

Status: Point in time view as at 05/12/2005.

Changes to legislation: Immigration and Asylum Act 1999, Cross Heading: Testing for drugs or alcohol is up to date with all changes known to be in force on or before 20 September 2024. 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)

SCHEDULES

SCHEDULE 12

DISCIPLINE ETC AT [F1REMOVAL CENTRES]

Textual Amendments

- F1** Words in Sch. 12 substituted (10.2.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), ss.66(2)(3)(l), 162(1) (with s. 159); S.I. 2003/1, art. 2, Sch.

Testing for drugs or alcohol

- 2 (1) If an authorisation is in force, a detainee custody officer may, at the centre to which the authorisation applies and in accordance with [F1removal centre] rules, require a detained person who is confined in the centre to provide a sample for the purpose of ascertaining—
- (a) whether he has a drug in his body; or
 - (b) whether he has alcohol in his body.
- (2) The sample required may be one or more of the following—
- (a) a sample of urine;
 - (b) a sample of breath;
 - (c) a sample of a specified description.
- (3) Sub-paragraph (2)(c)—
- (a) applies only if the authorisation so provides; and
 - (b) does not authorise the taking of an intimate sample.
- (4) “Authorisation” means an authorisation given by the Secretary of State for the purposes of this paragraph in respect of a particular [F1removal centre].
- (5) “Drug” means a drug which is a controlled drug for the purposes of the ^{M1}Misuse of Drugs Act 1971.
- (6) “Specified” means specified in the authorisation.
- (7) “Intimate sample”—
- (a) in relation to England and Wales, has the same meaning as in Part V of the ^{M2}Police and Criminal Evidence Act 1984;
 - (b) in relation to Scotland, means—
 - (i) a sample of blood, semen or any other tissue fluid, urine or pubic hair;
 - (ii) a dental impression;
 - (iii) a swab taken from a person’s body orifice other than the mouth; and

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- (c) in relation to Northern Ireland, has the same meaning as in Part VI of the ^{M3}Police and Criminal Evidence (Northern Ireland) Order 1989.

Commencement Information

- I1** Sch. 12 para. 2 wholly in force at 2.4.2001; Sch. 12 para. 2 not in force at Royal Assent; Sch. 12 para. 2 in force for certain purposes at 1.8.2000 by [S.I. 2000/1985](#), art. 2, **Sch**; Sch. 12 para. 2 in force so far as not already in force at 2.4.2001 by [S.I. 2001/239](#), art. 2, **Sch**.

Marginal Citations

- M1** 1971 c. 38.
M2 1984 c. 60.
M3 [S.I. 1989/1341](#) (N.I. 12).

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