



# Terrorism Act 2000

## 2000 CHAPTER 11

### PART V

#### COUNTER-TERRORIST POWERS

##### *Power to stop and search*

#### **45 Exercise of power**

- (1) The power conferred by an authorisation under section 44(1) or (2)—
  - (a) may be exercised only for the purpose of searching for articles of a kind which could be used in connection with terrorism, and
  - (b) may be exercised whether or not the constable has grounds for suspecting the presence of articles of that kind.
- (2) A constable may seize and retain an article which he discovers in the course of a search by virtue of section 44(1) or (2) and which he reasonably suspects is intended to be used in connection with terrorism.
- (3) A constable exercising the power conferred by an authorisation may not require a person to remove any clothing in public except for headgear, footwear, an outer coat, a jacket or gloves.
- (4) Where a constable proposes to search a person or vehicle by virtue of section 44(1) or (2) he may detain the person or vehicle for such time as is reasonably required to permit the search to be carried out at or near the place where the person or vehicle is stopped.
- (5) Where—
  - (a) a vehicle or pedestrian is stopped by virtue of section 44(1) or (2), and
  - (b) the driver of the vehicle or the pedestrian applies for a written statement that the vehicle was stopped, or that he was stopped, by virtue of section 44(1) or (2),the written statement shall be provided.

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*Status: This is the original version (as it was originally enacted).*

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- (6) An application under subsection (5) must be made within the period of 12 months beginning with the date on which the vehicle or pedestrian was stopped.