
STATUTORY INSTRUMENTS

2018 No. 409

The Short-term Holding Facility Rules 2018

PART 1

Citation and commencement

1. These Rules may be cited as the Short-term Holding Facility Rules 2018 and come into force on 2nd July 2018.

Interpretation

2. In these Rules—

“contracted out short-term holding facility” means a short-term holding facility in respect of which there is a contract entered into by the Secretary of State under regulation 2 of the Immigration (Short-term Holding Facilities) Regulations 2002⁽¹⁾;

“directly managed short-term holding facility” means a short-term holding facility which is not a contracted out short-term holding facility;

“health care professional” means a registered medical practitioner or a registered nurse;

“holding room” means a short-term holding facility where a detained person may be detained for a period of not more than 24 hours unless a longer period is authorised by the Secretary of State;

“legal adviser” means a detained person’s counsel, representative or solicitor, and includes a clerk acting on behalf of that solicitor;

“manager” means—

- (a) in relation to a directly managed short-term holding facility, the official of the Secretary of State designated to complete the tasks that fall to a manager under these Rules;
- (b) in relation to a contracted out short-term holding facility, a member of the contractor’s staff—
 - (i) designated to complete the tasks that fall to a manager under these Rules, and
 - (ii) certified as a detainee custody officer.

“member of staff” means a person working at a short-term holding facility;

“officer” means—

- (a) an official of the Secretary of State;
- (b) an employee of the contractor;
- (c) a detainee custody officer (and includes a detainee custody officer who is authorised to perform escort functions in accordance with section 154 of the Immigration and Asylum Act 1999⁽²⁾), or

(1) S.I. 2002/2538.

(2) Section 154(5) has been substituted by section 65(1) of the Nationality, Immigration and Asylum Act 2002.

(d) an immigration officer.

“port” includes airport.