

Status: Point in time view as at 14/12/2023.

Changes to legislation: Criminal Procedure (Scotland) Act 1995, SCHEDULE 5ZA is up to date with all changes known to be in force on or before 06 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 5ZA

Section 205ZA

SERIOUS TERRORISM OFFENCES

Textual Amendments

F1 Sch. 5ZA inserted (29.6.2021) by Counter-Terrorism and Sentencing Act 2021 (c. 11), s. 50(2)(d), Sch. 4

PART 1

TERRORISM OFFENCES

Terrorism Act 2000

- 1 An offence under any of the following provisions of the Terrorism Act 2000—
- (a) section 54 (weapons training);
 - (b) section 56 (directing a terrorist organisation);
 - (c) section 61 (inciting terrorism overseas).

Terrorism Act 2006

- 2 An offence under any of the following provisions of the Terrorism Act 2006—
- (a) section 5 (preparation of terrorist acts);
 - (b) section 6 (training for terrorism);
 - (c) section 9 (making or possession of radioactive device or material);
 - (d) section 10 (misuse of radioactive device or material for terrorist purposes etc);
 - (e) section 11 (terrorist threats relating to radioactive devices etc).

Ancillary offences

- 3 (1) An attempt to commit an offence specified in the preceding paragraphs of this Part (“a listed offence”).
- (2) Conspiracy to commit a listed offence.
 - (3) Incitement to commit a listed offence.
 - (4) Aiding, abetting, counselling or procuring the commission of a listed offence.

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PART 2

OTHER OFFENCES (IN CASE WHERE AGGRAVATED BY HAVING A TERRORIST CONNECTION UNDER SECTION 31 OF THE COUNTER-TERRORISM ACT 2008)

Common law offences

- 4 Culpable homicide.
- 5 Abduction.
- 6 Assault by explosive device.
- 7 Assault to severe injury.
- 8 Assault and poisoning.
- 9 Poisoning.
- 10 Robbery.
- 11 Assault with intent to rob.
- 12 Wilful fire-raising.
- 13 Malicious mischief.

Explosive Substances Act 1883

- 14 An offence under any of the following provisions of the Explosive Substances Act 1883—
 - (a) section 2 (causing explosion likely to endanger life or property);
 - (b) section 3 (attempt to cause explosion, or making or keeping explosive with intent to endanger life or property);
 - (c) section 4 (making or possession of explosive under suspicious circumstances);
 - (d) section 5 (punishment of accessories to offences of causing or attempting to cause explosions or making or possessing explosives).

Firearms Act 1968

- 15 An offence under any of the following provisions of the Firearms Act 1968—
 - (a) section 16 (possession of firearm with intent to endanger life);
 - (b) section 17(1) (use of firearm to resist arrest);
 - (c) section 17(2) (possession of firearm at time of committing or being arrested for offence specified in Schedule 1 to that Act);
 - (d) section 18 (carrying a firearm with criminal intent).

Biological Weapons Act 1974

- 16 An offence under section 1 of the Biological Weapons Act 1974 (developing certain biological agents and toxins or biological weapons).

Taking of Hostages Act 1982

- 17 An offence under section 1 of the Taking of Hostages Act 1982 (hostage-taking).

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Aviation Security Act 1982

- 18 An offence under any of the following provisions of the Aviation Security Act 1982—
- (a) section 1 (hijacking);
 - (b) section 2 (destroying, damaging or endangering safety of aircraft);
 - (c) section 3 (other acts endangering or likely to endanger safety of aircraft);
 - (d) section 6(2) (inducing or assisting the commission of offences relating to safety of aircraft).

Nuclear Material (Offences) Act 1983

- 19 An offence under either of the following provisions of the Nuclear Material (Offences) Act 1983—
- (a) section 1B (offences relating to damage to the environment);
 - (b) section 2 (preparatory acts and threats).

Criminal Justice Act 1988

- 20 An offence under section 134 of the Criminal Justice Act 1988 (torture).

Aviation and Maritime Security Act 1990

- 21 An offence under any of the following provisions of the Aviation and Maritime Security Act 1990—
- (a) section 1 (endangering safety at aerodromes);
 - (b) section 9 (hijacking of ships);
 - (c) section 10 (seizing or exercising control of fixed platforms);
 - (d) section 11 (destroying ships or fixed platforms or endangering their safety);
 - (e) section 12 (other acts endangering or likely to endanger safe navigation);
 - (f) section 13 (offences involving threats);
 - (g) section 14(4) (inducing or assisting the commission of offences relating to hijacking of ships, or destroying ships or fixed platforms or endangering their safety).

Channel Tunnel (Security) Order 1994

- 22 An offence under Part 2 of the Channel Tunnel (Security) Order 1994 (S.I. 1994/570) (offences relating to Channel Tunnel trains and the tunnel system).

Chemical Weapons Act 1996

- 23 An offence under either of the following provisions of the Chemical Weapons Act 1996—
- (a) section 2 (use etc of chemical weapons);
 - (b) section 11 (premises or equipment used for producing chemical weapons).

Anti-terrorism, Crime and Security Act 2001

- 24 An offence under either of the following provisions of the Anti-terrorism, Crime and Security Act 2001—

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- (a) section 47 (use etc of nuclear weapons);
- (b) section 50 (assisting or inducing certain weapons-related acts overseas).

International Criminal Court (Scotland) Act 2001 (asp 13)

- 25 An offence under section 1 or 2 of the International Criminal Court (Scotland) Act 2001 (genocide, crimes against humanity, war crimes and related offences), other than one involving murder.

Human Trafficking and Exploitation (Scotland) Act 2015 (asp 12)

- 26 An offence under either of the following provisions of the Human Trafficking and Exploitation (Scotland) Act 2015—
- (a) section 1 (human trafficking);
 - (b) section 4 (slavery, servitude and forced or compulsory labour).

Space Industry Act 2018

- 27 An offence under any of the following provisions of Schedule 4 to the Space Industry Act 2018—
- (a) paragraph 1 (hijacking of spacecraft);
 - (b) paragraph 2 (destroying, damaging or endangering the safety of spacecraft);
 - (c) paragraph 3 (other acts endangering or likely to endanger safety of spacecraft);
 - (d) paragraph 4 (endangering safety at spaceports).

Ancillary offences

- 28 (1) An attempt to commit an offence specified in the preceding paragraphs of this Part (“a listed offence”).
- (2) Conspiracy to commit a listed offence.
- (3) Incitement to commit a listed offence.
- (4) Aiding, abetting, counselling or procuring the commission of a listed offence.
- 29 (1) An attempt to commit murder.
- (2) Conspiracy to commit murder.
- (3) Incitement to commit murder.]

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