



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 [F1subsections (1A), (1B) and (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.

Status: Point in time view as at 01/07/2004.

Changes to legislation: Terrorism Act 2000, Cross Heading: Cordons is up to date with all changes known to be in force on or before 20 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- [^{F2}[^{F3}(1A) A designation under section 33 may be made in relation to an area (outside Northern Ireland) which is in a place specified in section 31(1)(a) to (f) of the Railways and Transport Safety Act, by a member of the British Transport Police Force who is of at least the rank of superintendent.]
- (1B) A designation under section 33 may be made by a member of the Ministry of Defence Police who is of at least the rank of superintendent in relation to an area outside or in Northern Ireland—
- (a) if it is a place to which subsection (2) of section 2 of the Ministry of Defence Police Act 1987 (c. 4) applies,
 - (b) if a request has been made under paragraph (a), (b) or (d) of subsection (3A) of that section in relation to a terrorist investigation and it is a place where he has the powers and privileges of a constable by virtue of that subsection as a result of the request, or
- [^{F4}(c) if a request has been made under paragraph (c) of that subsection in relation to a terrorist investigation and it is a place described in subsection 1A of this section.]
- (1C) But a designation under section 33 may not be made by—
- (a) a member of the British Transport Police Force, or
 - (b) a member of the Ministry of Defence Police,
- in any other case.]
- (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.
- (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.

Textual Amendments

- F1** Words in s. 34(1) substituted (14.12.2001) by 2001 c. 24, s. 101, **Sch. 7 para. 30(2)**
- F2** S. 34(1A)-(1C) inserted (14.12.2001) by 2001 c. 24, s. 101, **Sch. 7 para. 30(3)**
- F3** S. 34(1A) substituted (1.7.2004) by The British Transport Police (Transitional and Consequential Provisions) Order 2004 (S.I. 2004/1573), **art. 12(6)(a)**
- F4** S. 34(1B)(c) substituted (1.7.2004) by The British Transport Police (Transitional and Consequential Provisions) Order 2004 (S.I. 2004/1573), **art. 12(6)(b)**

Modifications etc. (not altering text)

- C1** S. 34 amended (1.7.2004) by Railways and Transport Safety Act 2003 (c. 20), s. 73(1), **Sch. 5 para. 4(1)(2)(k)** (with s. 72); S.I. 2004/1572, **art. 3(ddd)(jjj)**

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

Modifications etc. (not altering text)

- C2** 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)**
- C3** 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**)

Status:

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