



Criminal Justice and Court Services Act 2000

2000 CHAPTER 43

PART III

DEALING WITH OFFENDERS

CHAPTER II

MISCELLANEOUS

Release of prisoners on licence etc.

64 Release on licence etc: drug testing requirements.

- (1) This section applies where—
 - (a) the Secretary of State releases from prison a person aged 18 or over on whom a sentence of imprisonment has been imposed for a trigger offence, and
 - (b) the release is subject to conditions (whether conditions of a licence or any other conditions, however expressed).
- (2) For the purpose of determining whether the person is complying with any of the conditions, they may include the following requirement.
- (3) The requirement is that the person must provide, when instructed to do so by an officer of a local probation board ^[^{F1}], an officer of a provider of probation services] or a person authorised by the Secretary of State, any sample mentioned in the instruction for the purpose of ascertaining whether he has any specified Class A drug in his body.
- (4) The function of giving such an instruction is to be exercised in accordance with guidance given from time to time by the Secretary of State; and regulations made by the Secretary of State may regulate the provision of samples in pursuance of such an instruction.

Status: Point in time view as at 01/04/2008. This version of this provision has been superseded.

Changes to legislation: *Criminal Justice and Court Services Act 2000, Section 64 is up to date with all changes known to be in force on or before 11 April 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)*

- (5) In this section, “sentence of imprisonment” includes—
- (a) a detention and training order,
 - (b) a sentence of detention in a young offender institution,
 - (c) a sentence of detention under section 90 of the Powers of Criminal Courts (Sentencing) Act 2000 (detention at Her Majesty’s pleasure),
 - (d) a sentence of detention under section 91 of that Act (detention of offenders under 18 convicted of certain serious offences),
 - (e) a sentence of custody for life under section 93 or 94 of that Act,
- and “prison” shall be construed accordingly.

Textual Amendments

- F1** Words in s. 64(3) inserted (1.4.2008) by [The Offender Management Act 2007 \(Consequential Amendments\) Order 2008 \(S.I. 2008/912\)](#), art. 1, **Sch. 1 para. 18(2)**
-

Commencement Information

- II** S. 64 wholly in force at 2.7.2001; s. 64 not in force at Royal Assent see s. 80; s. 64 in force for specified purposes at 20.6.2001 and 2.7.2001 insofar as not already in force by [S.I. 2001/2232](#), **art. 2(i)**

Status:

Point in time view as at 01/04/2008. This version of this provision has been superseded.

Changes to legislation:

Criminal Justice and Court Services Act 2000, Section 64 is up to date with all changes known to be in force on or before 11 April 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.