

## SCHEDULES

### SCHEDULE 8

Section 43

#### PORT AND BORDER CONTROLS: POWER TO EXAMINE GOODS

##### *Terrorism Act 2000 (c. 11)*

- 1 (1) In Schedule 7 to the Terrorism Act 2000 (port and border controls) paragraph 9 (power to examine goods) is amended as follows.
- (2) After sub-paragraph (2) insert—
- “(2A) The reference in sub-paragraph (2)(a) to goods which are about to leave Great Britain or Northern Ireland on a ship includes goods which—
- (a) are held at premises operated by a sea cargo agent, and
  - (b) are to be delivered to a place in Great Britain or Northern Ireland for carriage on a ship.
- (2B) The reference in sub-paragraph (2)(b) to goods which are about to leave any place in Great Britain or Northern Ireland on an aircraft includes goods which—
- (a) are held at premises operated by an air cargo agent, and
  - (b) are to be delivered to a place in Great Britain or Northern Ireland for carriage on an aircraft.
- (2C) An examination under this paragraph may be carried out only—
- (a) at a port;
  - (b) at premises operated by a sea cargo agent or an air cargo agent;
  - (c) at a transit shed;
  - (d) at a location designated by the Secretary of State under sub-paragraph (2D) (a “designated examination location”).
- (2D) The Secretary of State may designate a location for the purposes of sub-paragraph (2C)(d) only if the Secretary of State reasonably believes that it is necessary to designate that location in order for examining officers to be able to exercise their functions under this paragraph.
- (2E) The Secretary of State must maintain and publish a list of designated examination locations.”
- (3) For sub-paragraph (3) substitute—
- “(3) In this paragraph—
- (a) “air cargo agent” has the meaning given by section 21F(1) of the Aviation Security Act 1982;
  - (b) “goods” includes property of any description, and containers;
  - (c) “sea cargo agent” has the meaning given by section 41(1) of the Aviation and Maritime Security Act 1990;

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*Status: This is the original version (as it was originally enacted).*

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(d) “transit shed” has the meaning given by section 25A of the Customs and Excise Management Act 1979.”

(4) For sub-paragraph (4) substitute—

“(4) For the purposes of determining whether to carry out an examination under this paragraph an examining officer may—

- (a) board a ship or aircraft;
- (b) enter a vehicle;
- (c) enter premises operated by a sea cargo agent or an air cargo agent;
- (d) enter a transit shed;
- (e) enter a designated examination location.”

*Regulation of Investigatory Powers Act 2000 (c. 23)*

2 In section 3 of the Regulation of Investigatory Powers Act 2000 (lawful interception without an interception warrant), after subsection (3A) insert—

“(3B) Conduct consisting in the interception of a communication in the course of its transmission by means of a public postal service is authorised by this section if it is conduct under paragraph 9 of Schedule 7 to the Terrorism Act 2000 (port and border controls).”

*Postal Services Act 2000 (c. 26)*

3 (1) In section 104 of the Postal Services Act 2000 (inviolability of mails) subsection (3) is amended as follows.

(2) Omit the word “or” at the end of paragraph (c).

(3) At the end insert “, or

- (e) a power conferred by paragraph 9 of Schedule 7 to the Terrorism Act 2000 (port and border controls).”