



# Prevention of Terrorism (Temporary Provisions) Act 1989

## CHAPTER 4

### PREVENTION OF TERRORISM (TEMPORARY PROVISIONS) ACT 1989

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*Status: Point in time view as at 10/04/1995.*

*Changes to legislation: There are currently no known outstanding effects for the Prevention of Terrorism (Temporary Provisions) Act 1989 (repealed). (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 1 — Proscribed Organisations

Irish Republican Army  
Irish National Liberation Army

### SCHEDULE 2 — Exclusion Orders

#### *Duration*

- 1 (1) An exclusion order may be revoked at any time...

#### *Notice of making of order*

- 2 (1) As soon as may be after the making of...

#### *Right to make representations*

- 3 (1) If after being served with notice of the making...

#### *Reconsideration of exclusion order following representations*

- 4 (1) Where the Secretary of State receives representations in respect...

#### *Making of exclusion order*

- 5 (1) In deciding whether to make an exclusion order against...

#### *Detention pending decision whether to make exclusion order*

- 5A (1) A person on whom notice has been served under...

#### *Removal directions*

- 6 (1) The Secretary of State may in accordance with the...

#### *Detention pending removal*

- 7 (1) A person in respect of whom directions for removal...

#### *Detention : supplementary provisions*

- 8 (1) If a justice of the peace is satisfied that...

#### *Exemption from exclusion orders*

- 9 (1) When any question arises under this Act whether a...

### SCHEDULE 3 — Supervision of Detention and Examination Powers

#### *Detention pending removal*

- 1 (1) Where a person is detained under paragraph 7 of...

#### *Examination without detention*

- 2 (1) Where a person has been required by a notice...

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*Detention for examination or as suspected person*

- 3 (1) Where a person is detained under section 14 of...

*The review officer*

- 4 The review officer shall be an officer who has not...

*Postponement of reviews*

- 5 (1) A review may be postponed— (a) if, having regard...

*Representations about detention*

- 6 (1) Before determining whether to authorise a person's continued detention...

*Rights of detained persons*

- 7 (1) Where the review officer authorises a person's continued detention...

*Records of review*

- 8 (1) The review officer carrying out a review under this...

*Intervention by superior officer*

- 9 Where the review officer is of a rank lower than...

SCHEDULE 4 — Forfeiture Orders

Part I — ENGLAND AND WALES

*Implementation of forfeiture orders*

- 1 (1) Where a court in England and Wales makes an...  
2 (1) Where a receiver appointed under paragraph 1 above takes...

*Restraint orders*

- 3 (1) The High Court may in accordance with this paragraph...  
4 (1) A restraint order— (a) may be made only on...  
5 (1) Where the High Court has made a restraint order...  
6 (1) The Land Charges Act 1972 and the Land Registration...

*Compensation*

- 7 (1) If proceedings are instituted against a person for an...

*Enforcement of orders made elsewhere in the British Islands*

- 8 (1) In the following provisions of this Part of this...  
9 (1) A Scottish order, Northern Ireland order or Islands order...

*Enforcement of orders made in designated countries*

- 10 (1) Her Majesty may by Order in Council make such...  
Part II — SCOTLAND

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### *Implementation of forfeiture orders*

- 11 (1) Where a court in Scotland makes an order under...
- 12 (1) Where an administrator appointed under paragraph 11 above takes...

### *Restraint orders*

- 13 (1) The Court of Session may in accordance with this...
- 14 (1) A restraint order— (a) may be made only on...
- 15 (1) Where the Court of Session has made a restraint...
- 16 (1) On the application of the Lord Advocate, the Court...
- 16A (1) On the application of the prosecutor, the court may,...

### *Compensation*

- 17 (1) If proceedings are instituted against a person for an...

### *Enforcement of orders made elsewhere in the British Islands*

- 18 (1) In the following provisions of this Part of this...
- 19 (1) An England and Wales order, Northern Ireland order or...

### *Enforcement of orders made in designated countries*

- 20 (1) Her Majesty may by Order in Council make such...  
Part III — NORTHERN IRELAND

### *Implementation of forfeiture orders*

- 21 (1) Where a court in Northern Ireland makes an order...
- 22 (1) Where a receiver appointed under paragraph 21 above takes...

### *Restraint orders*

- 23 (1) The High Court may in accordance with this paragraph...
- 24 (1) A restraint order— (a) may be made only on...
- 25 (1) Where the High Court has made a restraint order...
- 25A (1) The power to make a restraint order under the...
- 25B (1) A person who, without lawful authority or reasonable excuse...
- 26 (1) The prosecution shall be treated for the purposes of...

### *Compensation*

- 27 (1) If proceedings are instituted against a person for an...

### *Enforcement of orders made elsewhere in the British Islands*

- 28 (1) In the following provisions of this Part of this...
- 29 (1) An England and Wales order, Scottish order or Islands...

### *Enforcement of orders made in designated countries*

- 30 (1) Her Majesty may by Order in Council make such...  
Part IV — INSOLVENCY: UNITED KINGDOM PROVISIONS

### *Protection of creditors against forfeiture*

- 31 (1) During the period of six months following the making...

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*Expenses incurred in connection with the forfeiture*

- 32 (1) Where any money or other property would, apart from...

*Protection of insolvency practitioners*

- 33 (1) In any case where— (a) an insolvency practitioner seizes...

*Insolvency practitioners in the Islands and designated countries*

- 34 (1) The Secretary of State may by order make provision...

*Interpretation of Part IV*

- 35 (1) In this Part of this Schedule— “the 1986 Act”...

SCHEDULE 5 — Port and Border Control

*Examining officers*

- 1 (1) The following shall be examining officers for the purposes...

*Examination on arrival or departure*

- 2 (1) Any person who has arrived in, or is seeking...

*Production of information and documents*

- 3 (1) It shall be the duty of any person examined...

*Powers of search, etc.*

- 4 (1) An examining officer may, for the purpose of satisfying...

*Powers to search goods*

- 4A (1) For the purpose of determining whether they are or...

*Landing, embarkation, entry and departure cards*

- 5 (1) Subject to sub-paragraph (2) below, any person who disembarks...

*Detention pending examination etc.*

- 6 (1) A person who is examined under this Schedule may...

*Detention: supplementary provisions*

- 7 (1) If a justice of the peace is satisfied that...

*Designated ports*

- 8 (1) The owners or agents of a ship or aircraft...

*Control areas*

- 9 (1) The Secretary of State may from time to time...

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*Requirements with respect to embarkation and disembarkation of passengers and crew*

- 10 (1) The captain of a ship or aircraft employed to...

*Offences*

- 11 A person who knowingly contravenes any prohibition or fails to...

SCHEDULE 6 — Designated Ports

Part I — GREAT BRITAIN

Part II — NORTHERN IRELAND

SCHEDULE 6A — Police Cordons

- 1 In this Schedule— “authorisation” means an authorisation given under section...

*Authorisation*

- 2 (1) Authorisation may be given in writing or orally but...

*Area on which cordon is imposed*

- 3 (1) An authorisation must specify the area on which the...

*Period for which cordon is imposed*

- 4 (1) An authorisation must specify the period for which it...

*Marking the area*

- 5 The area on which a cordon is imposed must, so...

*Police powers in cordoned area*

- 6 (1) A person who is in a cordoned area must...

*Powers of search in cordoned area: England and Wales*

- 7 (1) If a police officer of at least the rank...

*Powers of search in cordoned areas: Scotland*

- 8 (1) If a police officer of at least the rank...

*Offences*

- 9 (1) A person who— (a) fails to comply with an...

*Powers to be in addition to other powers*

- 10 The powers conferred by this Schedule are additional to any...

SCHEDULE 7 — Terrorist Investigations

Part I — ENGLAND, WALES AND NORTHERN IRELAND

*Interpretation*

- 1 In this Part of this Schedule a “terrorist investigation” means...

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*Search for material other than excluded or special procedure material*

- 2 (1) A justice of the peace may, on an application...

*Search of non-residential premises*

- 2A (1) A justice of the peace may, on an application...

*Order for production of excluded or special procedure material*

- 3 (1) A constable may, for the purposes of a terrorist...  
4 (1) Provision may be made by Crown Court Rules as...

*Search for excluded or special procedure material*

- 5 (1) A constable may apply to a Circuit judge for...

*Explanation of seized or produced material*

- 6 (1) A Circuit judge may, on an application made by...

*Urgent cases*

- 7 (1) If a police officer of at least the rank...

*Orders by Secretary of State in relation to certain investigations*

- 8 (1) This paragraph has effect in relation to a terrorist...

*Access to Land Register*

- 9 .....

*Supplementary*

- 10 (1) Any power of seizure conferred by this Schedule is...  
Part II — SCOTLAND

*Interpretation*

- 11 In this Part of this Schedule a “terrorist investigation” means...

*Search of non-residential premises*

- 11A (1) A procurator fiscal may, for the purposes of a...

*Order for production of material*

- 12 (1) A procurator fiscal may, for the purpose of a...  
13 (1) Provision may be made by Act of Adjournal as...

*Warrant for search of premises*

- 14 (1) A procurator fiscal may, for the purpose of a...

*Explanation of seized or produced material*

- 15 (1) A sheriff may, on an application made by a...



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*Urgent cases*

16 (1) If a police officer of at least the rank...

*Supplementary*

17 (1) This Part of this Schedule is without prejudice to—...

SCHEDULE 8 — Consequential Amendments

1 .....

*The Criminal Justice Act 1967 (c. 80)*

2 In section 67(7)(b) of the Criminal Justice Act 1967 for...

*The Northern Ireland (Emergency Provisions) Act 1978 (c. 5)*

3 .....

*The Suppression of Terrorism Act 1978 (c. 26)*

4 In Schedule 1 to the Suppression of Terrorism Act 1978...

*The Criminal Justice (Scotland) Act 1980 (c. 62)*

5 In section 3D(1) of the Criminal Justice (Scotland) Act 1980...

*The Police and Criminal Evidence Act 1984 (c. 60)*

6 (1) The Police and Criminal Evidence Act 1984 shall be...

*The Drug Trafficking Offences Act 1986 (c. 32)*

7 In section 5(2) of the Drug Trafficking Offences Act 1986...

*The Northern Ireland (Emergency Provisions) Act 1987 (c. 30)*

8 .....

*The Criminal Justice (Scotland) Act 1987 (c. 41)*

9 In section 5(3)(b) of the Criminal Justice (Scotland) Act 1987...

*The Criminal Justice Act 1988 (c. 33)*

10 (1) The Criminal Justice Act 1988 shall be amended as...

SCHEDULE 9 — Repeals and Revocations

Part I — ENACTMENTS

Part II — ORDERS

**Status:**

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**Changes to legislation:**

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