

Status: Point in time view as at 27/09/2017.

Changes to legislation: Immigration and Asylum Act 1999, Paragraph 2 is up to date with all changes known to be in force on or before 14 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 12

DISCIPLINE ETC AT [F1REMOVAL CENTRES]

Textual Amendments

- F1** Words in Sch. 12 substituted (10.2.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), ss.66(2)(3)(l), 162(1) (with s. 159); S.I. 2003/1, art. 2, Sch.

Testing for drugs or alcohol

- 2 (1) If an authorisation is in force, a detainee custody officer may, at the centre to which the authorisation applies and in accordance with [F1removal centre] rules, require a detained person who is confined in the centre to provide a sample for the purpose of ascertaining—
- (a) whether he has a drug in his body; or
 - (b) whether he has alcohol in his body.
- (2) The sample required may be one or more of the following—
- (a) a sample of urine;
 - (b) a sample of breath;
 - (c) a sample of a specified description.
- (3) Sub-paragraph (2)(c)—
- (a) applies only if the authorisation so provides; and
 - (b) does not authorise the taking of an intimate sample.
- (4) “Authorisation” means an authorisation given by the Secretary of State for the purposes of this paragraph in respect of a particular [F1removal centre].
- (5) “Drug” means a drug which is a controlled drug for the purposes of the ^{M1}Misuse of Drugs Act 1971.
- (6) “Specified” means specified in the authorisation.
- (7) “Intimate sample”—
- (a) in relation to England and Wales, has the same meaning as in Part V of the ^{M2}Police and Criminal Evidence Act 1984;
 - (b) in relation to Scotland, means—
 - (i) a sample of blood, semen or any other tissue fluid, urine or pubic hair;
 - (ii) a dental impression;
 - (iii) a swab taken from a person’s body orifice other than the mouth; and

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- (c) in relation to Northern Ireland, has the same meaning as in Part VI of the ^{M3}Police and Criminal Evidence (Northern Ireland) Order 1989.

Commencement Information

- I1** Sch. 12 para. 2 wholly in force at 2.4.2001; Sch. 12 para. 2 not in force at Royal Assent; Sch. 12 para. 2 in force for certain purposes at 1.8.2000 by [S.I. 2000/1985, art. 2, Sch.](#); Sch. 12 para. 2 in force so far as not already in force at 2.4.2001 by [S.I. 2001/239, art. 2, Sch.](#)

Marginal Citations

- M1** 1971 c. 38.
M2 1984 c. 60.
M3 [S.I. 1989/1341 \(N.I. 12\)](#).

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