



Prevention of Terrorism (Temporary Provisions) Act 1974

1974 CHAPTER 56

PART III

GENERAL AND MISCELLANEOUS

7 Powers of arrest and detention

- (1) A constable may arrest without warrant a person whom he reasonably suspects to be—
- a person guilty of an offence under section 1 or 3 of this Act;
 - a person concerned in the commission, preparation or instigation of acts of terrorism ;
 - a person subject to an exclusion order.

- (2) A person arrested under this section shall not be detained in right of the arrest for more than 48 hours after his arrest:

Provided that the Secretary of State may, in any particular case, extend the period of 48 hours by a further period not exceeding 5 days.

- (3) The following provisions (requirement to bring arrested person before a court after his arrest) shall not apply to a person detained in right of the arrest.

The said provisions are—

Section 38 of the Magistrates' Courts Act 1952,
Section 29 of the Children and Young Persons Act 1969,
Section 20(3) of the Summary Jurisdiction (Scotland) Act 1954,
Section 132 of the Magistrates' Courts Act (Northern Ireland) 1964, and
Section 50(3) of the Children and Young Persons Act (Northern Ireland) 1968.

- (4) In Scotland section 10(1) of the Summary Jurisdiction (Scotland) Act 1954 (chief constable may in certain cases accept bail) shall not apply to a person detained in right of an arrest under this section.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (5) The provisions of this section are without prejudice to the power of arrest under section 2 of the Criminal Law Act 1967, section 2 of the Criminal Law Act (Northern Ireland) 1967 and section 10 of the Northern Ireland (Emergency Provisions) Act 1973.