



Anti-terrorism, Crime and Security Act 2001

2001 CHAPTER 24

PART 10

POLICE POWERS

Identification

95 Powers to require removal of disguises: Northern Ireland

(1) In Part 5 of the Public Order (Northern Ireland) Order 1987 (S.I. 1987/463 (N.I. 7)), before Article 24 insert—

“Temporary powers to deal with activities in a locality”

23A Powers to require removal of disguises

(1) Where—

- (a) an authorisation under paragraph (3) that the powers conferred by paragraph (2) shall be exercisable at any place in a locality is in force for any period, or
- (b) an authorisation under Article 23B is for the time being in force in relation to any locality for any period,

those powers shall be exercisable at any place in that locality at any time in that period.

(2) This paragraph confers power on any constable in uniform—

- (a) to require any person to remove any item which the constable reasonably believes that person is wearing wholly or mainly for the purpose of concealing his identity;

Changes to legislation: There are currently no known outstanding effects for the Anti-terrorism, Crime and Security Act 2001, Section 95. (See end of Document for details)

- (b) to seize any item which the constable reasonably believes any person intends to wear wholly or mainly for that purpose.
- (3) If a police officer of or above the rank of inspector reasonably believes—
- (a) that activities may take place in any locality that are likely (if they take place) to involve the commission of offences, and
 - (b) that it is expedient, in order to prevent or control the activities, to give an authorisation under this paragraph,
- he may give an authorisation that the powers conferred by this Article shall be exercisable at any place within that locality for a specified period not exceeding twenty-four hours.
- (4) If it appears to an officer of or above the rank of superintendent that it is expedient to do so, having regard to offences which—
- (a) have been committed in connection with the activities in respect of which the authorisation was given, or
 - (b) are reasonably suspected to have been so committed,
- he may direct that the authorisation shall continue in force for a further twenty-four hours.
- (5) If an officer below the rank of superintendent gives an authorisation under paragraph , he must, as soon as it is practicable to do so, cause an officer of or above that rank to be informed.
- (6) Any authorisation under this Article—
- (a) shall be in writing and signed by the officer giving it; and
 - (b) shall specify—
 - (i) the grounds on which it is given;
 - (ii) the locality in which the powers conferred by this Article are exercisable;
 - (iii) the period during which those powers are exercisable;
- and a direction under paragraph (4) shall also be given in writing or, where that is not practicable, recorded in writing as soon as it is practicable to do so.
- (7) A person who fails to remove an item worn by him when required to do so by a constable in the exercise of his power under this Article shall be liable, on summary conviction, to imprisonment for a term not exceeding one month or to a fine not exceeding level 3 on the standard scale or both.
- (8) The powers conferred by this Article are in addition to, and not in derogation of, any power otherwise conferred.”

(2) ^{F1}.....

Textual Amendments

F1 S. 95(2) repealed (N.I.) (1.3.2007) by The Police and Criminal Evidence (Amendment) (Northern Ireland) Order 2007 (S.I. 2007/288 (N.I. 2)), arts. 1(2), 41, Sch. 2

Changes to legislation:

There are currently no known outstanding effects for the Anti-terrorism, Crime and Security Act 2001, Section 95.