



# Immigration, Asylum and Nationality Act 2006

## 2006 CHAPTER 13

### *Claimants and applicants*

#### **46 Inspection of detention facilities**

(1) For section 5A(5A) of the Prison Act 1952 (c. 52) (removal centres: inspection) substitute—

“(5A) Subsections (2) to (5) shall apply—

- (a) in relation to removal centres within the meaning of section 147 of the Immigration and Asylum Act 1999 (c. 33),
- (b) in relation to short-term holding facilities within the meaning of that section, and
- (c) in relation to escort arrangements within the meaning of that section.

(5B) In their application by virtue of subsection (5A) subsections (2) to (5)—

- (a) shall apply to centres, facilities and arrangements anywhere in the United Kingdom, and
- (b) shall have effect—
  - (i) as if a reference to prisons were a reference to removal centres, short-term holding facilities and escort arrangements,
  - (ii) as if a reference to prisoners were a reference to detained persons and persons to whom escort arrangements apply, and
  - (iii) with any other necessary modifications.”

(2) In section 55 of that Act (extent)—

- (a) omit subsection (4A), and
- (b) after subsection (5) insert—

“(6) But (despite subsections (4) and (5)) the following shall extend to England and Wales, Scotland and Northern Ireland—

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**Changes to legislation:** Immigration, Asylum and Nationality Act 2006, Section 46 is up to date with all changes known to be in force on or before 24 May 2023. 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) [View outstanding changes](#)

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- (a) section 5A(5A) and (5B), and
- (b) section 5A(2) to (5) in so far as they apply by virtue of section 5A(5A).”

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**Commencement Information**

**II** [S. 46](#) in force at 31.8.2006 by [S.I. 2006/2226](#), art. 3, [Sch. 1](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 32(5)(d) and word inserted by [2006 c. 48 s. 14\(3\)](#)
- s. 33(5)(d) and word inserted by [2006 c. 48 s. 14\(3\)](#)
- s. 38(5A) inserted by [2006 c. 48 s. 14\(5\)](#)