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STATUTORY INSTRUMENTS

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**2009 No. 1097**

**The Armed Forces (Custody Without Charge) Regulations 2009**

**PART 3**

**INFORMATION**

**Information to be provided to a person in custody**

**6.—**(1) Where it is intended to retain a person in custody, the authorising officer shall, as soon as practicable, provide to that person the information, in writing, specified in paragraph (2).

(2) The information to be provided is—

- (a) the name, rank or rate of the authorising officer;
- (b) if he was arrested—
  - (i) the reason for that arrest; and
  - (ii) the date and location of the arrest;
- (c) the relevant time;
- (d) that he is to be retained in custody;
- (e) the grounds (under section 99(4)(a)) for his retention in custody;
- (f) the period of custody authorised;
- (g) that he may make representations, orally or in writing, to the authorising officer—
  - (i) requesting his release and giving his reasons why he should be released from custody; or
  - (ii) making any other representations regarding his confinement in custody; and
- (h) that, subject to regulation 7, he may nominate an assisting officer in preparing and making any representation under paragraph (g).

(3) At the same time as providing the information specified in paragraph (2) the authorising officer shall provide to the person in custody a copy of any document required by the Defence Council to be given to a person in custody.

(4) The person in custody is to be invited to sign to acknowledge receipt of the information and documents specified in paragraphs (2) and (3) and any refusal to sign is to be recorded.