



Repatriation of Prisoners Act 1984

1984 CHAPTER 47

[^{F1}Supplementary and general provisions]

[^{F1}6B Transit: supplementary

- (1) A person who is the subject of a transit order is deemed to be in the legal custody of the relevant Minister at any time when that person is in transit.
- (2) A constable may for the purposes of a transit order detain a person who is the subject of that order.
- (3) The relevant Minister may, from time to time, designate any person as a person who is for the time being authorised for the purposes of a transit order to detain a person under the order.
- (4) A person authorised under subsection (3) has all the powers, authority, protection and privileges of a constable in any part of [^{F2}the United Kingdom] in which the person who is the subject of the transit order is for the time being.
- (5) If a person who is the subject of a transit order escapes or is unlawfully at large, that person may be arrested without warrant by a constable.
- (6) A constable may search a person who is the subject of a transit order, and any item in the possession of that person, for any item which that person might use—
 - (a) to cause physical injury to that person or to any other person; or
 - (b) to assist that person to escape from detention.
- (7) The power conferred by subsection (6) does not authorise a constable to require a person to remove any clothing other than an outer coat, jacket, headgear or gloves.
- (8) The power conferred by subsection (6) includes power to use reasonable force where necessary.
- (9) A constable searching a person in the exercise of the power conferred by subsection (6) may seize any item found if the constable has reasonable grounds for believing that the person searched might use the item —
 - (a) to cause physical injury to that person or to any other person; or

Changes to legislation: There are currently no known outstanding effects for the Repatriation of Prisoners Act 1984, Section 6B. (See end of Document for details)

- (b) to assist that person to escape from detention.
- (10) Any item seized from a person under subsection (9) may be retained while that person is in transit.
- (11) In this section “constable” means—
- (a) any person who is a constable in any part of [^{F3}the United Kingdom] or who has, under any enactment (including subsection (4) above), the powers of a constable in any part of [^{F3}the United Kingdom] , or
 - (b) any person who is a prison officer within the meaning of section 117(1) of the Criminal Justice and Public Order Act 1994.
- (12) A person who is a constable by virtue of subsection (11)(a) has, for the purposes of section 6A, this section and section 6C, all the powers, authority, protection and privileges of a constable in any part of Great Britain in which a person who is the subject of a transit order is for the time being.]

Textual Amendments

- F1** Ss. 6A-6D inserted (E.W.S.) (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), **ss. 131(1)**, 151(1); S.I. 2012/2906, art. 2(f)
- F2** Words in s. 6B(4) substituted (3.12.2014) by [The Criminal Justice and Data Protection \(Protocol No. 36\) Regulations 2014 \(S.I. 2014/3141\)](#), regs. 1(b), **114(4)**
- F3** Words in s. 6B(11)(a) substituted (3.12.2014) by [The Criminal Justice and Data Protection \(Protocol No. 36\) Regulations 2014 \(S.I. 2014/3141\)](#), regs. 1(b), **114(4)**

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