

Changes to legislation: Counter-Terrorism and Security Act 2015, Cross Heading: Authorisation by senior police officer for retention of travel document is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 1

SEIZURE OF PASSPORTS ETC FROM PERSONS SUSPECTED OF INVOLVEMENT IN TERRORISM

Modifications etc. (not altering text)

- C1** [Sch. 1](#) extended (Jersey) (with modifications) (coming into force in accordance with art. 1(1) of the amending S.I.) by [The Counter-Terrorism and Security \(Jersey\) Order 2017 \(S.I. 2017/982\)](#), [art. 2\(c\)](#), [Sch. 3](#)

Authorisation by senior police officer for retention of travel document

- 4 (1) Where a travel document is in the possession of a constable or qualified officer as a result of the exercise of a power under paragraph 2, the relevant constable must as soon as possible either—
- seek authorisation from a senior police officer for the document to be retained, or
 - ensure that the document is returned to the person to whom it relates.

“The relevant constable” means the constable by whom, or on whose direction, the power was exercised.

- (2) The document may be retained while an application for authorisation is considered.
- (3) A constable or qualified officer retaining a travel document under sub-paragraph (2) must tell the person to whom the document relates that—
- the person is suspected of intending to leave Great Britain or (as the case may be) the United Kingdom for the purpose of involvement in terrorism-related activity outside the United Kingdom, and
 - the constable or officer is therefore entitled under this Schedule to retain the document while the matter is considered by a senior police officer.

This does not apply if the constable or qualified officer expects the application for authorisation to be dealt with immediately, or if sub-paragraph (4) has been complied with.

- (4) An immigration officer or customs official to whom a direction is given under paragraph 2(9) must tell the person to whom the travel document in question relates that—
- the person is suspected of intending to leave Great Britain or (as the case may be) the United Kingdom for the purpose of involvement in terrorism-related activity outside the United Kingdom, and
 - a constable is therefore entitled under this Schedule to retain the document while the matter is considered by a senior police officer.

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This does not apply if the immigration officer or customs official expects the application for authorisation to be dealt with immediately.

- (5) If an application for authorisation is granted—
 - (a) the travel document must be passed to a constable if it is not already in the possession of a constable, and
 - (b) paragraph 5 applies.
- (6) If an application for authorisation is refused, the travel document must be returned to the person as soon as possible.
- (7) A senior police officer may grant an application for authorisation only if satisfied that there are reasonable grounds for the suspicion referred to in paragraph 2(1) or (2).
- (8) An authorisation need not be in writing.
- (9) Sub-paragraphs (1)(b) and (6) are subject to paragraph 7 and to any power or provision not in this Schedule under which the document may be lawfully retained or otherwise dealt with.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 31(1)(ba) inserted by [2023 c. 16 Sch. para. 15\(2\)\(b\)](#)