

SCHEDULES

SCHEDULE 7

TERRORIST INVESTIGATIONS

PART I

ENGLAND, WALES AND NORTHERN IRELAND

Orders by Secretary of State in relation to certain investigations

- 8 (1) This paragraph has effect in relation to a terrorist investigation concerning any act which appears to the Secretary of State to constitute an offence under Part III of this Act.
- (2) Without prejudice to the foregoing provisions of this Part of this Schedule, the Secretary of State may by a written order signed by him or on his behalf give to any constable in Northern Ireland the authority which may be given by a search warrant under paragraph 2 or 5 above or impose on any person in Northern Ireland any such requirement as may be imposed by an order under paragraph 3 above if—
- (a) he is satisfied as to the matters specified in those paragraphs respectively for the issue of a warrant by a justice of the peace or the making of an order by a county court judge; and
 - (b) it appears to him that the disclosure of information that would be necessary for an application under those provisions would be likely to prejudice the capability of members of the Royal Ulster Constabulary in relation to the investigation of offences under Part III of this Act or otherwise prejudice the safety of, or of persons in, Northern Ireland.
- (3) A person who disobeys an order under this paragraph which corresponds to an order under paragraph 3 above (a “Secretary of State’s production order”) is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both;
 - (b) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.
- (4) A Secretary of State’s production order may be varied or revoked by the Secretary of State and references in paragraphs 4(4), (5) and (6) and 5 above to an order under paragraph 3 above shall include references to a Secretary of State’s production order.
- (5) The Secretary of State may by a written order signed by him or on his behalf require any person in Northern Ireland to provide an explanation of any material seized or produced in pursuance of an order under the foregoing provisions of this paragraph; and paragraphs 6(2) to (5) and 7(5) above shall apply to an order under this sub-paragraph as they apply to an order or notice under those paragraphs.