



Statutory Document No. 176/08

IMMIGRATION AND ASYLUM ACT 1999

IMMIGRATION CONTROL (PROVISION OF FACILITIES AT PORTS) ORDER 2008

Laid before Tynwald

15th April 2008

Coming into operation

1st May 2008

In exercise of the powers conferred on the Governor by section 25(7) of the Immigration and Asylum Act 1999 (an Act of Parliament)¹, as it has effect in the Isle of Man², the following Order is hereby made:—

1. Citation and commencement

This Order may be cited as the Immigration Control (Provision of Facilities at Ports) Order 2008 and shall come into operation on the 1st May 2008.

2. Interpretation

(1) In this Order —

"the Immigration Acts" has the meaning given by section 64(2) of the Immigration, Asylum, and Nationality Act 2006 (an Act of Parliament)³;

"immigration control" means the exercise of any functions of the Governor and of immigration officers under the Immigration Acts;

"immigration control front" means a line or area of desks or facilities which marks the place within an area designated under paragraph 26(3) of Schedule 2 to the Immigration Act 1971 (an Act of Parliament)⁴ where immigration control is undertaken; and

"utilities" means the provision of services such as lighting, heating, ventilation and water supply.

(2) In this Order any reference to an Act of Parliament, or a provision of an Act of Parliament, which extends to the Isle of Man is a reference to that Act or provision as it has effect in the Isle of Man.

¹ 1999 c.33

² SI 2008/680

³ 2006 c.13

⁴ 1971 c.77

Price £0.65

3. Meaning of "facilities"

(1) For the purposes of section 25(7) of the Immigration and Asylum Act 1999 (an Act of Parliament), "facilities" means the accommodation specified in paragraph (2) and the services specified in paragraph (3).

(2) The accommodation is:

- (a) an immigration control front or fronts;
- (b) a room or rooms at the immigration control front –
 - (i) for the purpose of enabling immigration officers to view passengers as they pass through that front;
 - (ii) for other purposes connected with the exercise of immigration control at that front;
- (c) a room or rooms for the purpose of interviewing passengers;
- (d) a room or rooms for the purposes of –
 - (i) photography, fingerprinting and other methods of establishing and confirming identity;
 - (ii) checking the authenticity of documents; and
 - (iii) accommodating information technology server equipment;
- (e) a room or rooms for the purpose of detaining persons who are liable to detention under the Immigration Act 1971 (an Act of Parliament); and
- (f) a waiting area or areas for persons whom an immigration officer has interviewed, or may wish to interview, in connection with passengers seeking leave to enter the Isle of Man.

(3) The services are utilities and cleaning services for the accommodation mentioned in paragraph (2).

MADE 19th March 2008


Lieutenant Governor

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order specifies the accommodation and services which constitute "facilities" for the purposes of section 25 of the Immigration and Asylum Act 1999 and are to be provided at any port if required by the Governor.