
D R A F T S T A T U T O R Y I N S T R U M E N T S

2022 No.

PREVENTION AND SUPPRESSION OF TERRORISM

**The Terrorism Act 2000 (Code of Practice for Examining
Officers and Review Officers) Order 2022**

Made - - - - 2022
Coming into force - - 2022

The Secretary of State makes the following Order in exercise of the powers conferred by paragraph 7(3) and (4) of Schedule 14 to the Terrorism Act 2000(a) (“the 2000 Act”).

The Secretary of State has:

- (a) in accordance with paragraph 6(4) of Schedule 14 to the 2000 Act(b), revised the code of practice in connection with the exercise by examining officers and review officers of functions conferred on them by virtue of the 2000 Act(c);
- (b) in accordance with paragraph 7(1)(a) of Schedule 14 to the 2000 Act, published a draft of the revised code of practice;
- (c) in accordance with paragraph 7(1)(b) and (c) of Schedule 14 to the 2000 Act, considered any representations made to the Secretary of State about the draft and, as thought appropriate, modified the draft accordingly; and
- (d) in accordance with paragraph 7(2) of Schedule 14 to the 2000 Act, laid a draft of the code of practice before Parliament.

A draft of this instrument has been laid before Parliament under section 123(4)(m) of the 2000 Act and has been approved by resolution of each House of Parliament.

Accordingly, the Secretary of State makes the following Order—

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- (a) 2000 c. 11; relevant amendments to Schedule 7 to the 2000 Act were made by section 78 of the Nationality and Borders Act 2022 (c. 36), by paragraph 1 of Schedule 8 to the Counter-Terrorism and Security Act 2015 (c. 6) and by paragraph 1(3) and paragraph 7 of Schedule 9 to the Anti-Social Behaviour, Crime and Policing Act 2014 (c. 12). Relevant amendments to Schedule 8 to the 2000 Act were made by paragraph 7 of Schedule 9 to the Anti-Social Behaviour, Crime and Policing Act 2014 (c. 12). Relevant amendments to Schedule 14 to the 2000 Act were made by paragraph 8 of Schedule 9 to the Anti-Social Behaviour, Crime and Policing Act 2014 (c. 12).
 - (b) Paragraph 6 of Schedule 14 to the Terrorism Act 2000 was amended by section 2(6) of the Anti-terrorism, Crime and Security Act 2001 (c. 24) and by paragraph 13(a) of Schedule 5 to the Criminal Finances Act 2017 (c. 22).
 - (c) The code of practice was previously brought into operation on 19th February 2001 in accordance with S.I. 2001/427 and revised codes of practice were brought into operation on 2nd July 2009 in accordance with S.I. 2009/1593 and on 31st July 2014 in accordance with S.I. 2014/1838 and on 25th March 2015 in accordance with S.I. 2015/906 and on 13th August 2020 in accordance with S.I. 2020/795.

Citation and commencement

1. This Order may be cited as the Terrorism Act 2000 (Code of Practice for Examining Officers and Review Officers) Order 2022 and comes into force on the 22nd day after the day on which it is made.

Extent

2. This Order extends to the United Kingdom.

Revised code of practice

3. The revised code of practice entitled “Code of Practice for Examining Officers and Review Officers under Schedule 7 to the Terrorism Act 2000” and laid before Parliament in draft on 11th May 2022 comes into operation on the day on which this Order comes into force.

Date

Name
Minister of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation the revised code of practice (“the Code”) issued under paragraph 6(1) and (4) of Schedule 14 to the Terrorism Act 2000 (c. 11) (“the 2000 Act”) in connection with the exercise by examining officers and review officers of functions conferred on them by the 2000 Act. The Code revises the preceding code of practice to take account of amendments made to paragraph 1(2) and paragraph 2 of Schedule 7 to the 2000 Act, and to other relevant enactments, by the Nationality and Borders Act 2022 (c. 36). The amendments to Schedule 7 to the 2000 Act make provision to expand the scope of powers under Schedule 7 so that examining officers will be able to examine and if necessary detain individuals under Schedule 7 away from port and Northern Ireland border areas provided that certain specified conditions as set out in the amended paragraph 2 of Schedule 7 are satisfied. The Code also revises the preceding code of practice to reflect additional minor updates unrelated to the Nationality and Borders Act 2022 (c. 36).

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

A copy of the revised code of practice referred to in this instrument can be found publicly available online at www.gov.uk and hard copies can be obtained by writing to the Home Office, 2 Marsham Street, London, SW1P 4DF.

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£4.90

<http://www.legislation.gov.uk/id/ukdsi/2022/9780348235142>

ISBN 978-0-34-823514-2



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