



Counter-Terrorism Act 2008

2008 CHAPTER 28

PART 1

POWERS TO GATHER AND SHARE INFORMATION

Power to remove documents for examination

PROSPECTIVE

6 Access to documents

(1) Where—

- (a) a document is retained by virtue of section 5, and
- (b) a request for access to the document is made to the officer in charge of the investigation by a person within subsection (3),

the officer must grant that person access to the document, under the supervision of a constable, subject to subsection (4).

(2) Where—

- (a) a document is retained by virtue of section 5, and
- (b) a request for a copy of the document is made to the officer in charge of the investigation by a person within subsection (3),

that person must be provided with a copy of the document within a reasonable time from the making of the request, subject to subsection (4).

(3) The persons entitled to make a request under subsection (1) or (2) are—

- (a) where the document was found in the course of a search of a person, that person,
- (b) where the document was found in the course of a search of any premises—
 - (i) the occupier of the premises when it was found, and

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Section 6. (See end of Document for details)

- (ii) any person who had custody or control of the document when it was found, and
 - (c) a person acting on behalf of a person within paragraph (a) or (b).
- (4) The officer in charge of the investigation may refuse access to the document, or (as the case may be) refuse to provide a copy of it, if the officer has reasonable grounds for believing that to do so—
 - (a) would prejudice any investigation for the purposes of which—
 - (i) the original search was carried out, or
 - (ii) the document was removed or is being retained,
 - (b) would prejudice the investigation of any offence,
 - (c) would prejudice any criminal proceedings that may be brought as the result of an investigation within paragraph (a) or (b), or
 - (d) would facilitate the commission of an offence.
- (5) In this section—
 - “the officer in charge of the investigation” means the officer in charge of the investigation for the purposes of which the document is being retained; and
 - “the original search” means the search in the course of which the document was removed.

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