



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART XI

MISCELLANEOUS AND SUPPLEMENTARY

118 General interpretation.

(1) In this Act—

- ^{F1}
- ^{F2}^{F3}“British Transport Police Force” means the constables appointed under section 53 of the British Transport Commission Act 1949 (c. xxix);
- “designated police station” has the meaning assigned to it by section 35 above;
- “document” ^{F4}means anything in which information of any description is recorded.];
- ^{F5}
- “item subject to legal privilege” has the meaning assigned to it by section 10 above;
- “parent or guardian” means—
- (a) in the case of a child or young person in the care of a local authority, that authority; ^{F6} . . .
- (b) ^{F6}
- “premises” has the meaning assigned to it by section 23 above;
- “recordable offence” means any offence to which regulations under section 27 above apply;
- “vessel” includes any ship, boat, raft or other apparatus constructed or adapted for floating on water.

(2) ^{F7}Subject to subsection (2A)] a person is in police detention for the purposes of this Act if—

- [he has been taken to a police station after being arrested for an offence or after
- ^{F8}(a) being arrested under section 41 of the Terrorism Act 2000, or]

Status: Point in time view as at 07/10/2013. This version of this provision has been superseded.

Changes to legislation: Police and Criminal Evidence Act 1984, Section 118 is up to date with all changes known to be in force on or before 30 July 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)

(b) he is arrested at a police station after attending voluntarily at the station or accompanying a constable to it,

and is detained there or is detained elsewhere in the charge of a constable, except that a person who is at a court after being charged is not in police detention for those purposes.

[Where a person is in another's lawful custody by virtue of paragraph 22, 34(1) or ^{F9}(2A) 35(3) of Schedule 4 to the Police Reform Act 2002, he shall be treated as in police detention.]]

Extent Information

E1 For the extent of this Act see [s. 120\(11\)](#)

Textual Amendments

- F1** [S. 118\(1\)](#): definition of "arrestable offence" repealed (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 111, 174(2), 178, [Sch. 7 Pt. 1 para. 24\(2\)](#), [Sch. 17 Pt. 2](#); S.I. 2005/3495, [art. 2\(1\)\(m\)\(t\)\(u\)\(xxiv\)](#)
- F2** [S. 118\(1\)](#): definition of "British Transport Police Force" ceased to have effect (1.7.2004) by virtue of [Railways and Transport Safety Act 2003 \(c. 20\)](#), ss. 73, 120, [Sch. 5 para. 4\(1\)\(b\)\(2\)](#) (with s. 72); S.I. 2004/1572, [art. 3\(ddd\)\(jjj\)](#)
- F3** Words in [s. 118\(1\)](#) inserted (14.12.2001) by 2001 c 24, s. 101, [Sch. 7 para. 14](#)
- F4** Words in definition of "document" in [s. 118\(1\)](#) substituted (31.1.1997) by 1995 c. 38, s. 15(1), [Sch. 1 para. 9\(3\)](#) (with ss. 1(3), 6(4)(5), 14); S.I. 1996/3217, [art. 2](#)
- F5** Definition of "intimate search" in [s. 118\(1\)](#) repealed (10.4.1995) by 1994 c. 33, s. 168(3), [Sch. 11](#); S.I. 1995/721, [art. 2](#), [Sch. Appendix B](#)
- F6** In [s. 118](#), paragraph (b) of definition and the word immediately preceding it repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(7), [Sch. 15](#) (with [Sch. 14 paras. 1\(1\), 27\(4\)](#)); S.I. 1991/828, [art. 3\(2\)](#)
- F7** Words in [s. 118\(2\)](#) inserted (2.12.2002) by [Police Reform Act 2002 \(c. 30\)](#), s. 107, [Sch. 7 para. 9\(9\)](#); S.I. 2002/2750, [art. 2\(b\)\(ii\)](#)
- F8** [S. 118\(2\)\(a\)](#) substituted (19.2.2001) by 2000 c. 11, s. 125(1), [Sch. 15 para. 5\(12\)](#); S.I. 2001/421, [art. 2](#)
- F9** [S. 118\(2A\)](#) inserted (2.12.2002) by [Police Reform Act 2002 \(c. 30\)](#), s. 107, [Sch. 7 para. 9\(9\)](#); S.I. 2002/2750, [art. 2\(b\)\(ii\)](#)

Modifications etc. (not altering text)

- C1** [S. 118](#) applied with modifications by S.I. 1985/1882, [arts. 3, 10](#)
- C2** [S. 118](#) amended (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), ss. 73, 120, [Sch. 5 para. 4\(1\)\(a\)\(2\)](#) (with s. 72); S.I. 2004/1572, [art. 3\(ddd\)\(jjj\)](#)

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