

*Status: Point in time view as at 25/07/2006.*

*Changes to legislation: Terrorism Act 2000, Cross Heading: Detention - conditions is up to date with all changes known to be in force on or before 20 May 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 8

#### DETENTION

##### Modifications etc. (not altering text)

- C1** Schs. 7, 8, 14 extended (with modifications) (coming into force in accordance with art. 1(2) of the extending S.I.) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) Order 2003 \(S.I. 2003/2818\)](#), [art. 11\(1\)\(b\)](#), Sch. 2; (as amended (31.3.2021) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) \(Amendment\) Order 2021 \(S.I. 2021/311\)](#), arts. 1(2), [2\(7\)\(b\)\(i\)](#))
- C1** Sch. 8 applied (with modifications) (25.7.2006) by [Terrorism Act 2006 \(c. 11\)](#), [s. 25\(1\)\(3\)\(4\)](#); S.I. 2006/1936, [art. 2](#)

### PART III

#### EXTENSION OF DETENTION UNDER SECTION 41

##### *Detention - conditions*

- [<sup>F1</sup>37 (1) This paragraph applies where—
- (a) a person (“the detained person”) is detained by virtue of a warrant issued under this Part of this Schedule; and
  - (b) his detention is not authorised by virtue of section 41(5) or (6) or otherwise apart from the warrant.
- (2) If it at any time appears to the police officer or other person in charge of the detained person's case that any of the matters mentioned in paragraph 32(1)(a) and (b) on which the judicial authority or senior judge last authorised his further detention no longer apply, he must—
- (a) if he has custody of the detained person, release him immediately; and
  - (b) if he does not, immediately inform the person who does have custody of the detained person that those matters no longer apply in the detained person's case.
- (3) A person with custody of the detained person who is informed in accordance with this paragraph that those matters no longer apply in his case must release that person immediately.]

##### Textual Amendments

- F1** Sch. 8 para. 37 substituted (25.7.2006) by [Terrorism Act 2006 \(c. 11\)](#), [s. 23\(11\)](#) (with (12)); S.I. 2006/1936, [art. 2](#)

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