
Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Paragraph 45. (See end of Document for details)

SCHEDULES

SCHEDULE 6

DETENTION UNDER SECTION 27

PART 6

EXTENSION OF DETENTION UNDER SECTION 27

Detention - conditions

- 45 (1) **This paragraph** applies where—
- (a) a person is detained by virtue of a warrant issued under **this Part** of **this Schedule**, and
 - (b) the detention is not authorised by virtue of **section 27(6)** or **(7)** or otherwise apart from the warrant.
- (2) If, at any time, it appears to the police officer or other person in charge of the detained person’s case (“the officer in charge”) that any of the matters mentioned in **paragraph 40(1)(a)** and **(b)** on which the judicial authority last authorised the person’s further detention no longer apply, the officer in charge must—
- (a) if the officer in charge has custody of the detained person, release the person immediately, and
 - (b) if the officer in charge 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 must release the detained person immediately.

Commencement Information

- I1** Sch. 6 para. 45 not in force at Royal Assent, see 100(1)
- I2** Sch. 6 para. 45 in force at 20.12.2023 by **S.I. 2023/1272, reg. 2(a)**

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