
Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Paragraph 44. (See end of Document for details)

SCHEDULES

SCHEDULE 6

DETENTION UNDER SECTION 27

PART 6

EXTENSION OF DETENTION UNDER SECTION 27

Extensions of warrants

- 44 (1) Each of the following—
- (a) in England and Wales, a Crown Prosecutor,
 - (b) in Scotland, the Lord Advocate or a procurator fiscal,
 - (c) in Northern Ireland, the Director of Public Prosecutions for Northern Ireland,
 - (d) in any part of the United Kingdom, a police officer of at least the rank of superintendent,
- may apply for the extension or further extension of the period specified in a warrant of further detention.
- (2) The person to whom an application under [sub-paragraph \(1\)](#) may be made is a judicial authority.
- (3) Where the period specified is extended, the warrant must be endorsed with a note stating the new specified period.
- (4) Subject to [sub-paragraph \(6\)](#), the period by which the specified period is extended or further extended is the period which—
- (a) begins with the time specified in [sub-paragraph \(5\)](#), and
 - (b) ends with whichever is the earlier of—
 - (i) the end of the period of 7 days beginning with that time, and
 - (ii) the end of the period of 14 days beginning with the time of the arrest of the person to which the warrant relates.
- (5) The time referred to in [sub-paragraph \(4\)\(a\)](#) is—
- (a) in the case of a warrant specifying a period which has not previously been extended under [this paragraph](#), the end of the period specified in the warrant, and
 - (b) in any other case, the end of the period for which the period specified in the warrant was last extended under [this paragraph](#).
- (6) A judicial authority may extend or further extend the period specified in a warrant by a shorter period than is required by [sub-paragraph \(4\)](#) if—
- (a) the application for the extension is an application for an extension by a period that is shorter than is so required, or

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- (b) the judicial authority is satisfied that there are circumstances that would make it inappropriate for the period of the extension to be as long as the period so required.
- (7) Paragraphs 38(3) and 39 to 42 apply to an application under [this paragraph](#) as they apply to an application for a warrant of further detention.
- (8) A judicial authority may adjourn the hearing of an application under [sub-paragraph \(1\)](#) only if the hearing is adjourned to a date before the expiry of the period specified in the warrant.
- (9) [Sub-paragraph \(8\)](#) does not apply to an adjournment under [paragraph 41\(2\)](#).

Commencement Information

- I1** Sch. 6 para. 44 not in force at Royal Assent, see 100(1)
- I2** Sch. 6 para. 44 in force at 20.12.2023 by [S.I. 2023/1272](#), [reg. 2\(a\)](#)

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