
Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Paragraph 17. (See end of Document for details)

SCHEDULES

SCHEDULE 6

DETENTION UNDER SECTION 27

PART 3

RIGHTS OF PERSONS DETAINED UNDER SECTION 27: SCOTLAND

- 17 (1) Paragraphs 15 and 16 have effect, in relation to a person detained under section 27, in place of any enactment or rule of law under or by virtue of which a person arrested or detained may be entitled to communicate or consult with any other person.
- (2) But, where a person who is detained under section 27 at a place in Scotland appears to a constable to be a child—
- (a) the other person named by the person detained in pursuance of paragraph 15(1) must be that person’s parent,
 - (b) intimation is to be made under paragraph 15(1) whether the detained person requests that it be made or not, and
 - (c) section 40 of the Criminal Justice (Scotland) Act 2016 (asp 1) (right of under 18s to have access to other person) applies as if the detained person were a person in police custody for the purposes of that section.
- (3) For the purposes of sub-paragraph (2)—
- “child” means a person under 16 years of age;
 - “parent” includes guardian and any person who has the care of the child mentioned in sub-paragraph (2).

Commencement Information

- I1** Sch. 6 para. 17 not in force at Royal Assent, see 100(1)
I2 Sch. 6 para. 17 in force at 20.12.2023 by S.I. 2023/1272, reg. 2(a)

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