

SCHEDULES

SCHEDULE 1

PERSONAL COMMUNITY CHARGE: EXEMPTION

Persons in detention

- 1 (1) A person is an exempt individual on a particular day if at any time on the day—
- (a) he is detained in a prison, a hospital or any other place by virtue of an order of a court to which sub-paragraph (2) below applies,
 - (b) he is detained under paragraph 2 of Schedule 3 to the Immigration Act 1971 (deportation),
 - (c) he is detained under section 136 of the Mental Health Act 1983 (detention in place of safety), or
 - (d) he is detained under a warrant issued under the Repatriation of Prisoners Act 1984.
- (2) This sub-paragraph applies to the following courts—
- (a) a court in the United Kingdom, and
 - (b) a Standing Civilian Court established under the Armed Forces Act 1976.
- (3) If a person is temporarily discharged under section 28 of the Prison Act 1952, or temporarily released under rules under section 47(5) of that Act, for the purposes of sub-paragraph (1) above he shall be treated as detained.
- (4) Sub-paragraph (1) above does not apply where the person is detained under regulations made under paragraph 8 of Schedule 4 below.
- (5) Sub-paragraph (1) above does not apply where the person is detained under section 76 of the Magistrates' Courts Act 1980, or section 9 of the Criminal Justice Act 1982, for default in payment of a fine.
- (6) In sub-paragraph (1) above “order” includes a sentence, direction, warrant or other means of giving effect to the decision of the court concerned.
- (7) The Secretary of State may by order provide that a person is an exempt individual on a particular day if—
- (a) at any time on the day he is imprisoned, detained or in custody under the Army Act 1955, the Air Force Act 1955 or the Naval Discipline Act 1957, and
 - (b) such conditions as may be prescribed are fulfilled.