



Northern Ireland (Emergency Provisions) (Amendment) Act 1975

1975 CHAPTER 62

Powers of detention, search, seizure, etc.

9 Detention of terrorists, etc.

- (1) Part I of Schedule 1 to this Act shall have effect with respect to the detention of terrorists and persons suspected of being terrorists.
- (2) The transitional provisions set out in Part II of Schedule 1 to this Act shall have effect.
- (3) Schedule 1 to the principal Act (detention of terrorists) shall cease to have effect.

10 Power to stop and question

At the end of section 16(1) of the principal Act (power to stop and question any person for the purpose of ascertaining certain matters) there shall be added the words " or of ascertaining any one or more of those matters ".

11 Power to search for radio transmitters

- (1) Any member of Her Majesty's forces on duty or any constable may enter any premises or other place other than a dwelling-house for the purpose of ascertaining whether any apparatus for wireless telegraphy designed or adapted for emission, as opposed to reception (in this section referred to as a " transmitter") is at that place and may search the place for any transmitter with a view to exercising the powers conferred by subsection (4) below.
- (2) Any member of Her Majesty's forces on duty authorised by a commissioned officer of those forces or any constable authorised by an officer of the Royal Ulster Constabulary not below the rank of chief inspector may enter any dwelling-house in which it is suspected that there is a transmitter and may search it for any transmitter with a view to exercising the said powers.

Status: This is the original version (as it was originally enacted).

- (3) Any member of Her Majesty's forces on duty or any constable may—
 - (a) stop any person in any public place and, with a view to exercising the said powers, search him for the purpose of ascertaining whether he has any transmitter with him ; and
 - (b) with a view to exercising the said powers, search any person not in a public place whom he suspects of having a transmitter with him.
- (4) A member of Her Majesty's forces or a constable authorised to search any premises or other place or any person may seize any transmitter found in the course of the search unless it appears to the person so authorised that the transmitter has been, is being and is likely to be used only lawfully and may retain it.
- (5) Sections 18 and 25 of the principal Act (supplementary provisions as to powers of entry and search conferred by Part II and compensation) shall apply for the purposes of this section as they apply for the purposes of Part II of that Act, and that Act, respectively.
- (6) In this section " transmitter " includes part of a transmitter and " wireless telegraphy " has the same meaning as in section 19(1) of the Wireless Telegraphy Act 1949.