



Criminal Justice (Scotland) Act 2016

2016 asp 1

PART 1

ARREST AND CUSTODY

CHAPTER 2

CUSTODY: PERSON NOT OFFICIALLY ACCUSED

Keeping person in custody

12 Information to be given on authorisation under section 11

- (1) This section applies when authorisation to keep a person in custody is given under section 11.
- (2) The person must be informed—
 - (a) that the authorisation has been given, and
 - (b) of the grounds on which it has been given.
- (3) The person—
 - (a) has the right to have the information mentioned in subsection (2) intimated to a solicitor, and
 - (b) must be informed of that right.
- (4) The person must be reminded about any right which the person has under Chapter 5.
- (5) Subsection (4) does not require that a person be reminded about a right to have intimation sent under either of the following sections if the person has exercised the right already—
 - (a) section 38,
 - (b) section 43.
- (6) Information to be given under subsections (2), (3)(b) and (4) must be given to the person as soon as reasonably practicable after the authorisation is given.

Status: This is the original version (as it was originally enacted).

- (7) Where the person requests that intimation be sent under subsection (3)(a), the intimation must be sent as soon as reasonably practicable.