



# Terrorism Act 2000

## 2000 CHAPTER 11

### PART IV

#### TERRORIST INVESTIGATIONS

##### *Cordons*

#### **33 Cordoned areas.**

- (1) An area is a cordoned area for the purposes of this Act if it is designated under this section.
- (2) A designation may be made only if the person making it considers it expedient for the purposes of a terrorist investigation.
- (3) If a designation is made orally, the person making it shall confirm it in writing as soon as is reasonably practicable.
- (4) The person making a designation shall arrange for the demarcation of the cordoned area, so far as is reasonably practicable—
  - (a) by means of tape marked with the word “police”, or
  - (b) in such other manner as a constable considers appropriate.

#### **34 Power to designate.**

- (1) Subject to subsection (2), a designation under section 33 may only be made—
  - (a) where the area is outside Northern Ireland and is wholly or partly within a police area, by an officer for the police area who is of at least the rank of superintendent, and
  - (b) where the area is in Northern Ireland, by a member of the Royal Ulster Constabulary who is of at least the rank of superintendent.
- (2) A constable who is not of the rank required by subsection (1) may make a designation if he considers it necessary by reason of urgency.

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*Status: Point in time view as at 19/02/2001.*

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- (3) Where a constable makes a designation in reliance on subsection (2) he shall as soon as is reasonably practicable—
  - (a) make a written record of the time at which the designation was made, and
  - (b) ensure that a police officer of at least the rank of superintendent is informed.
- (4) An officer who is informed of a designation in accordance with subsection (3)(b)—
  - (a) shall confirm the designation or cancel it with effect from such time as he may direct, and
  - (b) shall, if he cancels the designation, make a written record of the cancellation and the reason for it.

### **35 Duration.**

- (1) A designation under section 33 has effect, subject to subsections (2) to (5), during the period—
  - (a) beginning at the time when it is made, and
  - (b) ending with a date or at a time specified in the designation.
- (2) The date or time specified under subsection (1)(b) must not occur after the end of the period of 14 days beginning with the day on which the designation is made.
- (3) The period during which a designation has effect may be extended in writing from time to time by—
  - (a) the person who made it, or
  - (b) a person who could have made it (otherwise than by virtue of section 34(2)).
- (4) An extension shall specify the additional period during which the designation is to have effect.
- (5) A designation shall not have effect after the end of the period of 28 days beginning with the day on which it is made.

### **36 Police powers.**

- (1) A constable in uniform may—
  - (a) order a person in a cordoned area to leave it immediately;
  - (b) order a person immediately to leave premises which are wholly or partly in or adjacent to a cordoned area;
  - (c) order the driver or person in charge of a vehicle in a cordoned area to move it from the area immediately;
  - (d) arrange for the removal of a vehicle from a cordoned area;
  - (e) arrange for the movement of a vehicle within a cordoned area;
  - (f) prohibit or restrict access to a cordoned area by pedestrians or vehicles.
- (2) A person commits an offence if he fails to comply with an order, prohibition or restriction imposed by virtue of subsection (1).
- (3) It is a defence for a person charged with an offence under subsection (2) to prove that he had a reasonable excuse for his failure.
- (4) A person guilty of an offence under subsection (2) shall be liable on summary conviction to—

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- (a) imprisonment for a term not exceeding three months,
- (b) a fine not exceeding level 4 on the standard scale, or
- (c) both.

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

- C1** S. 36 extended (2.12.2002) by 2002 c. 30, s. 38, **Sch. 4 Pt. I para. 14**; S.I. 2002/2750, **art. 2(a)(ii)(d)**
- C2** S. 36 extended (N.I.) (21.4.2007) by 2003 c. 6, Sch. 2A para. 15 (as inserted by The Policing (Miscellaneous Provisions) (Northern Ireland) Order 2007 (S.I. 2007/912 (N.I. 6)), arts. 1(2)(3), 7, **Sch. 5**)

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