

# **Prisons (Drug Testing) Bill**

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## EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Ministry of Justice with the consent of Margot James, the Member in charge of the Bill, are published separately as Bill 27-EN.



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**B I L L**

TO

Make provision about the drugs for which persons detained in prisons and similar institutions may be tested.

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Drugs for which prisoners etc may be tested**

- (1) The Prison Act 1952 is amended as follows.
- (2) In section 16A (testing prisoners for drugs), in subsection (3)—
  - (a) at the end of the definition of “drug” insert “or specified drug”;
  - (b) omit the “and” that follows the definition of “prison officer”; 5
  - (c) at the appropriate place insert—

““specified drug” means any substance or product specified in prison rules for the purposes of this section.”
- (3) In section 47 (rules for the management of prisons etc), after subsection (3) insert— 10

“(3A) Rules made under this section may specify any substance or product (which is not a controlled drug for the purposes of the Misuse of Drugs Act 1971) in relation to which a person may be required to provide a sample for the purposes of section 16A of this Act.”

**2 Extent, commencement and short title** 15

- (1) This Act extends to England and Wales only.
- (2) Section 1 comes into force on such day as the Secretary of State may by order made by statutory instrument appoint.
- (3) An order under subsection (2) may appoint different days for different purposes or different areas. 20
- (4) This section comes into force on the day on which this Act is passed.

- (5) This Act may be cited as the Prisons (Drug Testing) Act 2013.



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To make provision about the drugs for which persons detained in prisons and similar institutions may be tested.

*Presented by Margot James  
supported by  
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*Ordered, by The House of Commons,  
to be Printed, 19 June 2013.*

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