
STATUTORY INSTRUMENTS

2013 No. 1542

**The Police and Criminal Evidence Act 1984
(Application to immigration officers and designated
customs officials in England and Wales) Order 2013**

PART 3

**INVESTIGATIONS CONDUCTED, AND PERSONS
DETAINED, BY DESIGNATED CUSTOMS OFFICIALS**

Detention

14.—(1) Nothing in the application of the Act by virtue of article 12 shall prevent a detained person from being transferred between—

- (a) Revenue and Customs detention and customs detention;
- (b) police detention and customs detention;
- (c) customs detention and police detention.

(2) Subject to the modification in article 24(2), where a person is transferred from Revenue and Customs detention to customs detention, any period required to be calculated for the purposes of Part IV of the Act, as applied by article 12(2), is to be calculated as if the period for which the person was in Revenue and Customs detention was a period of customs detention.

(3) Subject to the modification in article 24(2), where a person is transferred from police detention to customs detention, any period required to be calculated for the purposes of Part IV of the Act as applied by article 12(2) is to be calculated as if the period for which the person was in police detention was a period of customs detention.

(4) Where a person is transferred from customs detention to police detention, any period required to be calculated for the purposes of Part IV of the Act is to be calculated as if the period for which the person was in customs detention was a period of police detention.

(5) In paragraph (4), the reference to a period of customs detention includes any period treated as a period of customs detention by virtue of paragraph (2) or by virtue of paragraph (3).

(6) The power of a custody officer to authorise a person to be kept in customs detention after they have been charged with an offence under section 38(2) of the Act applies only where that person has been charged with an offence against section 5(2) of the Misuse of Drugs Act 1971 (restriction of possession of controlled drugs)(1) or a drug trafficking offence and where that person is to be detained for the purpose of bringing him before a magistrates' court to request his remand to customs detention under section 152(1) of the Criminal Justice Act 1988 (remand of suspected drug offenders to detention)(2).

(1) 1971 c. 38.

(2) 1988 c. 33; Section 152 has been amended by section 8 of the Drugs Act 2005 (c.17).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(7) In this article, “drug trafficking offence” has the meaning given to it by section 151(5) of the Criminal Justice Act 1988 (customs and excise power of arrest)(3).

(8) In this article, “police detention” has the meaning given to it by section 118(2) of the Act, as modified by Article 12(6)(b).

(3) 1988 c. 33; Section 151 has been amended by sections 456, 457 and paragraphs 1, 17(1) and 17(3) of Schedule 11 to, the Proceeds of Crime Act 2002 (c. 29).