
Changes to legislation: Criminal Justice and Immigration Act 2008, Cross Heading: Guidance about the power to remove etc. is up to date with all changes known to be in force on or before 14 February 2019. 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)

SCHEDULES

SCHEDULE 21

NUISANCE OR DISTURBANCE ON HSS PREMISES

Guidance about the power to remove etc.

- 3 (1) The Department of Health, Social Services and Public Safety may from time to time prepare and publish guidance to HSS trusts and authorised officers about the powers in paragraph 2.
- (2) Such guidance may, in particular, relate to—
- (a) the authorisation by HSS trusts of authorised officers,
 - (b) the authorisation by authorised officers of HSS staff members to remove persons under paragraph 2,
 - (c) training requirements for authorised officers and HSS staff members authorised by them to remove persons under paragraph 2,
 - (d) matters that may be relevant to a consideration by authorised officers for the purposes of paragraph 2 of whether offences are being, or have been, committed under paragraph 1,
 - (e) matters to be taken into account by authorised officers in deciding whether there is reason to believe that a person requires medical advice, treatment or care for himself or herself or that the removal of a person would endanger the person's physical or mental health,
 - (f) the procedure to be followed by authorised officers or persons authorised by them before using the power of removal in paragraph 2,
 - (g) the degree of force that it may be appropriate for authorised officers or persons authorised by them to use in particular circumstances,
 - (h) arrangements for ensuring that persons on HSS premises are aware of the offence in paragraph 1 and the powers of removal in paragraph 2, or
 - (i) the keeping of records.
- (3) Before publishing guidance under this paragraph, the Department of Health, Social Services and Public Safety must consult such persons as the Department considers appropriate.
- (4) An HSS trust and an authorised officer must have regard to any guidance published under this paragraph when exercising functions under, or in connection with, paragraph 2.
- (5) In this paragraph—
- “authorised officer” has the same meaning as in paragraph 2, and
 - “HSS premises”, “HSS staff member” and “HSS trust” have the same meaning as in paragraph 1.

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Annotations:

Commencement Information

- I1** Sch. 21 para. 3(1)-(3)(5) in force at 22.6.2009 by S.R. 2009/243, **art. 2(b)**
- I2** Sch. 21 para. 3(4) in force at 18.10.2010 by S.R. 2010/349, **art. 2**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)