STATUTORY INSTRUMENTS

1974 No. 2037

PREVENTION OF TERRORISM

The Prevention of Terrorism (Temporary Provisions) (Adaptation) Order 1974

Made - - - -	*5th December* 1974
Laid before Parliament	*5th December* 1974
Coming into Operation	*6th December* 1974

In exercise of the powers conferred on me by section 6(3) and (4) of and paragraph 9(2) of Schedule 3 to the Prevention of Terrorism (Temporary Provisions) Act 1974(**a**), I hereby make the following Order:—

1. This Order may be cited as the Prevention of Terrorism (Temporary Provisions) (Adaptation) Order 1974 and shall come into operation on the day after the day on which it is made.

2.—(1) In this Order "the Act" means the Prevention of Terrorism (Temporary Provisions) Act 1974.

(2) The Interpretation Act 1889(**b**) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3.—(1) Sections 3 and 4 of the Act (which relate to exclusion orders) shall, in relation to a person who is not a citizen of the United Kingdom and Colonies, have effect subject to the adaptations and modifications specified in the Schedule to this Order.

(2) This Article is without prejudice to section 6(2) of the Act (which makes certain adaptations to section 3).

4. In its application to Northern Ireland, paragraph 5 of Schedule 3 to the Act (search warrants) shall have effect—

(*a*) as if the reference in sub-paragraph (2) and the first reference in sub-paragraph (4) thereof to a police force were references to the Royal Ulster Constabulary; and

(*b*) as if all other references in that paragraph to a police force were references to the Royal Ulster Constabulary, including the Royal Ulster Constabulary Reserve.

Merlyn Rees,
One of Her Majesty's Principal Secretaries of State.

Northern Ireland Office.
5th December 1974.

(a) 1974 c. 56. (b) 1889 c. 63.

SCHEDULE

ADAPTATIONS OF SECTIONS 3 AND 4 OF THE ACT IN RELATION TO PERSONS WHO ARE NOT CITIZENS OF THE UNITED KINGDOM AND COLONIES

1. In section 3(1) of the Act, the reference to Great Britain shall be construed as a reference to the United Kingdom.

2. In section 3(2) of the Act the first reference to Great Britain shall be construed as including a reference to Northern Ireland.

3. In section 3(3)(*a*) and (*b*) of the Act, after the words "Great Britain " there shall be added the words " (or, as the case may be, Northern Ireland) ".

4. At the beginning of subsection (2) of section 4 of the Act there shall be inserted the words "Subject to subsection (2A) below," and after the said subsection (2) there shall be inserted the following subsection:—

" (2A) Where the Secretary of State makes an exclusion order prohibiting a person who is not a citizen of the United Kingdom and Colonies from being in or entering the United Kingdom and—

(*a*) the order is made on the ground that the person against whom the order is made is attempting or may attempt to enter Northern Ireland with a view to being concerned in the commission, preparation or instigation of acts of terrorism; or

(*b*) the order contains a statement declaring it to be an order to which this subsection applies,

subsection (2) above shall have effect as if the reference to Great Britain were a reference to Northern Ireland.".

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order adapts sections 3 and 4 of the Prevention of Terrorism (Temporary Provisions) Act 1974 in their application to exclusion orders made against persons who are not citizens of the United Kingdom and Colonies and adapts paragraph 5 of Schedule 3 to the Act in its application to Northern Ireland. The adaptations to section 3 of the Act are in addition to those already made by section 6(2).

The provisions in the Schedule to the Order adapt references to Great Britain in sections 3 and 4 of the Act so as to take account of the fact that exclusion orders made against persons who are not citizens of the United Kingdom and Colonies prohibiting them from being in or entering the United Kingdom may relate either to Great Britain or to Northern Ireland.

Article 4 of the Order provides for references in paragraph 5 of Schedule 3 to the Act (which relates to search warrants) to a police force to be construed, in Northern Ireland, as references to the Royal Ulster Constabulary, including the Royal Ulster Constabulary Reserve, except that a member of the Royal Ulster Constabulary Reserve may not make an application for a search warrant or sign a written order for a search (although he may be included in the warrant or order as a person who may be authorised to carry out the search).

SI 1974/2037
ISBN 0-11-042037-3

