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STATUTORY INSTRUMENTS

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**1996 No. 716**

**The United Nations (International Tribunal) (Former Yugoslavia) Order 1996**

**PART IV**

**SUPPLEMENTARY PROVISIONS**

**Legal custody**

**25.—**(1) A person in respect of whom a delivery order or transfer warrant is in force shall be deemed to be in legal custody at any time when, being in the United Kingdom or on board—

- (a) any British ship (within the meaning of the Merchant Shipping Act 1995<sup>(1)</sup>),
- (b) any British-controlled aircraft or hovercraft (within the meaning of section 92 of the Civil Aviation Act 1982<sup>(2)</sup> or, as the case may be, that section as applied to hovercraft by virtue of provision made under the Hovercraft Act 1968<sup>(3)</sup>), or
- (c) any ship, aircraft or hovercraft belonging to, or exclusively employed in the service of, Her Majesty in right of the Government of the United Kingdom,

he is being taken under the order or warrant to or from any place or is being kept in custody under the order or warrant or, pending the execution of the order or warrant, on remand.

(2) A person authorised by or for the purposes of a delivery order or transfer warrant to take another person to or from any place or to keep that person in custody shall have all the powers, authority, protection and privileges—

- (a) of a constable in the part of the United Kingdom in which that person is for the time being, or
- (b) if he is outside the United Kingdom, of a constable in the part of the United Kingdom to or from which the other person is to be taken.

(3) If a prisoner or any person who is in custody by virtue of this Order escapes or is unlawfully at large, he may be arrested without warrant by a constable and taken to any place where or to which, by virtue of this Order, he is required to be or to be taken.

(4) In paragraph (3) “constable”, in relation to any part of the United Kingdom, means any person who is a constable in that or any other part of the United Kingdom or any person who, at the place in question has, under any enactment or under paragraph (2), the powers of a constable in that or any other part of the United Kingdom.

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(1) 1995 c. 21.  
(2) 1982 c. 16.  
(3) 1968 c. 59.