



Prevention of Terrorism (Additional Powers) Act 1996(repealed)

1996 CHAPTER 7

1 Power to stop and search pedestrians.

(1) In the 1989 Act insert, after section 13A—

“13B Power to stop and search pedestrians.

- (1) Where it appears to a police officer of the rank mentioned in subsection (1)(a), (b) or (as the case may be) (c) of section 13A above that it is expedient to do so in order to prevent acts of terrorism to which that section applies, he may give an authorisation that the powers to stop and search persons conferred by this section shall be exercisable at any place within his area or a locality in his area which is specified in the authorisation.
- (2) This section confers on any constable in uniform power to stop any pedestrian and search him, or anything carried by him, for articles of a kind which could be used for a purpose connected with the commission, preparation or instigation of such acts of terrorism.
- (3) A constable may exercise his powers under this section whether or not he has any grounds for suspecting the presence of articles of that kind.
- (4) Nothing in this section authorises a constable to require a person to remove any of his clothing in public other than any headgear, footwear, outer coat, jacket or gloves.
- (5) A person is guilty of an offence if he—
 - (a) fails to stop when required to do so by a constable in the exercise of his powers under this section; or
 - (b) wilfully obstructs a constable in the exercise of those powers.
- (6) A person guilty of an offence under subsection (5) above shall be liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale or both.

Status: Point in time view as at 03/04/1996. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Prevention of Terrorism (Additional Powers) Act 1996(repealed), Section 1. (See end of Document for details)

- (7) An authorisation under this section may be given in writing or orally but if given orally must be confirmed in writing by the person giving it as soon as is reasonably practicable.
- (8) A person giving an authorisation under this section must cause the Secretary of State to be informed, as soon as is reasonably practicable, that it was given.
- (9) An authorisation under this section—
- (a) may be cancelled by the Secretary of State with effect from such time as he may direct;
 - (b) ceases to have effect if it is not confirmed by the Secretary of State before the end of the period of 48 hours beginning with the time when it was given; but
 - (c) if confirmed, continues in force—
 - (i) for such period, not exceeding 28 days beginning with the day on which it was given, as may be specified in the authorisation; or
 - (ii) for such shorter period as the Secretary of State may direct.
- (10) If a person is stopped by a constable under this section, he shall be entitled to obtain a written statement that he was stopped under the powers conferred by this section if he applies for such a statement not later than the end of the period of twelve months from the day on which he was stopped.”.
- (2) Section 13A of the 1989 Act (powers to stop and search vehicles etc. and persons carrying things) is amended as follows.
- (3) Subsection (3)(c) (power to stop and search pedestrians) is repealed and, in consequence, the following words are also repealed—
- (a) in subsection (6)(a), “or (as the case may be) to stop”; and
 - (b) in subsection (9), “and similarly as respects a pedestrian who is stopped under this section for a search of anything carried by him”.
- (4) For subsection (4) substitute—
- “(4) A constable may exercise his powers under this section whether or not he has any grounds for suspecting the presence of articles of that kind.
- (4A) Nothing in this section authorises a constable to require a person to remove any of his clothing in public other than any headgear, footwear, outer coat, jacket or gloves.”
- (5) In subsection (8) for “specified” substitute “ mentioned ”.
- (6) For subsection (10) substitute—
- “(10) An authorisation under this section may be given in writing or orally but if given orally must be confirmed in writing by the person giving it as soon as is reasonably practicable.
- (10A) In this section “specified” means specified in an authorisation under this section.”
- (7) In subsection (1)(a) for “area” substitute “ district ”.

Status:

Point in time view as at 03/04/1996. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Prevention of Terrorism (Additional Powers) Act 1996(repealed), Section 1.