Status: This is the original version (as it was originally enacted).

# SCHEDULES

## SCHEDULE 5

### TERRORIST INVESTIGATIONS: INFORMATION

## PART II

#### SCOTLAND

#### Urgent cases

- 31 (1) A police officer of at least the rank of superintendent may by a written order signed by him give to any constable the authority which may be given by a search warrant under paragraph 28.
  - (2) An order shall not be made under this paragraph unless the officer has reasonable grounds for believing—
    - (a) that the case is one of great emergency, and
    - (b) that immediate action is necessary.
  - (3) Where an order is made under this paragraph particulars of the case shall be notified as soon as is reasonably practicable to the Secretary of State.
- 32 (1) If a police officer of at least the rank of superintendent has reasonable grounds for believing that the case is one of great emergency he may by a written notice signed by him require any person specified in the notice to provide an explanation of any material seized in pursuance of an order under paragraph 22.
  - (2) Sub-paragraphs (2) and (3) of paragraph 30 shall apply to a notice under this paragraph as they apply to an order under that paragraph.
  - (3) A person commits an offence if he fails to comply with a notice under this paragraph.
  - (4) It is a defence for a person charged with an offence under sub-paragraph (3) to show that he had a reasonable excuse for his failure.
  - (5) A person guilty of an offence under sub-paragraph (3) is liable on summary conviction to imprisonment for a term not exceeding six months, to a fine not exceeding level 5 on the standard scale or to both.