

2015 No. 906

PREVENTION AND SUPPRESSION OF TERRORISM

**The Terrorism Act 2000 (Code of Practice for Examining
Officers and Review Officers) Order 2015**

Made - - - - *24th March 2015*

Coming into force in accordance with article 1

The Secretary of State makes this Order in exercise of the powers conferred by section 123(1)(b) of, and paragraph 7(3) and (4) of Schedule 14 to, the Terrorism Act 2000 (“the Act”)(a).

The Secretary of State has:

- (a) in accordance with paragraph 6(4) of Schedule 14 to the Act, revised the code of practice in connection with the exercise by examining officers and review officers of functions conferred on them by virtue of the Act(b);
- (b) in accordance with paragraph 7(1)(a) of Schedule 14 to the Act, published a draft of the revised code of practice;
- (c) in accordance with paragraph 7(1)(b) and (c) of Schedule 14 to the Act, considered any representations made to her about the draft and, as thought appropriate, modified the draft accordingly; and
- (d) in accordance with paragraph 7(2) of Schedule 14 to the Act, laid a draft of the code of practice before Parliament.

A draft of this instrument has been laid before Parliament under section 123(4) of the Act and has been approved by resolution of each House of Parliament.

Accordingly, the Secretary of State makes the following Order—

Citation and Commencement

1. This Order may be cited as the Terrorism Act 2000 (Code of Practice for Examining Officers and Review Officers) Order 2015 and comes into force on the day after the day on which it is made.

(a) 2000 c.11; relevant amendments to Schedule 7 to the Act were made by paragraph 1 of Schedule 8 to the Counter-Terrorism and Security Act 2015 (c.6).
(b) The code of practice was previously brought into operation on 19th February 2001 in accordance with S.I. 2001/427 and revised codes of practice were brought into operation on 2nd July 2009 in accordance with S.I. 2009/1593 and on 31st July 2014 in accordance with S.I. 2014/1838.

Revised code of practice

2. The code of practice entitled “Code of Practice for Examining Officers and Review Officers under Schedule 7 to the Terrorism Act 2000” and laid before Parliament in draft on 27th February 2015 shall come into operation on the day on which this Order comes into force.

Exercise of functions at the time of coming into operation

3. The code of practice referred to in article 2 applies to the exercise of a function under paragraph 9 of Schedule 7 to the Terrorism Act 2000 by a person exercising functions as an examining officer for the purpose of Schedule 7 to that Act, after the code comes into operation, notwithstanding that the person may have started to exercise the function before it comes into operation.

Home Office
24th March 2015

James Brokenshire
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation the revised code of practice (“the Code”) issued under paragraph 6(1) and (4) of Schedule 14 to the Terrorism Act 2000 (“the Act”) in connection with the exercise by examining officers of functions conferred on them by the Act. The Code revises the preceding code of practice to take account of amendments made to paragraph 9 of Schedule 7 to the Act, and to other relevant enactments, by the Counter-Terrorism and Security Act 2015. These amendments make express provision for the locations in which the power to examine goods under paragraph 9 of Schedule 7 may be exercised, as well as putting beyond doubt that the power may be exercised in respect of postal items.

Article 3 of the Order provides that where a person begins exercising any function under paragraph 9 of Schedule 7 to the Act before the Code comes into operation and continues to exercise the function after the Code has come into operation, then the Code is applicable to the exercise of that function from the time it comes into force.

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