

SCHEDULE 2

Article 5

Consequential amendments

Police and Criminal Evidence Act 1984

1. The Police and Criminal Evidence Act 1984(1) is to have effect as if after section 66(2) (codes of practice in relation to statutory search powers etc.) there were inserted—

“(3) Nothing in this section requires the Secretary of State to issue a code of practice in relation to any matter falling within the code of practice issued under section 47B(1) of the Terrorism Act 2000 (as that code is revised from time to time) (code of practice in relation to terrorism powers to stop and search in specified locations).”

PACE Code A

2. The code of practice issued under section 66 of the Police and Criminal Evidence Act 1984(2) known as Code A is to have effect as if paragraphs 2.18A to 2.26(3) of the code were revoked.

Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))

3. Article 65 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (codes of practice in relation to statutory search powers etc.) is to have effect as if—

- (a) the existing provisions were to become paragraph (1), and
- (b) after that paragraph there were inserted—

“(2) Nothing in this Article requires the issuing of a code of practice in relation to any matter falling within the code of practice issued under section 47B(1) of the Terrorism Act 2000 (as that code is revised from time to time) (code of practice in relation to terrorism powers to stop and search in specified locations).”

Regulation of Investigatory Powers Act 2000

4. Paragraph 6(3) of Schedule 2 to the Regulation of Investigatory Powers Act 2000(4) (general requirements relating to the appropriate permission) is to have effect as if—

- (a) in paragraph (a) for “section 44” there were substituted “section 47A”,
- (b) in paragraph (b)—
 - (i) at the beginning there were inserted “section 44 of the Terrorism Act 2000 or”, and
 - (ii) for “of section 44” there were substituted “of section 47A”, and
- (c) after “mentioned in” there were inserted “paragraph 14(1) and (2) of Schedule 6B to that Act of 2000 (see the definition of “senior police officer”).”

(1) 1984 c.60. Section 66(1)(a)(i) was amended by section 57(1) and (4) of the Criminal Justice and Courts Services Act 2000 (c. 43) and sections 110(3)(a) and 174(2) of and Part 2 of Schedule 17 to the Serious Organised Crime and Police Act 2005 (c. 15).

(2) 1984 c.60. Section 66(1)(a)(i) was amended by section 57(1) and (4) of the Criminal Justice and Courts Services Act 2000 (c. 43) and sections 110(3)(a) and 174(2) of and Part 2 of Schedule 17 to the Serious Organised Crime and Police Act 2005 (c. 15).

(3) Those paragraphs were inserted or amended by S.I. 2011/412.

(4) 2000 c.23.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Police Reform Act 2002

5. Paragraph 15(1) of Schedule 4 to the Police Reform Act 2002 (powers of stop and search for community support officers) is to have effect as if—

- (a) in paragraph (a)—
 - (i) for “section 44(1)(a) and (d) and (2)(b) and 45(2)” there were substituted “section 47A(2)(a) and (d), (3)(b) and (6)”,
 - (ii) in sub-paragraph (iv) for “any article” there were substituted “anything which is”, and
 - (iii) also in sub-paragraph (iv), for “section 44(1) or (2) of that Act” there were substituted “section 47A(2) or (3) of that Act and which he reasonably suspects may constitute evidence that the vehicle concerned is being used for the purposes of terrorism or (as the case may be) that the person concerned is a person falling within section 40(1) (b) of that Act”, and
- (b) in paragraph (b) for “subsections (1) and (4) of section 45 of” there were substituted “subsections (4) and (5) of section 47A of, and paragraphs 1 and 2 of Schedule 6B to,”.

Police (Northern Ireland) Act 2003

6. Paragraph 16 of Schedule 2A to the Police (Northern Ireland) Act 2003 (powers of stop and search for community support officers) is to have effect as if—

- (a) in sub-paragraph (1)—
 - (i) for “sections 44(1)(a) and (d) and (2)(b) and 45(2)” there were substituted “section 47A(2)(a) and (d), (3)(b) and (6)”,
 - (ii) in paragraph (d) for “any article” there were substituted “anything which is”, and
 - (iii) also in paragraph (d), for “section 44(1) or (2) of that Act” there were substituted “section 47A(2) or (3) of that Act and which he reasonably suspects may constitute evidence that the vehicle concerned is being used for the purposes of terrorism or (as the case may be) that the person concerned is a person falling within section 40(1) (b) of that Act”, and
- (b) in sub-paragraph (2) for “subsections (1) and (4) of section 45 of” there were substituted “subsections (4) and (5) of section 47A of, and paragraphs 1 and 2 of Schedule 6B to,”.