



Prison Act 1952

1952 CHAPTER 52 15 and 16 Geo 6 and 1 Eliz 2

Confinement and treatment of prisoners

^{F1}[^{F2}16B] **[^{F2} Power to test prisoners for alcohol.]**

- (1) If an authorisation is in force for the prison, any prison officer may, at the prison, in accordance with prison rules, require any prisoner who is confined in the prison to provide a sample of breath for the purpose of ascertaining whether he has alcohol in his body.
- (2) If the authorisation so provides, the power conferred by subsection (1) above shall include power—
 - (a) to require a prisoner to provide a sample of urine, whether instead of or in addition to a sample of breath, and
 - (b) to require a prisoner to provide a sample of any other description specified in the authorisation, not being an intimate sample, whether instead of or in addition to a sample of breath, a sample of urine or both.
- (3) In this section—

“authorisation” means an authorisation by the governor;

“intimate sample” has the same meaning as in Part V of the ^{M1}Police and Criminal Evidence Act 1984;

“prison officer” includes a prisoner custody officer within the meaning of Part IV of the ^{M2}Criminal Justice Act 1991;

“prison rules” means rules under section 47 of this Act.]]

Textual Amendments

F1 S. 16A and sidenote inserted (9.1.1995) by 1994 c. 33, s. 151(1); S.I. 1994/3192, art. 2, Sch.

F2 S. 16B and sidenote inserted (21.5.1997) by 1997 c. 38, ss. 1, 3(2)

Marginal Citations

M1 1984 c. 60.

Changes to legislation: Prison Act 1952, Section 16B is up to date with all changes known to be in force on or before 07 June 2023. 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) [View outstanding changes](#)

M2 1991 c. 53.

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[View outstanding changes](#)

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):

- s. 47(1A) inserted by [2012 c. 10 s. 129\(2\)](#)
- s. 47(1A) modified (temp.) by [2012 c. 10 s. 129\(10\)](#)
- s. 47(1A) modified (temp.) by [2012 c. 10 s. 129\(11\)\(a\)](#)
- s. 47(1A)(a) words inserted by [2015 c. 2 Sch. 9 para. 3\(3\)](#)
- s. 47(6) inserted by [2012 c. 10 s. 129\(3\)](#)
- s. 47A inserted by [2012 c. 10 s. 129\(4\)](#)
- s. 47A modified (temp.) by [2012 c. 10 s. 129\(11\)\(b\)](#)
- s. 55(4A) repealed by [2006 c. 13 s. 46\(2\)\(a\)Sch. 3](#)