



STATUTORY INSTRUMENTS.

**S.I. No. 401 of 2024**

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IMMIGRATION ACT 2003 (CARRIER LIABILITY) REGULATIONS 2024

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I, HELEN MCENTEE, Minister for Justice, in exercise of the powers conferred on me by section 11 of the Immigration Act 2003 (No. 26 of 2003) (as adapted by the Justice and Equality (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 452 of 2020)), hereby make the following regulations:

1. (1) These Regulations may be cited as the Immigration Act 2003 (Carrier Liability) Regulations 2024.  
(2) These Regulations shall come into operation on 12 August 2024.
2. In these Regulations, “Act of 2003” means the Immigration Act 2003 (No. 26 of 2003).
3. The form of notice set out in Schedule 1 is prescribed for the purposes of section 3(1) of the Act of 2003 in relation to an offence under section 2(1)(a) of that Act.
4. The form of notice set out in Schedule 2 is prescribed for the purposes of section 3(1) of the Act of 2003 in relation to an offence under section 2(1)(b) of that Act.
5. The form of notice set out in Schedule 3 is prescribed for the purposes of section 3(1) of the Act of 2003 in relation to an offence under section 2(1)(c) of that Act.
6. The form of notice set out in Schedule 4 is prescribed for the purposes of section 3(1) of the Act of 2003 in relation to an offence under section 2(3)(a) of that Act.
7. The form of notice set out in Schedule 5 is prescribed for the purposes of section 3(1) of the Act of 2003 in relation to an offence under section 2(3)(b) of that Act.
8. The Immigration Act 2003 (Carrier Liability) Regulations 2003 (S.I. No. 447 of 2003) are revoked.

## SCHEDULE 1

*Regulation 3***Immigration Act 2003****Notice of alleged offence under section 2(1)(a)**

1. To: *[insert name of carrier]*

In respect of the following passenger:

Name: *[insert name]*

Nationality: *[insert nationality where known, apparent nationality to the extent that it can be ascertained, or "not known" as appropriate]*

Brought by you to: *[insert place of arrival in the State]*

On board: *[insert flight number, vessel name, vehicle registration mark etc.]*

Arriving on: *[insert date of arrival]* at: *[insert time of arrival]*

2. You are alleged to have committed an offence under section 2 of the above Act consisting of a contravention of section 2(1)(a) of that Act in that at *[insert place of arrival in the State]* on *[insert date of arrival]* you did not ensure that the passenger, a person on board a vehicle arriving in the State from *[insert place of embarkation]* and seeking (a) to land in the State or (b) to pass through the port of *[insert place of arrival in the State]* in order to travel to another State *[delete (a) or (b) as appropriate]* disembarked in compliance with directions given by *[insert name of immigration officer]*, an immigration officer.

3. (1) TAKE NOTICE, You may, during the period of 28 days beginning on the date of this notice, make to the Detective Superintendent (Administration) at Garda National Immigration Bureau, 13 - 14 Burgh Quay, Dublin 2 a payment of €2,500.

(2) No prosecution in respect of the offence alleged will be instituted during the period of 28 days and if payment is made during that period, no prosecution in respect of the alleged offence will be instituted.

(3) Failure to make payment in compliance of the terms of this notice will result in a prosecution.

(4) Persons found guilty of an offence under section 2 shall be liable on summary conviction to a Class A fine for each offence.

Signed: \_\_\_\_\_

*[name of immigration officer]*

Date: *[insert date]*

SCHEDULE 2

*Regulation 4*

**Immigration Act 2003**

**Notice of alleged offence under section 2(1)(b)**

1. To: *[insert name of carrier]*

In respect of the following passenger:

Name: *[insert name]*

Nationality: *[insert nationality where known, apparent nationality to the extent that it can be ascertained, or "not known" as appropriate]*

Brought by you to: *[insert place of arrival in the State]*

On board: *[insert flight number, vessel name, vehicle registration mark etc.]*

Arriving on: *[insert date of arrival]* at: *[insert time of arrival]*

2. You are alleged to have committed an offence under section 2 of the above Act consisting of a contravention of section 2(1)(b) of that Act in that at *[insert place of arrival in the State]* on *[insert date of arrival]* you did not ensure that the passenger, a person on board a vehicle arriving in the State from *[insert place of embarkation]* and seeking to land in the State was presented to an immigration officer for examination in respect of leave to land.

3. (1) TAKE NOTICE, You may, during the period of 28 days beginning on the date of this notice, make to the Detective Superintendent (Administration) at Garda National Immigration Bureau, 13 - 14 Burgh Quay, Dublin 2 a payment of €2,500.

(2) No prosecution in respect of the offence alleged will be instituted during the period of 28 days and if payment is made during that period, no prosecution in respect of the alleged offence will be instituted.

(3) Failure to make payment in compliance of the terms of this notice will result in a prosecution.

(4) Persons found guilty of an offence under section 2 shall be liable on summary conviction to a Class A fine for each offence.

Signed: \_\_\_\_\_

*[name of immigration officer]*

Date: *[insert date]*

## SCHEDULE 3

*Regulation 5***Immigration Act 2003****Notice of alleged offence under section 2(1)(c)**

1. To: *[insert name of carrier]*

In respect of the following passenger:

Name: *[insert name]*

Nationality: *[insert nationality where known, apparent nationality to the extent that it can be ascertained, or "not known" as appropriate]*

Brought by you to: *[insert place of arrival in the State]*

On board: *[insert flight number, vessel name, vehicle registration mark etc.]*

Arriving on: *[insert date of arrival]* at: *[insert time of arrival]*

2. You are alleged to have committed an offence under section 2 of the above Act consisting of a contravention of section 2(1)(c) of that Act in that at *[insert place of arrival in the State]* \_\_\_\_\_ on the\_\_\_\_ day of\_\_\_\_\_

*[delete all but one of [a], [b], [c] or [d] as appropriate]*

*[a]* you did not ensure that the passenger, a person seeking to pass through the State in order to travel to another state, had with him or her a valid passport or other equivalent document which establishes his or her identity,

*[b]* you did not ensure that the passenger, a person seeking to land in the State, had with him or her a valid passport or other equivalent document which establishes his or her identity,

*[c]* you did not ensure that the passenger, a person seeking to pass through the State in order to travel to another state, had with him or her a valid Irish transit visa,

*[d]* you did not ensure that the passenger, a person required by law to have an Irish visa who was seeking to land in the State, had with him or her a valid Irish visa.

3. (1) TAKE NOTICE, You may, during the period of 28 days beginning on the date of this notice, make to the Detective Superintendent (Administration) at Garda National Immigration Bureau, 13 - 14 Burgh Quay, Dublin 2 a payment of €2,500.

(2) No prosecution in respect of the offence alleged will be instituted during the period of 28 days and if payment is made during that period, no prosecution in respect of the alleged offence will be instituted.

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(3) Failure to make payment in compliance of the terms of this notice will result in a prosecution.

(4) Persons found guilty of an offence under section 2 shall be liable on summary conviction to a Class A fine for each offence.

Signed: \_\_\_\_\_

*[name of immigration officer]*

Date: *[insert date]*

## SCHEDULE 4

*Regulation 6***Immigration Act 2003****Notice of alleged offence under section 2(3)(a)**

1. To: *[insert name of carrier]*

In respect of the following passenger:

Name: *[insert name]*

Nationality: *[insert nationality where known, apparent nationality to the extent that it can be ascertained, or "not known" as appropriate]*

Brought by you to: *[insert place of arrival in the State]*

On board: *[insert flight number, vessel name, vehicle registration mark etc.]*

Arriving on: *[insert date of arrival]* at: *[insert time of arrival]*

2. You are alleged to have committed an offence under section 2 of the above Act consisting of a contravention of section 2(3)(a) of that Act in that at *[insert place of arrival in the State]* on *[insert date of arrival]* you, being the carrier concerned of a vehicle arriving in the State from *[insert place of embarkation]*, did not, when so requested by *[insert name of immigration officer]*, an immigration officer, furnish that immigration officer with vehicle, a list specifying the name and nationality of each person carried on board the vehicle in the prescribed form.

3. (1) TAKE NOTICE, You may, during the period of 28 days beginning on the date of this notice, make to the Detective Superintendent (Administration) at Garda National Immigration Bureau, 13 - 14 Burgh Quay, Dublin 2 a payment of € 2,500.

(2) No prosecution in respect of the offence alleged will be instituted during the period of 28 days and if payment is made during that period, no prosecution in respect of the alleged offence will be instituted.

(3) Failure to make payment in compliance of the terms of this notice will result in a prosecution.

(4) Persons found guilty of an offence under section 2 shall be liable on summary conviction to a Class A fine for each offence.

Signed: \_\_\_\_\_

*[name of immigration officer]*

Date: *[insert date]*

SCHEDULE 5

*Regulation 7*

**Immigration Act 2003**

**Notice of alleged offence under section 2(3)(b)**

1. To: *[insert name of carrier]*

In respect of the following passenger:

Name: *[insert name]*

Nationality: *[insert nationality where known, apparent nationality to the extent that it can be ascertained, or "not known" as appropriate]*

Brought by you to: *[insert place of arrival in the State]*

On board: *[insert flight number, vessel name, vehicle registration mark etc.]*

Arriving on: *[insert date of arrival]* at: *[insert time of arrival]*

2. You are alleged to have committed an offence under section 2 of the above Act consisting of a contravention of section 2(3)(b) of that Act in that at *[insert place of arrival in the State]* on *[insert date of arrival]* you being a carrier concerned of a vehicle arriving in the State from *[insert place of embarkation]*, did not furnish when so requested by *[insert name of immigration officer]*, an immigration officer, details of the members of the crew of the vehicle.

3. (1) TAKE NOTICE, You may, during the period of 28 days beginning on the date of this notice, make to the Detective Superintendent (Administration) at Garda National Immigration Bureau, 13 - 14 Burgh Quay, Dublin 2 a payment of €2,500.

(2) No prosecution in respect of the offence alleged will be instituted during the period of 28 days and if payment is made during that period, no prosecution in respect of the alleged offence will be instituted.

(3) Failure to make payment in compliance of the terms of this notice will result in a prosecution.

(4) Persons found guilty of an offence under section 2 shall be liable on summary conviction to a Class A fine for each offence.

Signed: \_\_\_\_\_

*[name of immigration officer]*

Date: *[insert date]*

L.S.

GIVEN under my Official Seal,  
7 August, 2024.

HELEN MCENTEE,  
Minister for Justice.

#### EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations amend the fine amounts in the forms of notice to be given to carriers alleged to be in breach of offences under section 2 of the Immigration Act 2003, as amended by the Courts, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024.

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