Section 43 TACT

Section 43 of the Terrorism Act 2000 provides for the stopping and searching of persons by a constable. It states:

43(1) A **constable** may stop and search a person whom he reasonably suspects to be a **terrorist** to discover whether he has in his possession anything which may constitute evidence that he is a terrorist.

43(2) A constable may search a person arrested under section 41 to discover whether he has in his possession anything which may constitute evidence that he is a terrorist.

43(3) A search of a person under this section must be carried out by someone of the same sex.

43(4) A constable may seize and retain anything which he discovers in the course of a search of a person under subsection (1) or (2) and which he reasonably suspects may constitute evidence that the person is a terrorist.

43(5) A person who has the powers of a constable in one part of the United Kingdom may exercise a power under this section in any part of the United Kingdom.

**What is a terrorist?**

Section 40 of the Terrorism Act 2000 gives an interpretation of the term "terrorist". It states:

40(1) In this Part "terrorist" means a person who-
   (a) has committed an offence under any of sections 11, 12, 15, 16, 17, 18, 54, 56, 57, 58, 59, 60, 61, 62, and 63, or
   (b) is or has been concerned in the commission, preparation or instigation of acts of **terrorism**.

40(2) The reference in subsection (1)(b) to a person who has been concerned in the commission, preparation or instigation of acts of terrorism includes a reference to a person who has been, whether before or after the passing of this Act, concerned in the commission, preparation or instigation of acts of terrorism within the meaning given by section 1.