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STATUTORY INSTRUMENTS

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**2018 No. 409**

**The Short-term Holding Facility Rules 2018**

**PART 1**

**Interpretation**

**2.** In these Rules—

“contracted out short-term holding facility” means a short-term holding facility in respect of which there is a contract entered into by the Secretary of State under regulation 2 of the Immigration (Short-term Holding Facilities) Regulations 2002<sup>M1</sup>;

“directly managed short-term holding facility” means a short-term holding facility which is not a contracted out short-term holding facility;

“health care professional” means a registered medical practitioner or a registered nurse;

“holding room” means a short-term holding facility where a detained person may be detained for a period of not more than 24 hours unless a longer period is authorised by the Secretary of State;

“legal adviser” means a detained person's counsel, representative or solicitor, and includes a clerk acting on behalf of that solicitor;

“manager” means—

- (a) in relation to a directly managed short-term holding facility, the official of the Secretary of State designated to complete the tasks that fall to a manager under these Rules;
- (b) in relation to a contracted out short-term holding facility, a member of the contractor's staff—
  - (i) designated to complete the tasks that fall to a manager under these Rules, and
  - (ii) certified as a detainee custody officer.

“member of staff” means a person working at a short-term holding facility;

“officer” means—

- (a) an official of the Secretary of State;
- (b) an employee of the contractor;
- (c) a detainee custody officer (and includes a detainee custody officer who is authorised to perform escort functions in accordance with section 154 of the Immigration and Asylum Act 1999<sup>M2</sup>), or
- (d) an immigration officer.

“port” includes airport;

[<sup>F1</sup>“residential holding room” means a short-term holding facility where a detained person may be detained for a period of not more than 96 hours unless a longer period is authorised by the Secretary of State.]

**Status:** Point in time view as at 05/01/2023.

**Changes to legislation:** There are currently no known outstanding effects for the The Short-term Holding Facility Rules 2018, Section 2. (See end of Document for details)

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**Textual Amendments**

- F1** Words in [rule 2](#) inserted (5.1.2023) by [The Short-term Holding Facility \(Amendment\) Rules 2022 \(S.I. 2022/1345\)](#), rules 1(1), **2(2)**

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**Marginal Citations**

- M1** [S.I. 2002/2538](#).
- M2** [Section 154\(5\)](#) has been substituted by section 65(1) of the Nationality, Immigration and Asylum Act 2002.

**Status:**

Point in time view as at 05/01/2023.

**Changes to legislation:**

There are currently no known outstanding effects for the The Short-term Holding Facility Rules 2018, Section 2.