

Status: Point in time view as at 12/02/2015.

Changes to legislation: Terrorism Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 09 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 7

Section 53.

PORT AND BORDER CONTROLS

Modifications etc. (not altering text)

- C1** Sch. 7 modified (19.2.2001) by S.I. 1993/1813, **Sch. 4 para. 3** (as substituted by S.I. 2001/178, **art. 4**)
- C2** Schs. 7, 8, 14 extended (with modifications) (coming into force in accordance with art. 1(2) of the extending S.I.) by **The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003 (S.I. 2003/2818)**, **art. 11(1)(b)**, Sch. 2 (as amended (31.3.2021) by **The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) (Amendment) Order 2021 (S.I. 2021/311)**, arts. 1(2), **2(7)(b)(i)**)

Interpretation

- 1 (1) In this Schedule “examining officer” means any of the following—
- (a) a constable,
 - (b) an immigration officer [^{F1}who is designated for the purpose of this Schedule by the Secretary of State], and
 - (c) a customs officer who is designated for the purpose of this Schedule by the Secretary of State and the Commissioners of Customs and Excise.
- (2) In this Schedule—
- “the border area” has the meaning given by paragraph 4,
 - “captain” means master of a ship or commander of an aircraft,
 - “port” includes an airport and a hoverport,
 - “ship” includes a hovercraft, and
 - “vehicle” includes a train.
- (3) A place shall be treated as a port for the purposes of this Schedule in relation to a person if an examining officer believes that the person—
- (a) has gone there for the purpose of embarking on a ship or aircraft, or
 - (b) has arrived there on disembarking from a ship or aircraft.

Textual Amendments

- F1** Words in **Sch. 7 para. 1(1)(b)** inserted (31.7.2014) by **Anti-social Behaviour, Crime and Policing Act 2014 (c. 12)**, s. 185(1), **Sch. 9 para. 1(2)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/1916, art. 3(b)

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[^{F2}Examining officers etc

Textual Amendments

F2 Sch. 7 para. 1A and cross-heading inserted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), **Sch. 9 para. 1(3)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 21(a)

- 1A (1) The Secretary of State must under paragraph 6 of Schedule 14 issue a code of practice about—
- (a) training to be undertaken by constables, immigration officers and customs officers who are to act as examining officers or exercise other functions under this Schedule, and
 - (b) the procedure for making designations under paragraph 1(1)(b) and (c).
- (2) In particular, the code must make provision for consultation with the relevant chief officer of police before designations are made under paragraph 1(1)(b) or (c).
- (3) “Relevant chief officer of police” means—
- (a) in England and Wales, the chief officer of police for the police area in which the persons designated would act as examining officers,
 - (b) in Scotland, the Chief Constable of the Police Service of Scotland, and
 - (c) in Northern Ireland, the Chief Constable of the Police Service of Northern Ireland.]

Power to stop, question and detain

- 2 (1) An examining officer may question a person to whom this paragraph applies for the purpose of determining whether he appears to be a person falling within section 40(1)(b).
- (2) This paragraph applies to a person if—
- (a) he is at a port or in the border area, and
 - (b) the examining officer believes that the person’s presence at the port or in the area is connected with his entering or leaving Great Britain or Northern Ireland [^{F3}or his travelling by air within Great Britain or within Northern Ireland].
- (3) This paragraph also applies to a person on a ship or aircraft which has arrived [^{F4}at any place in Great Britain or Northern Ireland (whether from within or outside Great Britain or Northern Ireland).]
- (4) An examining officer may exercise his powers under this paragraph whether or not he has grounds for suspecting that a person falls within section 40(1)(b).

Textual Amendments

F3 Words in Sch. 7 para. 2(2)(b) inserted (14.12.2001) by [2001 c. 24, s. 118\(2\)](#)

F4 Words in Sch. 7 para. 2(3) substituted (14.12.2001) by [2001 c. 24, s. 118\(3\)](#)

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- 3 An examining officer may question a person who is in the border area for the purpose of determining whether his presence in the area is connected with his entering or leaving Northern Ireland.
- 4 (1) A place in Northern Ireland is within the border area for the purposes of paragraphs 2 and 3 if it is no more than one mile from the border between Northern Ireland and the Republic of Ireland.
- (2) If a train goes from the Republic of Ireland to Northern Ireland, the first place in Northern Ireland at which it stops for the purpose of allowing passengers to leave is within the border area for the purposes of paragraphs 2 and 3.
- 5 A person who is questioned under paragraph 2 or 3 must—
- (a) give the examining officer any information in his possession which the officer requests;
 - (b) give the examining officer on request either a valid passport which includes a photograph or another document which establishes his identity;
 - (c) declare whether he has with him documents of a kind specified by the examining officer;
 - (d) give the examining officer on request any document which he has with him and which is of a kind specified by the officer.
- 6 (1) For the purposes of exercising a power under paragraph 2 or 3 an examining officer may—
- (a) stop a person or vehicle;
 - (b) detain a person.
- (2) For the purpose of detaining a person under this paragraph, an examining officer may authorise the person’s removal from a ship, aircraft or vehicle.
- (3) Where a person is detained under this paragraph the provisions of Part I of Schedule 8 (treatment) shall apply.
- ^{F5}(4)

Textual Amendments

F5 Sch. 7 para. 6(4) repealed (31.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 9 para. 2\(2\)](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/1916, art. 3(b)

- [^{F6}6A (1) This paragraph applies where a person is questioned under paragraph 2 or 3.
- (2) After the end of the 1 hour period, the person may not be questioned under either of those paragraphs unless the person is detained under paragraph 6.
- (3) If the person is detained under paragraph 6 the person must be released not later than the end of the 6 hour period (unless detained under another power).
- (4) In this paragraph—
- “the 1 hour period” is the period of 1 hour beginning with the time the person is first questioned under paragraph 2 or 3;
 - “the 6 hour period” is the period of 6 hours beginning with that time.]

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Textual Amendments

- F6** Sch. 7 para. 6A inserted (31.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\), s. 185\(1\)](#), [Sch. 9 para. 2\(3\)](#) (with [ss. 21, 33, 42, 58, 75, 93](#)); [S.I. 2014/1916, art. 3\(b\)](#)

Searches

- 7 For the purpose of satisfying himself whether there are any persons whom he may wish to question under paragraph 2 an examining officer may—
- (a) search a ship or aircraft;
 - (b) search anything on a ship or aircraft;
 - (c) search anything which he reasonably believes has been, or is about to be, on a ship or aircraft.
- 8 (1) An examining officer who questions a person under paragraph 2 may, for the purpose of determining whether he falls within section 40(1)(b)—
- (a) search the person;
 - (b) search anything which he has with him, or which belongs to him, and which is on a ship or aircraft;
 - (c) search anything which he has with him, or which belongs to him, and which the examining officer reasonably believes has been, or is about to be, on a ship or aircraft;
 - (d) search a ship or aircraft for anything falling within paragraph (b)
 - [^{F7}(e) search a vehicle which is on a ship or aircraft;
 - (f) search a vehicle which the examining officer reasonably believes has been, or is about to be, on a ship or aircraft.]
- (2) Where an examining officer questions a person in the border area under paragraph 2 he may (in addition to the matters specified in sub-paragraph (1)), for the purpose of determining whether the person falls within section 40(1)(b)—
- (a) search a vehicle;
 - (b) search anything in or on a vehicle;
 - (c) search anything which he reasonably believes has been, or is about to be, in or on a vehicle.
- (3) A search of a person under this paragraph must be carried out by someone of the same sex.
- [^{F8}(4) An intimate search of a person may not be carried out under this paragraph.
- (5) A strip search of a person may not be carried out under this paragraph unless—
- (a) the person is detained under paragraph 6,
 - (b) the examining officer has reasonable grounds to suspect that the person is concealing something which may be evidence that the person falls within section 40(1)(b), and
 - (c) the search is authorised by a senior officer who has not been directly involved in questioning the person.
- (6) “Senior officer” means—
- (a) where the examining officer is a constable, a constable of a higher rank than the examining officer,

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- (b) where the examining officer is an immigration officer, an immigration officer of a higher grade than the examining officer, and
- (c) where the examining officer is a customs officer, a customs officer of a higher grade than the examining officer.

(7) In this paragraph—

“intimate search” means a search which consists of a physical examination of a person's body orifices other than the mouth;

“strip search” means a search which is not an intimate search but involves the removal of an article of clothing which—

- (a) is being worn wholly or partly on the trunk, and
- (b) is being so worn either next to the skin or next to an article of underwear.]

Textual Amendments

- F7** Sch. 7 para. 8(1)(e)(f) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), s. 29; S.I. 2006/1013, art. 2
- F8** Sch. 7 para. 8(4)-(7) inserted (31.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 9 para. 3](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/1916, art. 3(b)

9 (1) An examining officer may examine goods to which this paragraph applies for the purpose of determining whether they have been used in the commission, preparation or instigation of acts of terrorism.

[^{F9}(2) This paragraph applies to—

- (a) goods which have arrived in or are about to leave Great Britain or Northern Ireland on a ship or vehicle, and
- (b) goods which have arrived at or are about to leave any place in Great Britain or Northern Ireland on an aircraft (whether the place they have come from or are going to is within or outside Great Britain or Northern Ireland).]

[^{F10}(2A) The reference in sub-paragraph (2)(a) to goods which are about to leave Great Britain or Northern Ireland on a ship includes goods which—

- (a) are held at premises operated by a sea cargo agent, and
- (b) are to be delivered to a place in Great Britain or Northern Ireland for carriage on a ship.

(2B) The reference in sub-paragraph (2)(b) to goods which are about to leave any place in Great Britain or Northern Ireland on an aircraft includes goods which—

- (a) are held at premises operated by an air cargo agent, and
- (b) are to be delivered to a place in Great Britain or Northern Ireland for carriage on an aircraft.

(2C) An examination under this paragraph may be carried out only—

- (a) at a port;
- (b) at premises operated by a sea cargo agent or an air cargo agent;
- (c) at a transit shed;
- (d) at a location designated by the Secretary of State under sub-paragraph (2D) (a “designated examination location”).

(2D) The Secretary of State may designate a location for the purposes of sub-paragraph (2C)(d) only if the Secretary of State reasonably believes that it is

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necessary to designate that location in order for examining officers to be able to exercise their functions under this paragraph.

(2E) The Secretary of State must maintain and publish a list of designated examination locations.]

[^{F11}(3) In this paragraph—

- (a) “air cargo agent” has the meaning given by section 21F(1) of the Aviation Security Act 1982;
- (b) “goods” includes property of any description, and containers;
- (c) “sea cargo agent” has the meaning given by section 41(1) of the Aviation and Maritime Security Act 1990;
- (d) “transit shed” has the meaning given by section 25A of the Customs and Excise Management Act 1979.]

[^{F12}(4) For the purposes of determining whether to carry out an examination under this paragraph an examining officer may—

- (a) board a ship or aircraft;
- (b) enter a vehicle;
- (c) enter premises operated by a sea cargo agent or an air cargo agent;
- (d) enter a transit shed;
- (e) enter a designated examination location.]

Textual Amendments

- F9** Sch. 7 para. 9(2) substituted (14.12.2001) by [2001 c. 24, s. 118\(4\)](#)
- F10** Sch. 7 para. 9(2A)-(2E) inserted (12.2.2015) by [Counter-Terrorism and Security Act 2015 \(c. 6\), s. 52\(5\), Sch. 8 para. 1\(2\)](#)
- F11** Sch. 7 para. 9(3) substituted (12.2.2015) by [Counter-Terrorism and Security Act 2015 \(c. 6\), s. 52\(5\), Sch. 8 para. 1\(3\)](#)
- F12** Sch. 7 para. 9(4) substituted (12.2.2015) by [Counter-Terrorism and Security Act 2015 \(c. 6\), s. 52\(5\), Sch. 8 para. 1\(4\)](#)

- 10 (1) An examining officer may authorise a person to carry out on his behalf a search or examination under any of paragraphs 7 to 9.
- (2) A person authorised under this paragraph shall be treated as an examining officer for the purposes of—
- (a) paragraphs 9(4) and 11 of this Schedule, and
 - (b) paragraphs 2 and 3 of Schedule 14.

Detention of property

- 11 (1) This paragraph applies to anything which—
- (a) is given to an examining officer in accordance with paragraph 5(d),
 - (b) is searched or found on a search under paragraph 8, or
 - (c) is examined under paragraph 9.
- (2) An examining officer may detain the thing—
- (a) for the purpose of examination, for a period not exceeding seven days beginning with the day on which the detention commences,

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- (b) while he believes that it may be needed for use as evidence in criminal proceedings, or
- (c) while he believes that it may be needed in connection with a decision by the Secretary of State whether to make a deportation order under the ^{M1}Immigration Act 1971.

Marginal Citations

M1 1971 c. 77.

f^{F13} Power to make and retain copies

Textual Amendments

F13 Sch. 7 para. 11A and cross-heading inserted (31.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 9 para. 4](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/1916, art. 3(b)

- 11A (1) This paragraph applies where the examining officer is a constable.
- (2) The examining officer may copy anything which—
 - (a) is given to the examining officer in accordance with paragraph 5,
 - (b) is searched or found on a search under paragraph 8, or
 - (c) is examined under paragraph 9.
 - (3) The copy may be retained—
 - (a) for so long as is necessary for the purpose of determining whether a person falls within section 40(1)(b),
 - (b) while the examining officer believes that it may be needed for use as evidence in criminal proceedings, or
 - (c) while the examining officer believes that it may be needed in connection with a decision by the Secretary of State whether to make a deportation order under the Immigration Act 1971.]

Designated ports

- 12 (1) This paragraph applies to a journey—
 - (a) to Great Britain from the Republic of Ireland, Northern Ireland or any of the Islands,
 - (b) from Great Britain to any of those places,
 - (c) to Northern Ireland from Great Britain, the Republic of Ireland or any of the Islands, or
 - (d) from Northern Ireland to any of those places.
- (2) Where a ship or aircraft is employed to carry passengers for reward on a journey to which this paragraph applies the owners or agents of the ship or aircraft shall not arrange for it to call at a port in Great Britain or Northern Ireland for the purpose of disembarking or embarking passengers unless—
 - (a) the port is a designated port, or
 - (b) an examining officer approves the arrangement.

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- (3) Where an aircraft is employed on a journey to which this paragraph applies otherwise than to carry passengers for reward, the captain of the aircraft shall not permit it to call at or leave a port in Great Britain or Northern Ireland unless—
- (a) the port is a designated port, or
 - (b) he gives at least 12 hours' notice in writing to a constable for the police area in which the port is situated (or, where the port is in Northern Ireland, to a member of the Royal Ulster Constabulary).
- (4) A designated port is a port which appears in the Table at the end of this Schedule.
- (5) The Secretary of State may by order—
- (a) add an entry to the Table;
 - (b) remove an entry from the Table.

Embarkation and disembarkation

- 13 (1) The Secretary of State may by notice in writing to the owners or agents of ships or aircraft—
- (a) designate control areas in any port in the United Kingdom;
 - (b) specify conditions for or restrictions on the embarkation or disembarkation of passengers in a control area.
- (2) Where owners or agents of a ship or aircraft receive notice under sub-paragraph (1) in relation to a port they shall take all reasonable steps to ensure, in respect of the ship or aircraft—
- (a) that passengers do not embark or disembark at the port outside a control area, and
 - (b) that any specified conditions are met and any specified restrictions are complied with.
- 14 (1) The Secretary of State may by notice in writing to persons concerned with the management of a port in the United Kingdom (“the port managers”)—
- (a) designate control areas in the port;
 - (b) require the port managers to provide at their own expense specified facilities in a control area for the purposes of the embarkation or disembarkation of passengers or their examination under this Schedule;
 - (c) require conditions to be met and restrictions to be complied with in relation to the embarkation or disembarkation of passengers in a control area;
 - (d) require the port managers to display, in specified locations in control areas, notices containing specified information about the provisions of this Schedule in such form as may be specified.
- (2) Where port managers receive notice under sub-paragraph (1) they shall take all reasonable steps to comply with any requirement set out in the notice.
- 15 (1) This paragraph applies to a ship employed to carry passengers for reward, or an aircraft, which—
- (a) arrives in Great Britain from the Republic of Ireland, Northern Ireland or any of the Islands,
 - (b) arrives in Northern Ireland from Great Britain, the Republic of Ireland or any of the Islands,

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- (c) leaves Great Britain for the Republic of Ireland, Northern Ireland or any of the Islands, or
 - (d) leaves Northern Ireland for Great Britain, the Republic of Ireland or any of the Islands.
- (2) The captain shall ensure—
- (a) that passengers and members of the crew do not disembark at a port in Great Britain or Northern Ireland unless either they have been examined by an examining officer or they disembark in accordance with arrangements approved by an examining officer;
 - (b) that passengers and members of the crew do not embark at a port in Great Britain or Northern Ireland except in accordance with arrangements approved by an examining officer;
 - (c) where a person is to be examined under this Schedule on board the ship or aircraft, that he is presented for examination in an orderly manner.
- (3) Where paragraph 27 of Schedule 2 to the ^{M2}Immigration Act 1971 (disembarkation requirements on arrival in the United Kingdom) applies, the requirements of sub-paragraph (2)(a) above are in addition to the requirements of paragraph 27 of that Schedule.

Marginal Citations

M2 1971 c. 77.

Carding

- 16 (1) The Secretary of State may by order make provision requiring a person to whom this paragraph applies, if required to do so by an examining officer, to complete and produce to the officer a card containing such information in such form as the order may specify.
- (2) An order under this paragraph may require the owners or agents of a ship or aircraft employed to carry passengers for reward to supply their passengers with cards in the form required by virtue of sub-paragraph (1).
- (3) This paragraph applies to a person—
- (a) who disembarks in Great Britain from a ship or aircraft which has come from the Republic of Ireland, Northern Ireland or any of the Islands,
 - (b) who disembarks in Northern Ireland from a ship or aircraft which has come from Great Britain, the Republic of Ireland, or any of the Islands,
 - (c) who embarks in Great Britain on a ship or aircraft which is going to the Republic of Ireland, Northern Ireland or any of the Islands, or
 - (d) who embarks in Northern Ireland on a ship or aircraft which is going to Great Britain, the Republic of Ireland, or any of the Islands.

Commencement Information

II Sch. 7 para. 16 wholly in force at 19.2.2001; Sch. 7 para. 16 not in force at Royal Assent see s. 128; Sch. 7 para. 16(1)(2) in force at 31.10.2000 by S.I. 2000/2944, **art. 2(k)(i)**; Sch. 7 in force at 19.2.2002 in so far as not already in force by S.I. 2001/421, **art. 2**

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Provision of passenger information

- 17 ^{F14}(1) This paragraph applies to a ship or aircraft which—
- (a) arrives or is expected to arrive in any place in the United Kingdom (whether from another place in the United Kingdom or from outside the United Kingdom), or
 - (b) leaves or is expected to leave the United Kingdom.]
- (2) If an examining officer gives the owners or agents of a ship or aircraft to which this paragraph applies a written request to provide specified information, the owners or agents shall comply with the request as soon as is reasonably practicable.
- (3) A request to an owner or agent may relate—
- (a) to a particular ship or aircraft,
 - (b) to all ships or aircraft of the owner or agent to which this paragraph applies, or
 - (c) to specified ships or aircraft.
- (4) Information may be specified in a request only if it is of a kind which is prescribed by order of the Secretary of State and which relates—
- (a) to passengers,
 - (b) to crew, ^{F15} . . .
 - (c) to vehicles belonging to passengers or crew ^{F16}, or
 - (d) to goods.]
- (5) A passenger or member of the crew on a ship or aircraft shall give the captain any information required for the purpose of enabling the owners or agents to comply with a request under this paragraph.
- (6) Sub-paragraphs (2) and (5) shall not require the provision of information which is required to be provided under or by virtue of paragraph 27(2) ^{F17}, 27B or 27BA] of Schedule 2 to the ^{M3}Immigration Act 1971.

Textual Amendments

F14 Sch. 7 para. 17(1) substituted (14.12.2001) by 2001 c. 24, s. 119(2)

F15 Word in Sch. 7 para. 17(4)(b) repealed (14.12.2001) by 2001 c. 24, ss. 119(3)(a), 125, Sch. 8 Pt. 7

F16 Sch. 7 para. 17(4)(d) and word preceding it added (14.12.2001) by 2001 c. 24, s. 119(3)(b)

F17 Words in Sch. 7 para. 17(6) substituted (12.2.2015) by Counter-Terrorism and Security Act 2015 (c. 6), s. 52(5), Sch. 5 para. 4

Commencement Information

I2 Sch. 7 para. 17 wholly in force at 19.2.2001; Sch. 7 para. 17 not in force at Royal Assent see s. 128; Sch. 7 para. 17(4) in force at 31.10.2000 by S.I. 2000/2944, art. 2(k)(ii); Sch. 7 in force at 19.2.2001 in so far as not already in force by S.I. 2001/421, art. 2

Marginal Citations

M3 1971 c. 77.

Offences

- 18 (1) A person commits an offence if he—

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- (a) wilfully fails to comply with a duty imposed under or by virtue of this Schedule,
 - (b) wilfully contravenes a prohibition imposed under or by virtue of this Schedule, or
 - (c) wilfully obstructs, or seeks to frustrate, a search or examination under or by virtue of this Schedule.
- (2) A person guilty of an offence under this paragraph shall be liable on summary conviction to—
- (a) imprisonment for a term not exceeding three months,
 - (b) a fine not exceeding level 4 on the standard scale, or
 - (c) both.

Table Designated Ports Great Britain

<i>Seaports</i>	<i>Airports</i>
Ardrossan	Aberdeen
Cairnryan	Biggin Hill
Campbeltown	Birmingham
Fishguard	Blackpool
Fleetwood	Bournemouth (Hurn)
Heysham	Bristol
Holyhead	Cambridge
[^{F18} Loch Ryan]	Cardiff
Pembroke Dock	Carlisle
Plymouth	Coventry
Poole Harbour	East Midlands
Port of Liverpool	Edinburgh
Portsmouth Continental Ferry Port	Exeter
Southampton	Glasgow
^{F19} ...	Gloucester/Cheltenham (Staverton)
Swansea	Humberside
Torquay	Leeds/Bradford
Troon	Liverpool
Weymouth	London-City
	London-Gatwick
	London-Heathrow
	Luton
	Lydd
	Manchester
	Manston
	Newcastle
	Norwich
	Plymouth
	Prestwick
	Sheffield City
	Southampton
	Southend
	Stansted
	Teesside

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Northern Ireland

Seaports

Ballycastle
Belfast
Larne
Port of Londonderry
Warrenpoint

Airports

Belfast City
Belfast International
City of Derry

Textual Amendments

- F18** Words in Sch. 7 inserted (1.9.2011) by [The Terrorism Act 2000 \(Designated Ports\) Order 2011 \(S.I. 2011/1938\)](#), arts. 1(2), **2(2)(a)**
- F19** Word in Sch. 7 omitted (1.9.2011) by virtue of [The Terrorism Act 2000 \(Designated Ports\) Order 2011 \(S.I. 2011/1938\)](#), arts. 1(2), **2(2)(b)**

Status:

Point in time view as at 12/02/2015.

Changes to legislation:

Terrorism Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 09 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.