
Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Paragraph 15. (See end of Document for details)

SCHEDULES

SCHEDULE 6

DETENTION UNDER SECTION 27

PART 3

RIGHTS OF PERSONS DETAINED UNDER SECTION 27: SCOTLAND

- 15 (1) A person detained under [section 27](#) at a place in Scotland is entitled to have intimation of the person's detention and of the place where the person is being detained sent without delay to a solicitor and to another person named by the detained person.
- (2) The person named must be—
- (a) a friend of the detained person,
 - (b) a relative of the detained person, or
 - (c) a person who is known to the detained person or who is likely to take an interest in the detained person's welfare.
- (3) Where a detained person is transferred from one place to another, the person is entitled to exercise the right under [sub-paragraph \(1\)](#) in respect of the place to which the person is transferred.
- (4) A police officer of at least the rank of superintendent may authorise a delay in making intimation where, in the officer's view, the delay is necessary on one of the grounds mentioned in [paragraph 16\(3\)](#) or where [paragraph 16\(4\)](#) applies.
- (5) Where a detained person requests that the intimation be made, a record must be made of the time at which the request was made and complied with.
- (6) A person who is detained as mentioned in [sub-paragraph \(1\)](#) is entitled to consult a solicitor at any time, without delay.
- (7) A police officer of at least the rank of superintendent may authorise a delay in holding the consultation where, in the officer's view, the delay is necessary on one of the grounds mentioned in [paragraph 16\(3\)](#) or where [paragraph 16\(4\)](#) applies.
- (8) The consultation is to be private.
- (9) A detained person must be permitted to exercise the rights under [this paragraph](#) before the end of the period mentioned in [section 27\(3\)](#).
- (10) A detained person must be informed of the rights under [sub-paragraphs \(1\)](#) and [\(6\)](#) on first being detained.

Commencement Information

II Sch. 6 para. 15 not in force at Royal Assent, see 100(1)

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12 Sch. 6 para. 15 in force at 20.12.2023 by S.I. 2023/1272, **reg. 2(a)**

Changes to legislation:

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