



Justice and Security (Northern Ireland) Act 2007

2007 CHAPTER 6

Powers

26 Premises: vehicles, &c.

- (1) A power under section 24 or 25 to search premises shall, in its application to vehicles (by virtue of section 42), be taken to include—
 - (a) power to stop a vehicle (other than an aircraft which is airborne), and
 - (b) power to take a vehicle or cause it to be taken, where necessary or expedient, to any place for the purpose of carrying out the search.
- (2) A person commits an offence if he fails to stop a vehicle when required to do so by virtue of this section.
- (3) A person guilty of an offence under subsection (2) shall be liable on summary conviction to—
 - (a) imprisonment for a term not exceeding six months,
 - (b) a fine not exceeding level 5 on the standard scale, or
 - (c) both.
- (4) In the application to a place or vehicle of a power to search premises under section 24 or 25—
 - (a) a reference to the address of the premises shall be construed as a reference to the location of the place or vehicle together with its registration number (if any), and
 - (b) a reference to the occupier of the premises shall be construed as a reference to the occupier of the place or the person in charge of the vehicle.
- (5) Where a search under Schedule 3 is carried out in relation to a vehicle, the person carrying out the search may, if he reasonably believes that it is necessary in order to carry out the search or to prevent it from being frustrated—
 - (a) require a person in or on the vehicle to remain with it;

Changes to legislation: There are currently no known outstanding effects for the Justice and Security (Northern Ireland) Act 2007, Section 26. (See end of Document for details)

- (b) require a person in or on the vehicle to go to and remain at any place to which the vehicle is taken by virtue of subsection (1)(b);
 - (c) use reasonable force to secure compliance with a requirement under paragraph (a) or (b) above.
- (6) Paragraphs 3(2) and (3), 6 and 7 of Schedule 3 shall apply to a requirement imposed under subsection (5) as they apply to a requirement imposed under that Schedule.
- (7) Paragraph 6 of Schedule 3 shall apply in relation to the search of a vehicle which is not habitually stationary only if it is moved for the purpose of the search by virtue of subsection (1)(b); and where that paragraph does apply, the reference to the address of the premises shall be construed as a reference to the location where the vehicle is searched together with its registration number (if any).

Changes to legislation:

There are currently no known outstanding effects for the Justice and Security (Northern Ireland) Act 2007, Section 26.