

SCHEDULE 2

MODIFICATION OF APPLIED ENACTMENTS

The Code of Practice for examining officers under the Terrorism Act 2000

3. In the Code of Practice for examining officers under the Terrorism Act 2000
 - (a) in paragraph 3—
 - (i) omit the words “or customs officer designated for the purpose of the Schedule by the Secretary of State and the Commissioners of Customs and Excise”,
 - (ii) omit the words “or designated customs officers” and
 - (iii) omit the words from “or the Customs and Excise Management Act 1979” to the end of that paragraph;
 - (b) for paragraph 4 substitute—
 - ““Control Zone” means a Control Zone in France in which immigration officers exercise immigration control in pursuance of the Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic concerning the Implementation of Frontier Controls at the Sea Ports of Both Countries on the Channel and North Sea
 - A “juvenile” means anyone who appears to be under the age of 17 in the absence of clear evidence that he/she is older.”;
 - (c) in paragraph 5, for the words “at ports or in the border area” substitute “in the Control Zone” and omit “and customs officers”;
 - (d) for paragraph 6 substitute—

“The functions under the Schedule and under Schedules 8 and 14 of the Act should only be carried out by a constable in a Control Zone where an immigration officer makes a request to a police officer of the rank of sergeant or above in the police force of which the constable is a member, for assistance in exercising the powers in question in a particular case, and any such request shall be recorded in writing at the time it is made or as soon as practicable afterwards.”;
 - (e) for paragraph 7 substitute “The power to examine someone under the Schedule applies to a person who is in a Control Zone.”;
 - (f) omit paragraph 8 and the Note for guidance on paragraph 8;
 - (g) in the Note for guidance on paragraph 10—
 - (i) for the words “under the port and border area powers” and “at the port or the area” substitute in each case “in the Control Zone”, and
 - (ii) for the words “at individual ports or parts of the border area” substitute “within the Control Zone”;
 - (h) in paragraph 12, omit the words “at the port, or in the border area, a police station”;
 - (i) in paragraph 13, for the words “at the port or at a specified police station” and “at the port or, in the border area, at a police station” substitute “in the Control Zone”;
 - (j) in the Note for guidance on paragraph 13, for the words “at a port or at a police station in the border area” substitute “in the Control Zone”;
 - (k) in paragraph 14, omit the words “(or in Scotland, a child)” and “/child”;
 - (l) in paragraph 19, for the words “at the port or, in the case of the border area, that location” substitute “in the Control Zone”;

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

- (m) in paragraph 21, omit the words from “; and should bear in mind that people travelling to and from Northern Ireland” to the end of that paragraph;
- (n) omit the Note for guidance on paragraph 23;
- (o) in paragraph 29, for the words “at the port” substitute “in the Control Zone”;
- (p) paragraphs 33 and 34 shall be omitted; and
- (q) in the Annex—
 - (i) for the words in the first set of square brackets substitute “in the Control Zone” and omit the words in the second set of square brackets, and
 - (ii) omit the paragraph beginning “You may also be asked, or have been asked”.