



# Immigration and Asylum Act 1999

## 1999 CHAPTER 33

### PART VIII

#### DETENTION CENTRES AND DETAINED PERSONS

##### *Interpretation*

#### 147 Interpretation of Part VIII.

In this Part—

“certificate of authorisation” means a certificate issued by the Secretary of State under section 154;

“certified prisoner custody officer” means a prisoner custody officer certified under section 89 of the <sup>M1</sup>Criminal Justice Act 1991, or section 114 of the <sup>M2</sup>Criminal Justice and Public Order Act 1994, to perform custodial duties;

“contract monitor” means a person appointed by the Secretary of State under section 149(4);

“contracted out [<sup>F1</sup>removal centre]” means a [<sup>F1</sup>removal centre] in relation to which a [<sup>F1</sup>removal centre] contract is in force;

“contractor”, in relation to a [<sup>F1</sup>removal centre] which is being run in accordance with a [<sup>F1</sup>removal centre] contract, means the person who has contracted to run it;

“custodial functions” means custodial functions at a [<sup>F1</sup>removal centre];

“detained persons” means persons detained or required to be detained under the 1971 Act [<sup>F2</sup>or under section 62 of the Nationality, Immigration and Asylum Act 2002 (detention by Secretary of State);]

“detainee custody officer” means a person in respect of whom a certificate of authorisation is in force;

<sup>F3</sup>  
...

“[<sup>F1</sup>removal centre] contract” means a contract entered into by the Secretary of State under section 149;

*Status: Point in time view as at 21/07/2009. This version of this provision has been superseded.*

*Changes to legislation: Immigration and Asylum Act 1999, Section 147 is up to date with all changes known to be in force on or before 15 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)*

“<sup>F1</sup>removal centre] rules” means rules made by the Secretary of State under section 153;

“directly managed <sup>F1</sup>removal centre]” means a <sup>F1</sup>removal centre] which is not a contracted out <sup>F1</sup>removal centre];

“escort arrangements” means arrangements made by the Secretary of State under section 156;

“escort functions” means functions under escort arrangements;

“escort monitor” means a person appointed under paragraph 1 of Schedule 13;

“prisoner custody officer”—

(a) in relation to England and Wales, has the same meaning as in the <sup>M3</sup>Criminal Justice Act 1991;

(b) in relation to Scotland, has the meaning given in section 114(1) of the <sup>M4</sup>Criminal Justice and Public Order Act 1994;

(c) in relation to Northern Ireland, has the meaning given in section 122(1) of that Act of 1994;

<sup>F4</sup>“removal centre” means a place which is used solely for the detention of detained persons but which is not a short-term holding facility, a prison or part of a prison;]

“short-term holding facility” means a place used<sup>F5</sup>—

(a) solely for the detention of detained persons for a period of not more than seven days or for such other period as may be prescribed]<sup>F6</sup>, or

(b) for the detention of—

(i) detained persons for a period of not more than seven days or for such other period as may be prescribed, and

(ii) persons other than detained persons for any period.]

#### Textual Amendments

- F1** Words in s. 147 substituted (10.2.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), [ss.66\(2\)\(3\)\(a\)](#), [162\(1\)](#) (with s. 159); S.I. 2003/1, art. 2, Sch.
- F2** Words in s. 147 inserted (10.2.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), [ss. 62\(14\)](#), [162\(1\)](#) (with s. 159); S.I. 2003/1, art. 2, Sch.
- F3** Definition in s. 147 repealed (10.2.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), [ss. 66\(1\)\(a\)](#), [162\(1\)](#), [Sch. 9](#) (with s. 159); S.I. 2003/1, art. 2, Sch.
- F4** Definition in s. 147 inserted (10.2.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), [ss. 66\(1\)\(b\)](#), [162\(1\)](#) (with s. 159); S.I. 2003/1, art. 2, Sch.
- F5** Words in definition "short-term holding facility" in s. 147 renumbered as para. (a) and hyphen inserted (21.7.2009) by [Borders, Citizenship and Immigration Act 2009 \(c. 11\)](#), [ss. 25\(a\)](#), [58\(1\)](#) (with s. 36(4))
- F6** Words in s. 147 inserted (21.7.2009) by [Borders, Citizenship and Immigration Act 2009 \(c. 11\)](#), [ss. 25\(b\)](#), [58\(1\)](#) (with s. 36(4))

#### Modifications etc. (not altering text)

- C1** S. 147 extended (coming into force in accordance with art. 1(2) of the extending S.I.) by [Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) Order 2003 \(S.I. 2003/2818\)](#), [art. 11\(2\)](#)

#### Marginal Citations

- M1** 1991 c. 53.  
**M2** 1994 c. 33.  
**M3** 1991 c. 53.

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**Changes to legislation:** Immigration and Asylum Act 1999, Section 147 is up to date with all changes known to be in force on or before 15 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)

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**M4** 1994 c. 33.

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