

These notes relate to the Management of Offenders etc. (Scotland) Act 2005 (asp 14) which received Royal Assent on 8 December 2005

MANAGEMENT OF OFFENDERS ETC. (SCOTLAND) ACT 2005

EXPLANATORY NOTES

INTRODUCTION

Integrated Management Of Offenders

Section 16 – Testing prisoners for drugs

124. **Section 16** amends section 41B of the Prisons (Scotland) Act 1989 so as to enable the Scottish Prison Service to test prisoners for controlled drugs by means of saliva samples in addition to the existing power to require urine samples.
125. The amendment also re-defines what is regarded as an “intimate sample”. This includes blood, semen or any other tissue fluid as well as pubic hair and material from a body orifice other than the mouth, but no longer includes saliva or oral fluid. Intimate samples may not be taken for the purposes of drug testing.