

Status: Point in time view as at 03/04/2006.

Changes to legislation: Terrorism Act 2000, Cross Heading: Warrants of further detention is up to date with all changes known to be in force on or before 08 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 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

Warrants of further detention

- 29 (1) A police officer of at least the rank of superintendent may apply to a judicial authority for the issue of a warrant of further detention under this Part.
- (2) A warrant of further detention—
- (a) shall authorise the further detention under section 41 of a specified person for a specified period, and
- (b) shall state the time at which it is issued.
- (3) [^{F1}Subject to paragraph 36(3A),] the specified period in relation to a person shall end not later than the end of the period of seven days beginning—
- (a) with the time of his arrest under section 41, or
- (b) if he was being detained under Schedule 7 when he was arrested under section 41, with the time when his examination under that Schedule began.
- (4) In this Part “judicial authority” means—
- (a) in England and Wales, ^{F2}. . . a District Judge (Magistrates’ Courts) who is designated for the purpose of this Part [^{F3}by the Lord Chief Justice of England and Wales after consulting the Lord Chancellor] ,
- (b) in Scotland, the sheriff, and
- (c) in Northern Ireland, a county court judge, or a resident magistrate who is designated for the purpose of this Part [^{F4}by the Lord Chief Justice of Northern Ireland after consulting the Lord Chancellor] .

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- [^{F5}(5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under sub-paragraph (4)(a).
- (6) The Lord Chief Justice of Northern Ireland may nominate any of the following to exercise his functions under sub-paragraph (4)(c)—
- (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002;
 - (b) a Lord Justice of Appeal (as defined in section 88 of that Act).]

Textual Amendments

- F1** Words in Sch. 8 para. 29(3) inserted (20.1.2004) by Criminal Justice Act 2003 (c. 44), s. 306(2); S.I. 2004/81, art. 2(2)(c) (with (3))
- F2** Words in Sch. 8 para. 29(4)(a) repealed (1.4.2005) by Courts Act 2003 (c. 39), s. 109(1)(3), Sch. 8 para. 391, Sch. 10; S.I. 2005/910, art. 3(y)(bb)
- F3** Words in Sch. 8 para. 29(4)(a) substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 15(1), Sch. 4 para. 290(2)(a); S.I. 2006/1014, art. 2(a), Sch. 1 paras. 10, 11(x)
- F4** Words in Sch. 8 para. 29(4)(c) substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 15(1), Sch. 4 para. 290(2)(b); S.I. 2006/1014, art. 2(a), Sch. 1 paras. 10, 11(x)
- F5** Sch. 8 para. 29(5)(6) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 15(1), Sch. 4 para. 290(2)(c); S.I. 2006/1014, art. 2(a), Sch. 1 paras. 10, 11(x)

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