of Practice, issued pursuant to section 32A of the Immigration and Asylum Act 1999 (“the 1999 Act”), as inserted by paragraph 3 of Schedule 8 to the Nationality, Immigration and Asylum Act 2002, specifying matters to be considered in determining the amount of a penalty under section 32 of the 1999 Act (penalty for carrying clandestine entrants).

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