

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](#).