

## SCHEDULES

### SCHEDULE 5

#### TERRORIST INVESTIGATIONS: INFORMATION

##### PART I

##### ENGLAND AND WALES AND NORTHERN IRELAND

##### *Searches*

- 3 (1) Subject to sub-paragraph (2), a police officer of at least the rank of superintendent may by a written authority signed by him authorise a search of specified premises which are wholly or partly within a cordoned area.
- (2) A constable who is not of the rank required by sub-paragraph (1) may give an authorisation under this paragraph if he considers it necessary by reason of urgency.
- (3) An authorisation under this paragraph shall authorise any constable—
- (a) to enter the premises specified in the authority,
  - (b) to search the premises and any person found there, and
  - (c) to seize and retain any relevant material (within the meaning of paragraph 1(3)) which is found on a search under paragraph (b).
- (4) The powers under sub-paragraph (3)(a) and (b) may be exercised—
- (a) on one or more occasions, and
  - (b) at any time during the period when the designation of the cordoned area under section 33 has effect.
- (5) An authorisation under this paragraph shall not authorise—
- (a) the seizure and retention of items subject to legal privilege;
  - (b) a constable to require a person to remove any clothing in public except for headgear, footwear, an outer coat, a jacket or gloves.
- (6) An authorisation under this paragraph shall not be given unless the person giving it has reasonable grounds for believing that there is material to be found on the premises which—
- (a) is likely to be of substantial value, whether by itself or together with other material, to a terrorist investigation, and
  - (b) does not consist of or include excepted material.
- (7) A person commits an offence if he wilfully obstructs a search under this paragraph.
- (8) A person guilty of an offence under sub-paragraph (7) shall be liable on summary conviction to—
- (a) imprisonment for a term not exceeding three months,

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*Status: This is the original version (as it was originally enacted).*

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- (b) a fine not exceeding level 4 on the standard scale, or
- (c) both.