



Terrorism Act 2006

2006 CHAPTER 11

PART 2

MISCELLANEOUS PROVISIONS

Searches etc.

27 All premises warrants: Scotland

- (1) Part 2 of Schedule 5 to the Terrorism Act 2000 (c. 11) (searches etc. for the purposes of terrorist investigations in Scotland) is amended as follows.
- (2) In paragraph 28 (search warrants authorising entry to specified premises in Scotland), in sub-paragraph (2)(a), for “the premises specified in the warrant” substitute “premises mentioned in sub-paragraph (2A)”.
- (3) After sub-paragraph (2) of that paragraph insert—
 - “(2A) The premises referred to in sub-paragraph (2)(a) are—
 - (a) one or more sets of premises specified in the application (in which case the application is for a ‘specific premises warrant’); or
 - (b) any premises occupied or controlled by a person specified in the application, including such sets of premises as are so specified (in which case the application is for an ‘all premises warrant’).”
- (4) In sub-paragraph (4) of that paragraph—
 - (a) in paragraph (b), for “premises specified in the application” substitute “premises to which the application relates”;
 - (b) in paragraph (c), at the end insert “, and”; and
 - (c) after that paragraph insert—
 - “(d) in the case of an application for an all premises warrant, that it is not reasonably practicable to specify in the application all the premises which the person so specified occupies or controls and which might need to be searched.”

Status: This is the original version (as it was originally enacted).

- (5) In sub-paragraph (5) of that paragraph, for “a warrant” substitute “a specific premises warrant”.
- (6) After sub-paragraph (6) of that paragraph insert—
- “(6A) Where an all premises warrant is granted, entry and search in pursuance of the warrant of any premises which are non-residential premises must be within the period of 24 hours beginning with the time when the warrant is granted.
- (6B) For the purpose of sub-paragraph (6A) “non-residential premises” means any premises other than those which the constable executing the warrant has reasonable grounds for believing are used wholly or mainly as a dwelling.”
- (7) In paragraph 29 (conditions for grant of warrant under paragraph 28)—
- (a) in sub-paragraph (1)(a), after “with” insert “and, in the case of an application for an all premises warrant, the person specified in the order in pursuance of paragraph 22(3) is also specified in the application”; and
- (b) in sub-paragraph (2)(b), for “on which the material is situated” substitute “to which the application for the warrant relates”.
- (8) In paragraph 33(2) (power to open lockfast places)—
- (a) for “premises specified in” substitute “premises which he is entitled to enter in pursuance of”; and
- (b) for “a notice under paragraph 32” substitute “an order under paragraph 31”.