Draft Order laid before Parliament under sections 47AB(1)(b), 47AC(3) and 123(4)(ab) of the Terrorism Act 2000 (c. 11), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2024 No. ****

PREVENTION AND SUPPRESSION OF TERRORISM, NORTHERN IRELAND

The Terrorism Act 2000 (Alterations to the Search Powers Code for Northern Ireland) Order 2024

Made - - - - ***

Coming into force

The Secretary of State makes this Order in exercise of the powers conferred by sections 47AB(1)(b) and (2) and 47AC(1)(b) and (3) of the Terrorism Act 2000(**a**).

The Secretary of State:

(a) has, in accordance with section 47AC(1)(b) of that Act, prepared alterations to the search powers code for Northern Ireland(**b**);

(b) has, in accordance with section 47AC(2) of that Act, consulted the Lord Advocate and such other persons as considered appropriate, before preparing those alterations;

(c) has, in accordance with sections 47AB(1)(a) and 47AC(3) of that Act, laid those alterations before Parliament.

In accordance with sections 47AB(1)(b), 47AC(3) and 123(4)(ab)(**c**) of that Act, a draft of this Order was laid before Parliament and approved by resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) This Order may be cited as the Terrorism Act 2000 (Alterations to the Search Powers Code for Northern Ireland) Order 2024 and comes into force on the day after the day on which it is made.

(2) This Order extends to Northern Ireland.

(**a**) 2000 c. 11. Sections 47AB and 47AC of the Terrorism Act 2000 were inserted by section 62 of the Protection of Freedoms Act 2012 (c. 9). Section 47AA was inserted by section 62 of the Protection of Freedoms Act 2012 and amended by S.I. 2022/746.

(**b**) Section 47AC(4) of the Terrorism Act 2000 defines "the search powers code" as meaning the code of practice issued under section 47AB(2) of that Act as altered or replaced from time to time. The search powers code for Northern Ireland was brought into force on 10th July 2012 in accordance with article 3 of S.I. 2012/1794.

(**c**) Paragraph (ab) of section 123(4) of the Terrorism Act 2000 was inserted by paragraph 25(2) of Schedule 9 to the Protection of Freedoms Act 2012.

Alterations to the search powers code for Northern Ireland

2. The alterations to the search powers code for Northern Ireland that were laid before Parliament on [ ] 2024 come into force on the day on which this Order comes into force.

Name
Secretary of State
Northern Ireland Office

EXPLANATORY NOTE

(This note is not part of the Order)

The Secretary of State has made alterations to the search powers code for Northern Ireland. The alterations (a) reflect the creation of the new power in section 43C of the Terrorism Act 2000 (c. 11) under which a constable may stop and search terrorist offenders released on licence, and (b) make other minor changes. The new stop and search power applies when a terrorist offender's licence includes a search condition and the constable is satisfied that the search is necessary for purposes connected with protecting members of the public from a risk of terrorism.

This Order brings the alterations into force following their approval by each House of Parliament.

A copy of the revised code of practice referred to in this instrument is available publicly online as www.gov.uk and hard copies can be obtained by writing to the Northern Ireland Office, Erskine House, 20-32 Chichester St, Belfast BT1 4GF.

A full impact statement has not been produced for this Order as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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