



Isle of Man

Ellan Vannin

AT 14 of 2013

CUSTODY (AMENDMENT) ACT 2013

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Signed in Tynwald: 19 November 2013
Received Royal Assent: 19 November 2013
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AN ACT to amend the Custody Act 1995 to expand the range of samples that may be obtained from a detainee.

BE IT ENACTED by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Council and Keys in Tynwald assembled, and by the authority of the same, as follows:—

1 Short title


The short title of this Act is the Custody (Amendment) Act 2013.

2 Custody Act 1995 amended

For section 19A of the Custody Act 1995, substitute —

19A Testing detainees for drugs or alcohol

- (1) An officer of an institution may require a person detained in the institution to provide one or more samples for the purpose of ascertaining whether the detainee has any drug or alcohol in his or her body.
- (2) The requirement must be made in accordance with custody rules.
- (3) The sample must be provided at the institution.
- (4) The sample must be —
 - (a) a sample of urine;
 - (b) a sample of breath; or
 - (c) a non-intimate sample.
- (5) In this section —
 “**drug**” means any drug which is a controlled drug for the purposes of the *Misuse of Drugs Act 1976*; and

“**non-intimate sample**” has the same meaning as in Part V of the *Police Powers and Procedures Act 1998*. .

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