



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART IV

#### POLICE POWERS

##### *Powers of police to stop and search*

#### **[<sup>F1</sup>60AA Powers to require removal of disguises**

(1) Where—

- (a) an authorisation under section 60 is for the time being in force in relation to any locality for any period, or
- (b) an authorisation under subsection (3) that the powers conferred by subsection (2) shall be exercisable at any place in a locality is in force for any period,

those powers shall be exercisable at any place in that locality at any time in that period.

(2) This subsection confers power on any constable in uniform—

- (a) to require any person to remove any item which the constable reasonably believes that person is wearing wholly or mainly for the purpose of concealing his identity;
- (b) to seize any item which the constable reasonably believes any person intends to wear wholly or mainly for that purpose.

(3) If a police officer of or above the rank of inspector reasonably believes—

- (a) that activities may take place in any locality in his police area that are likely (if they take place) to involve the commission of offences, and
- (b) that it is expedient, in order to prevent or control the activities, to give an authorisation under this subsection,

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he may give an authorisation that the powers conferred by this section shall be exercisable at any place within that locality for a specified period not exceeding twenty-four hours.

(4) If it appears to an officer of or above the rank of superintendent that it is expedient to do so, having regard to offences which—

- (a) have been committed in connection with the activities in respect of which the authorisation was given, or
- (b) are reasonably suspected to have been so committed,

he may direct that the authorisation shall continue in force for a further twenty-four hours.

(5) If an inspector gives an authorisation under subsection (3), he must, as soon as it is practicable to do so, cause an officer of or above the rank of superintendent to be informed.

[ Subject to subsection (6A), an authorisation under subsection (3)—

- <sup>F2</sup>(6) (a) shall be in writing and signed by the officer giving it; and
- (b) shall specify—
- (i) the grounds on which it is given;
  - (ii) the locality in which the powers conferred by this section are exercisable; and
  - (iii) the period during which those powers are exercisable.

(6A) An authorisation under subsection (3) need not be given in writing where it is not practicable to do so but any oral authorisation—

- (a) must state the matters which would otherwise have to be specified under subsection (6); and
- (b) must be recorded in writing as soon as it is practicable to do so.

(6B) A direction under subsection (4) shall be given in writing or, where that is not practicable, recorded in writing as soon as it is practicable to do so.]

(7) A person who fails to remove an item worn by him when required to do so by a constable in the exercise of his power under this section shall be liable, on summary conviction, to imprisonment for a term not exceeding one month or to a fine not exceeding level 3 on the standard scale or both.

(8) The preceding provisions of this section, so far as they relate to an authorisation by a member of the British Transport Police Force (including one who for the time being has the same powers and privileges as a member of a police force for a police area), shall have effect as if references to a locality or to a locality in his police area were references to any locality in or in the vicinity of any policed premises, or to the whole or any part of any such premises.

(9) In this section [<sup>F3</sup>“British Transport Police Force”] and “policed premises” each has the same meaning as in section 60.

(10) The powers conferred by this section are in addition to, and not in derogation of, any power otherwise conferred.

(11) This section does not extend to Scotland.]

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#### Textual Amendments

- F1** S. 60AA inserted (14.12.2001) by [2001 c. 24, ss. 94\(1\), 127\(2\)\(d\)](#)
- F2** Ss. 60AA(6)-(6B) substituted for s. 60AA(6) (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\), ss. 120, 183\(1\)\(5\)\(e\); S.I. 2017/399, reg. 2, Sch. para. 28](#)
- F3** S. 60AA: definition of "British Transport Police Force" ceases to have effect (1.7.2004) by virtue of Railways and Transport Safety Act 2003, (c. 20), ss. 73, 120, {Sch. 5 para. 4(1)(b)(2)(f)} (with s. 72); [S.I. 2004/1572, art. 3\(ddd\)\(jjj\)](#)

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#### Modifications etc. (not altering text)

- C1** Ss. 60, 60AA amended (1.7.2004) by Railways and Transport Safety Act 2003, (c. 20), ss. 73, 120, {Sch. 5 para. 4(1)(a)(2)(f)} (with s. 72); [S.I. 2004/1572, art. 3\(ddd\)\(jjj\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 60AA(7) words substituted by [2003 c. 44 Sch. 26 para. 45\(3\)](#)

**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. 51(10)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 11\(3\)](#)