

Exercise of functions at the time of coming into operation

3. The revised code of practice referred to in article 2 shall apply to the exercise of any function under Schedules 7 or 8 to the Terrorism Act 2000 by a constable, an immigration officer or a customs officer who is designated for the purpose of Schedule 7 to that Act after the beginning of the day on which it comes into operation, notwithstanding that the person may have started to exercise the function before this time.

Home Office

Parliamentary Under Secretary of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation the revised code of practice made pursuant to paragraph 7 of Schedule 14 to the Terrorism Act 2000 in connection with the exercise by examining officers of functions conferred on them by virtue of the Act.

Schedule 7 to the Terrorism Act 2000 permits the persons covered by the revised code to stop, question and detain persons for the purpose of determining whether they are a person who is or has been concerned in the commission, preparation or instigation of acts of terrorism.

Schedule 8 to the Terrorism Act 2000 permits the persons covered by the revised code to take detained persons to places of detention for examination under Schedule 7 and to take steps that are reasonably necessary to identify a detained person.

Article 3 of the Order makes provision in relation to persons who begin exercising any power conferred by virtue of Schedules 7 or 8 to the Terrorism Act 2000 before the revised code of practice comes into operation and continue to do so after it has come into operation.

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