

Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Paragraph 35. (See end of Document for details)

SCHEDULES

SCHEDULE 6

DETENTION UNDER SECTION 27

PART 5

REVIEW OF DETENTION UNDER SECTION 27

Rights

- 35 (1) A review officer who authorises continued detention must inform the detained person—
- (a) of any rights under paragraphs 6 and 7 which the person has not yet exercised, and
 - (b) of any delay to the exercise of any of the person's rights which has been authorised in accordance with paragraph 9.
- (2) Where a review of a person's detention is being carried out at a time when the person's exercise of a right under paragraph 6 or 7 is being delayed, the review officer must—
- (a) consider whether the reason or reasons for which the delay was authorised continue to apply, and
 - (b) if, in the review officer's opinion, the reason or reasons have ceased to apply, inform the officer who authorised the delay of that opinion (unless the delay was authorised by the review officer).
- (3) In the application of this paragraph to Scotland, for the references to paragraphs 6, 7 and 9 substitute references to paragraph 15.
- (4) Article 8(1) of the Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I. 1998/1504 (N.I. 9)) (requirement to bring an accused person before the court after arrest) does not apply in relation to a detained person.

Commencement Information

- I1** Sch. 6 para. 35 not in force at Royal Assent, see 100(1)
- I2** Sch. 6 para. 35 in force at 20.12.2023 by S.I. 2023/1272, reg. 2(a)

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