
Changes to legislation: Terrorism Act 2000, Paragraph 1 is up to date with all changes known to be in force on or before 30 January 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) View outstanding changes

SCHEDULES

SCHEDULE 5

TERRORIST INVESTIGATIONS: INFORMATION

PART I

ENGLAND AND WALES AND NORTHERN IRELAND

Searches

- 1 (1) A constable may apply to a justice of the peace for the issue of a warrant under this paragraph for the purposes of a terrorist investigation.
- (2) A warrant under this paragraph shall authorise any constable—
- (a) to enter [^{F1}premises mentioned in sub-paragraph (2A)] ,
 - (b) to search the premises and any person found there, and
 - (c) to seize and retain any relevant material which is found on a search under paragraph (b).
- [^{F2}(2A) The premises referred to in sub-paragraph (2)(a) are—
- (a) one or more sets of premises specified in the application (in which case the application is for a “specific premises warrant”); or
 - (b) any premises occupied or controlled by a person specified in the application, including such sets of premises as are so specified (in which case the application is for an “all premises warrant”).]

(3) For the purpose of sub-paragraph (2)(c) material is relevant if the constable has reasonable grounds for believing that—

 - (a) it is likely to be of substantial value, whether by itself or together with other material, to a terrorist investigation, and
 - (b) it must be seized in order to prevent it from being concealed, lost, damaged, altered or destroyed.

(4) A warrant under this paragraph shall not authorise—

 - (a) the seizure and retention of items subject to legal privilege, or
 - (b) a constable to require a person to remove any clothing in public except for headgear, footwear, an outer coat, a jacket or gloves.

(5) Subject to paragraph 2, a justice may grant an application under this paragraph if satisfied—

 - (a) that the warrant is sought for the purposes of a terrorist investigation,
 - (b) that there are reasonable grounds for believing that there is material on [^{F3}premises to which the application relates] which is likely to be of substantial value, whether by itself or together with other material, to a

Changes to legislation: Terrorism Act 2000, Paragraph 1 is up to date with all changes known to be in force on or before 30 January 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) View outstanding changes

- terrorist investigation and which does not consist of or include excepted material (within the meaning of paragraph 4 below), and
- (c) that the issue of a warrant is likely to be necessary in the circumstances of the case [^{F4}, and]
- [^{F5}(d) in the case of an application for an all premises warrant, that it is not reasonably practicable to specify in the application all the premises which the person so specified occupies or controls and which might need to be searched.]

Textual Amendments

- F1** Words in Sch. 5 para. 1(2)(a) substituted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), **s. 26(2)**; S.I. 2006/1013, **art. 2**
- F2** Sch. 5 para. 1(2A) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), **s. 26(2)**; S.I. 2006/1013, **art. 2**
- F3** Words in Sch. 5 para. 1(5)(b) substituted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), **s. 26(4)(a)**; S.I. 2006/1013, **art. 2**
- F4** Word in Sch. 5 para. 1(5)(c) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), **s. 26(4)(b)**; S.I. 2006/1013, **art. 2**
- F5** Sch. 5 para. 1(5)(d) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), **s. 26(4)(c)**; S.I. 2006/1013, **art. 2**

Modifications etc. (not altering text)

- C1** Sch. 5 para. 1: power(s) of seizure extended (1.4.2003) by [2001 c. 16](#), ss. 50, 52-54, 68, Sch. 1 Pt. 1 para. 71; S.I. 2003/708, **art. 2**
- C2** Sch. 5 para. 1: power(s) of seizure extended (1.4.2003) by [2001 c. 16](#), ss. 51-54, 68, Sch. 1 Pt. 2 para. 83; S.I. 2003/708, **art. 2**
- C3** Sch. 5 para. 1 modified (E.W.N.I) (1.4.2003) by [2001 c. 16](#), ss. 55, 68, Sch. 1 Pt. 3 para. 109(1) (with s. 57(3)); S.I. 2003/708, **art. 2**

Changes to legislation:

Terrorism Act 2000, Paragraph 1 is up to date with all changes known to be in force on or before 30 January 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.

[View outstanding changes](#)

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):

- Sch. 4 para. 11(1)(aa) inserted by [2003 c. 44 Sch. 36 para. 14\(2\)](#)
- Sch. 4 para. 11(2A) inserted by [2003 c. 44 Sch. 36 para. 14\(3\)](#)
- Sch. 4 para. 11(1)(aa) words substituted by [2015 c. 2 Sch. 11 para. 17\(2\)](#)
- Sch. 4 para. 11(2A) words substituted by [2015 c. 2 Sch. 11 para. 17\(3\)](#)
- Sch. 8 para. 14(2A) inserted by [2008 c. 28 s. 16\(3\)](#) (This amendment not applied to legislation.gov.uk. S. 16 repealed (31.10.2013) by 2012 c. 9, Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(d))
- Sch. 8 para. 14(4)(ba) inserted by [2008 c. 28 s. 16\(5\)](#) (This amendment not applied to legislation.gov.uk. S. 16 repealed (31.10.2013) by 2012 c. 9, Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(d))
- Sch. 8 para. 15(1)(aa)(ab) inserted by [2010 c. 17 s. 17\(4\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-19 repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))
- Sch. 8 para. 15(2A) inserted by [2010 c. 17 s. 17\(7\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-19 repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))
- Sch. 8 para. 15(4) inserted by [2010 c. 17 s. 17\(8\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-19 repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))
- Sch. 8 para. 14F(3)(b) and word omitted by [2012 c. 10 Sch. 24 para. 22](#) (This amendment not applied to legislation.gov.uk. The substitution of Sch. 8 para. 14F was repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))
- Sch. 8 para. 14-14I substituted for Sch. 8 para. 14 by [2010 c. 17 s. 17\(2\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-19 repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))
- Sch. 8 para. 20(3)-(3C) substituted for Sch. 8 para. 20(3) by [2010 c. 17 s. 18\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-19 repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))
- Sch. 8 para. 20F(3) words omitted by [2012 c. 10 Sch. 24 para. 23](#) (This amendment not applied to legislation.gov.uk. The insertion of Sch. 8 para. 20F was repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))