



Railways and Transport Safety Act 2003

2003 CHAPTER 20

PART 4

SHIPPING: ALCOHOL AND DRUGS

Enforcement

85 Arrest without warrant

- (1) A constable may arrest a person without a warrant if the constable reasonably suspects that the person—
 - (a) is committing an offence under section 78(2), 79(2) or 80(2), or
 - (b) has committed one of those offences and is still under the influence of drink or drugs.
- (2) But a person may not be arrested under this section while he is at a hospital as a patient.
- (3) In subsection (2) “hospital” means an institution which—
 - (a) provides medical or surgical treatment for in-patients or out-patients, and
 - (b) is not on a ship.
- (4) Arrest under this section shall be treated as arrest for an offence for the purposes of—
 - (a) Part IV of the Police and Criminal Evidence Act 1984 (c. 60) (detention), and
 - (b) Part V of the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12)) (detention).

Commencement Information

II S. 85 in force at 30.3.2004 by S.I. 2004/827, art. 3(h)

Changes to legislation:

There are currently no known outstanding effects for the Railways and Transport Safety Act 2003, Section 85.