

SCHEDULES

SCHEDULE 1

SEIZURE OF PASSPORTS ETC FROM PERSONS SUSPECTED OF INVOLVEMENT IN TERRORISM

Retention or return of documents seized

- 5 (1) Where authorisation is given under paragraph 4 for a travel document relating to a person to be retained, it may continue to be retained—
- (a) while the Secretary of State considers whether to cancel the person's passport,
 - (b) while consideration is given to charging the person with an offence,
 - (c) while consideration is given to making the person subject to any order or measure to be made or imposed by a court, or by the Secretary of State, for purposes connected with protecting members of the public from a risk of terrorism, or
 - (d) while steps are taken to carry out any of the actions mentioned in paragraphs (a) to (c).
- (2) But a travel document may not be retained under this Schedule after the end of the period of 14 days beginning with the day after the document was taken ("the 14-day period"), unless that period is extended under paragraph 8 or 11(3).
- (3) The travel document must be returned to the person as soon as possible—
- (a) once the 14-day period (or the 14-day period as extended under paragraph 8 or 11(3)) expires;
 - (b) once the power in sub-paragraph (1) ceases to apply, if that happens earlier.
- This is 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.
- (4) The constable to whom a travel document is passed under paragraph 2(9) or 4(5)(a), or who is in possession of it when authorisation is given under paragraph 4, must explain to the person the effect of sub-paragraphs (1) to (3).
- (5) The constable must also tell the person, if he or she has not been told already under paragraph 2(8) or 4(3) or (4), 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.