
STATUTORY INSTRUMENTS

2012 No. 1757

**The Al-Qaida (United Nations Measures)
(Overseas Territories) Order 2012**

CUSTOMS POWERS AND INVESTIGATIONS

Investigation, etc. of suspected vehicles

12.—(1) Where an authorised person has reason to suspect that any vehicle in the Territory has been or is being or is about to be used in contravention of paragraph (1) of article 7—

- (a) the authorised person may (either alone or accompanied and assisted by persons under their authority) enter the vehicle and search it and, for that purpose, may use or authorise the use of reasonable force;
- (b) the authorised person may request the operator and the driver of the vehicle, or either of them, to furnish such information relating to the vehicle and any goods contained in it and produce for their inspection such documents so relating and such goods as they may specify; and
- (c) the authorised person may (either there and then or upon consideration of any information furnished or document or goods produced in pursuance of a request made under subparagraph (b)) further request the operator and driver, or either of them, to cause the vehicle and any goods contained in it to remain in the Territory until notified that the vehicle may depart.

(2) Without prejudice to the provisions of article 13(3), where an authorised person has reason to suspect that any request that has been made under paragraph (1)(c) may not be complied with, they may take such steps as appear to them to be necessary to secure compliance with that request and, without prejudice to the generality of the foregoing, for that purpose—

- (a) may enter, or authorise entry, upon any land and enter, or authorise entry of, that vehicle;
- (b) may detain, or authorise the detention of, that vehicle and any goods contained in it; and
- (c) may use, or authorise the use of, reasonable force.

(3) Before or on exercising any power conferred by this article, an authorised person shall, if requested to do so, produce evidence of their authority.

(4) In this article, “authorised person” means any person authorised by the Governor for the purpose of this article either generally or in a particular case.