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STATUTORY INSTRUMENTS

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**2018 No. 521**

**The Terrorism Act 2000 (Enforcement in Different Parts of the United Kingdom) Order 2018**

**PART 3**

**Enforcement in Northern Ireland of English or Welsh Orders and Scottish Orders**

**English or Welsh Production Orders**

**25.**—(1) This article applies where—

- (a) an English or Welsh production order requires a person in Northern Ireland in possession or control of material in Northern Ireland to produce the material or give access to the material; or
- (b) an order to grant entry to premises in Northern Ireland is made in respect of an English or Welsh production order under paragraph 5(5) of Schedule 5 .

(2) Subject to paragraph (11), the production order may be served—

- (a) by sending it by post, facsimile transmission or electronic mail to the person in possession of the material; or
- (b) by a Northern Ireland appropriate officer or an English or Welsh appropriate officer serving the order personally,

and any rules of court as to the service of documents (other than rules of court made by virtue of section 120C) and any other requirements in law as to the service of documents do not apply.

(3) Paragraph 5(3) of Schedule 5 (excluded and special procedure material: production and access) has effect with the modifications in paragraph (4).

(4) The modifications are that for “an appropriate officer” there is substituted—

- (a) in sub-paragraph (a), “whichever of an English or Welsh appropriate officer, a Northern Ireland appropriate officer or an English or Welsh appropriate officer and a Northern Ireland appropriate officer acting together the order specifies”; and
- (b) in sub-paragraph (b), “such officer or officers”.

(5) Paragraph 5(5) of Schedule 5 (excluded and special procedure material: production and access) has effect with the modification in paragraph (6).

(6) The modification is that for “a constable”, there is substituted “an officer or officers specified in such order”.

(7) Paragraph 7(2)(a) of Schedule 5 (excluded and special procedure material: production and access) has effect with the modification in paragraph (8).

(8) The modification is that for “a named appropriate officer (as defined in paragraph 5(6))” there is substituted “whichever of a named English or Welsh appropriate officer, a named Northern Ireland appropriate officer or a named English or Welsh appropriate officer and a named Northern Ireland appropriate officer acting together the order specifies”.

(9) The production order, including an order to grant entry, as the case may be, has effect as if it were an order of the Crown Court in Northern Ireland.

(10) Paragraph 8(1) of Schedule 5 (excluded and special procedure material: production and access) has effect as if the production order were a Northern Ireland production order.

(11) Paragraph 9 of Schedule 5 (excluded and special procedure material: production and access) has effect as if the production order were a Northern Ireland production order and, in particular—

- (a) if the order is not brought to the attention of the officer concerned within the period stated in the order (in pursuance of paragraph 5(3) of Schedule 5 (excluded and special procedure material: production and access)) the person on whom it is served must report the reasons for the failure to a Crown Court judge in Northern Ireland; and
- (b) the production order must be served as if the proceedings were civil proceedings started against the government department in Northern Ireland.