

*Status: Point in time view as at 01/03/2015.*

*Changes to legislation: Terrorism Act 2000, Paragraph 1 is up to date with all changes known to be in force on or before 28 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)*

## SCHEDULES

### SCHEDULE 8

#### DETENTION

##### **Modifications etc. (not altering text)**

- C1** Schs. 7, 8, 14 extended (with modifications) (coming into force in accordance with art. 1(2) of the extending S.I.) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) Order 2003 \(S.I. 2003/2818\)](#), [art. 11\(1\)\(b\)](#), Sch. 2; (as amended (31.3.2021) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) \(Amendment\) Order 2021 \(S.I. 2021/311\)](#), arts. 1(2), [2\(7\)\(b\)\(i\)](#))
- C1** Sch. 8 applied (with modifications) (25.7.2006) by [Terrorism Act 2006 \(c. 11\)](#), [s. 25\(1\)\(3\)\(4\)](#); S.I. 2006/1936, [art. 2](#)

#### PART I

##### TREATMENT OF PERSONS DETAINED UNDER SECTION 41 OR SCHEDULE 7

##### *Place of detention*

- 1 (1) The Secretary of State shall designate places at which persons may be detained under Schedule 7 or section 41.
- (2) In this Schedule a reference to a police station includes a reference to any place which the Secretary of State has designated under sub-paragraph (1) as a place where a person may be detained under section 41.
- (3) Where a person is detained under Schedule 7, he may be taken in the custody of an examining officer or of a person acting under an examining officer's authority to and from any place where his attendance is required for the purpose of—
- (a) his examination under that Schedule,
  - (b) establishing his nationality or citizenship, or
  - (c) making arrangements for his admission to a country or territory outside the United Kingdom.
- (4) A constable who arrests a person under section 41 shall take him as soon as is reasonably practicable to the police station which the constable considers the most appropriate.
- (5) In this [F1Schedule ] “examining officer” has the meaning given in Schedule 7.
- (6) Where a person is arrested in one Part of the United Kingdom and all or part of his detention takes place in another Part, the provisions of this Schedule which apply to detention in a particular Part of the United Kingdom apply in relation to him while he is detained in that Part.

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#### **Textual Amendments**

- F1** Word in Sch. 8 para. 1(5) substituted (31.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014](#) (c. 12), s. 185(1), **Sch. 9 para. 5(2)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/1916, art. 3(b)

#### **Modifications etc. (not altering text)**

- C1** Sch. 8 para. 1 applied with modifications (N.I.) (1.3.2015) by [The Police \(Northern Ireland\) Act 2000](#) (Designated Places of Detention: Lay Visitors) Order 2015 (S.R. 2015/29), arts. 1, 2
- C2** Sch. 8 paras. 1(6), 2, 6-9, 16-19 applied (with modifications) (11.3.2005) by [Prevention of Terrorism Act 2005](#) (c. 2), s. 5(8)

#### **Commencement Information**

- I1** Sch. 8 para. 1 wholly in force at 19.2.2001; Sch. 8 para. 1 not in force at Royal Assent see s. 128; Sch. 8 para. 1(1) in force at 31.10.2000 by [S.I. 2000/2944](#), **art. 2(I)(i)**; Sch. 8 in force at 19.2.2001 in so far as not already in force by [S.I. 2001/421](#), **art. 2**

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