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STATUTORY INSTRUMENTS

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**2013 No. 1542**

**The Police and Criminal Evidence Act 1984  
(Application to immigration officers and designated  
customs officials in England and Wales) Order 2013**

**PART 3**

**INVESTIGATIONS CONDUCTED, AND PERSONS  
DETAINED, BY DESIGNATED CUSTOMS OFFICIALS**

**Modification of section 41 of the Act (limits on period of detention without charge)**

**24.**—(1) Section 41 of the Act<sup>(1)</sup>, as applied by article 12, has effect as if for subsection (2)(b) there were substituted—

- “(b) in the case of a person arrested outside England and Wales, shall be—
- (i) the time at which that person arrives at the customs office in England and Wales at which the offence for which the person was arrested is being investigated; or
  - (ii) the time 24 hours after the time of that person’s entry into England and Wales, whichever is the earlier.”.

(2) Section 41 of the Act, as applied by article 12, has effect as if for subsection (5) there were substituted—

- “(4A) Subsection (5) applies where,
- (a) a person is in customs detention at one customs office and the offence for which the person has been arrested is being investigated at another customs office; or
  - (b) a person is in police detention at a police station and the offence for which the person has been arrested is being investigated at a customs office; or
  - (c) a person is in Revenue and Customs detention and the offence for which the person has been arrested is being investigated at a customs office,

and the person is taken to the customs office where the offence is being investigated for the purpose of investigating that offence, without being questioned at the first customs office, police station or office of Revenue and Customs in order to obtain evidence in relation to it.

- (5) Where this subsection applies, the relevant time shall be—
- (a) the time 24 hours after he leaves the first customs office, the police station or the office of Revenue and Customs where he was detained; or,
  - (b) the time at which he arrives at the customs office where the offence is being investigated,

whichever is the earlier.”.

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(1) Section 41 of the Act was amended by the Criminal Justice and Public Order Act 1994 (c.33), section 29(4)(b). There is another amendment not relevant to this Order.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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