



Terrorism Act 2000

2000 CHAPTER 11

PART V

COUNTER-TERRORIST POWERS

Power to stop and search

44 Authorisations.

- (1) An authorisation under this subsection authorises any constable in uniform to stop a vehicle in an area or at a place specified in the authorisation and to search—
 - (a) the vehicle;
 - (b) the driver of the vehicle;
 - (c) a passenger in the vehicle;
 - (d) anything in or on the vehicle or carried by the driver or a passenger.
- (2) An authorisation under this subsection authorises any constable in uniform to stop a pedestrian in an area or at a place specified in the authorisation and to search—
 - (a) the pedestrian;
 - (b) anything carried by him.
- (3) An authorisation under subsection (1) or (2) may be given only if the person giving it considers it expedient for the prevention of acts of terrorism.
- (4) An authorisation may be given—
 - (a) where the specified area or place is the whole or part of a police area outside Northern Ireland other than one mentioned in paragraph (b) or (c), by a police officer for the area who is of at least the rank of assistant chief constable;
 - (b) where the specified area or place is the whole or part of the metropolitan police district, by a police officer for the district who is of at least the rank of commander of the metropolitan police;

Status: Point in time view as at 13/04/2006. This version of this provision has been superseded.

Changes to legislation: Terrorism Act 2000, Section 44 is up to date with all changes known to be in force on or before 07 April 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)

- (c) where the specified area or place is the whole or part of the City of London, by a police officer for the City who is of at least the rank of commander in the City of London police force;
- (d) where the specified area or place is the whole or part of Northern Ireland, by a member of the Royal Ulster Constabulary who is of at least the rank of assistant chief constable.

[^{F1}(4ZA) The power of a person mentioned in subsection (4) to give an authorisation specifying an area or place so mentioned includes power to give such an authorisation specifying such an area or place together with—

- (a) the internal waters adjacent to that area or place; or
- (b) such area of those internal waters as is specified in the authorisation.]

[^{F2}[^{F3}(4A) In a case (within subsection (4)(a), (b) or (c) in which the specified area or place is in a place described in section 34(1A), an authorisation may also be given by a member of the British Transport Police Force who is of at least the rank of assistant chief constable.]

(4B) In a case in which the specified area or place is a place to which section 2(2) of the Ministry of Defence Police Act 1987 applies, an authorisation may also be given by a member of the Ministry of Defence Police who is of at least the rank of assistant chief constable.

[In a case in which the specified area or place is a place in which members of the Civil Nuclear Constabulary have the powers and privileges of a constable, an authorisation may also be given by a member of that Constabulary who is of at least the rank of assistant chief constable.]

(4C) But an authorisation may not be given by—

- (a) a member of the British Transport Police Force,^{F5} . . .
 - (b) a member of the Ministry of Defence Police,^{F6} or
 - (c) a member of the Civil Nuclear Constabulary,]
- in any other case.]

(5) If an authorisation is given orally, the person giving it shall confirm it in writing as soon as is reasonably practicable.

[^{F7}(5A) In this section—

“driver”, in relation to an aircraft, hovercraft or vessel, means the captain, pilot or other person with control of the aircraft, hovercraft or vessel or any member of its crew and, in relation to a train, includes any member of its crew;

“internal waters” means waters in the United Kingdom that are not comprised in any police area.]

Textual Amendments

F1 S. 44(4ZA) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), s. 30(2); S.I. 2006/1013, art. 2

F2 S. 44(4A)-(4C) inserted (14.12.2001) by [2001 c. 24](#), s. 101, [Sch. 7 para. 31](#)

F3 S. 44(4A) substituted (1.7.2004) by [The British Transport Police \(Transitional and Consequential Provisions\) Order 2004 \(S.I. 2004/1573\)](#), art. 12(6)(c)

F4 S. 44(4BA) inserted (E.W.S.) (1.4.2005) by [Energy Act 2004 \(c. 20\)](#), s. 57(2)(a); S.I. 2005/877, art. 2(1), Sch. 1

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- F5** Word in s. 44(4C) repealed (1.4.2005) by Energy Act 2004 (c. 20), s. 197(9), **Sch. 23 Pt. 1**; S.I. 2005/877, **art. 2(1)**, Sch. 1 Table
- F6** S. 44 (4C)(c) and preceding word inserted (E.W.S.) (1.4.2005) by Energy Act 2004 (c. 20), **s. 57(2)(b)**; S.I. 2005/877, **art. 2(1)**, Sch. 1
- F7** S. 44(5A) inserted (13.4.2006) by Terrorism Act 2006 (c. 11), **s. 30(3)**; S.I. 2006/1013, **art. 2**

Modifications etc. (not altering text)

- C1** S. 44 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)**
- C2** S. 44(1)(a)(d) extended (E.W.) (2.12.2002) by 2002 c. 30, s. 38, **Sch. 4 Pt. 1 para. 15(1)(a)**; S.I. 2002/2750, **art. 2(a)(ii)(d)**
- C3** S. 44(1)(a) extended (N.I.) (21.4.2007) by 2003 c. 6, Sch. 2A para. 16(1) (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**)
- C4** S. 44(1)(d) extended (N.I.) (21.4.2007) by 2003 c. 6, Sch. 2A para. 16(1) (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**)
- C5** S. 44(2)(b) extended (E.W.) (2.12.2002) by 2002 c. 30, s. 38, **Sch. 4 Pt. 1 para. 15(1)(a)**; S.I. 2002/2750, **art. 2(a)(ii)(d)**
- C6** S. 44(2)(b) extended (N.I.) (21.4.2007) by 2003 c. 6, Sch. 2A para. 16(1) (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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