

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

DRAFT STATUTORY INSTRUMENTS

2012 No.

**PREVENTION AND
SUPPRESSION OF TERRORISM**

**The Terrorism Act 2000 (Codes of Practice for the
Exercise of Stop and Search Powers) Order 2012**

Made - - - - - ***
Coming into force - - - - - ***

This Order is made in exercise of the power conferred on the Secretary of State by section 47AB (2) of the Terrorism Act 2000 (“the Act”)(1).

The Secretary of State:

- (a) has, in accordance with section 47AA(1)(2) of the Act, prepared two codes of practice containing guidance about the exercise of the powers referred to in section 47AA(1) (a) to (d) of the Act applying to England, Wales and Scotland and to Northern Ireland respectively;
- (b) has, in accordance with section 47AA(3) of the Act, consulted the Lord Advocate and such other persons as she considered appropriate, in the course of preparation of the codes of practice;
- (c) has, in accordance with section 47AB(1)(3) of the Act, laid the codes of practice and a draft of this Order before Parliament.

In accordance with sections 47AB(2) and 123(4)(4) of the Act, a draft of this Order has been approved by a resolution of each House of Parliament.

Accordingly, the Secretary of State makes the following Order.

Citation and Commencement

1. This Order may be cited as the Terrorism Act 2000 (Codes of Practice for the Exercise of Stop and Search Powers) Order 2012 and shall come into force on the day after it is made.

(1) 2000 c.11.
(2) section 47AA was inserted by section 62 of the Protection of Freedoms Act 2012 c.9.
(3) section 47AB was inserted by section 62 of the Protection of Freedoms Act 2012 c.9.
(4) section 123(4) was amended by paragraph 25(2) of Schedule 9 to the Protection of Freedoms Act 2012 c.9.

Codes of Practice

2. The code of practice prepared under section 47AA of the Terrorism Act 2000 entitled “Code of Practice (England, Wales and Scotland) for the Exercise of Stop and Search Powers under Sections 43 and 43A of the Terrorism Act 2000, and the Authorisation and Exercise of Stop and Search Powers Relating to Section 47A of, and Schedule 6B to, the Terrorism Act 2000” and laid before Parliament on 10th May 2012 shall come into force on the day on which this Order comes into force.

3. The code of practice prepared under section 47AA of the Terrorism Act 2000 entitled “Code of Practice (Northern Ireland) for the Exercise of Stop and Search Powers under Sections 43 and 43A of the Terrorism Act 2000, and the Authorisation and Exercise of Stop and Search Powers Relating to Section 47A of, and Schedule 6B to, the Terrorism Act 2000” and laid before Parliament on 10th May 2012 shall come into force on the day on which this Order comes into force.

Home Office
Date

Name
Parliamentary Under Secretary of State

EXPLANATORY NOTE

(This note is not part of the Order)

Section 47AB (2) of the Terrorism Act 2000 (“the Act”) requires the Secretary of State to issue a code of practice in connection with the exercise of the stop and search powers referred to in section 47AA of the Act. The Secretary of State has decided to issue one code for England, Wales and Scotland and a separate code for Northern Ireland. This Order brings those codes of practice into force.

The code of practice for England, Wales and Scotland may be downloaded from the Home Office website. The code of practice for Northern Ireland may be downloaded from the Northern Ireland Office website.