



# Railways and Transport Safety Act 2003

## 2003 CHAPTER 20

### PART 5 **U.K.**

#### AVIATION: ALCOHOL AND DRUGS

##### *Enforcement*

#### 97 Arrest without warrant **U.K.**

- (1) A constable may arrest a person without a warrant if the constable reasonably suspects that the person—
  - (a) is committing an offence under section 92, or
  - (b) has committed an offence under that section and is still under the influence of drink or drugs.
- (2) But a person may not be arrested under this section while he is at a hospital as a patient.
- (3) In subsection (2) “hospital” means an institution which provides medical or surgical treatment for in-patients or out-patients.
- (4) Arrest under this section shall be treated as arrest for an offence for the purposes of—
  - (a) Part IV of the Police and Criminal Evidence Act 1984 (c. 60) (detention), and
  - (b) Part V of the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12)) (detention).

#### **Commencement Information**

**II** S. 97 in force at 30.3.2004 by S.I. 2004/827, art. 3(f)

**Changes to legislation:**

There are currently no known outstanding effects for the Railways and Transport Safety Act 2003, Section 97.