

Changes to legislation: There are currently no known outstanding effects for the Justice and Security (Northern Ireland) Act 2007, Paragraph 4A. (See end of Document for details)

SCHEDULES

SCHEDULE 3

MUNITIONS AND TRANSMITTERS: SEARCH AND SEIZURE

[^{F1}Stopping and searching persons in specified locations

Textual Amendments

F1 Sch. 3 paras. 4A-4I inserted (10.7.2012) by Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 6 para. 2 (with s. 97); S.I. 2012/1205, art. 4(h)

- 4A (1) A senior officer may give an authorisation under this paragraph in relation to a specified area or place if the officer—
- (a) reasonably suspects (whether in relation to a particular case, a description of case or generally) that the safety of any person might be endangered by the use of munitions or wireless apparatus, and
 - (b) reasonably considers that—
 - (i) the authorisation is necessary to prevent such danger,
 - (ii) the specified area or place is no greater than is necessary to prevent such danger, and
 - (iii) the duration of the authorisation is no longer than is necessary to prevent such danger.
- (2) An authorisation under this paragraph authorises any constable to stop a person in the specified area or place and to search that person.
- (3) A constable may exercise the power conferred by an authorisation under this paragraph only for the purpose of ascertaining whether the person has munitions unlawfully with that person or wireless apparatus with that person.
- (4) But the power conferred by such an authorisation may be exercised whether or not the constable reasonably suspects that there are such munitions or wireless apparatus.
- (5) A constable exercising the power conferred by an authorisation under this paragraph may not require a person to remove any clothing in public except for headgear, footwear, an outer coat, a jacket or gloves.
- (6) Where a constable proposes to search a person by virtue of an authorisation under this paragraph, the constable may detain the person for such time as is reasonably required to permit the search to be carried out at or near the place where the person is stopped.
- (7) A senior officer who gives an authorisation under this paragraph orally must confirm it in writing as soon as reasonably practicable.
- (8) In this paragraph and paragraphs 4B to 4I—

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“senior officer” means an officer of the Police Service of Northern Ireland of at least the rank of assistant chief constable,

“specified” means specified in an authorisation.]

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