

Status: Point in time view as at 01/06/2018.

Changes to legislation: Terrorism Act 2000, Cross Heading: Explanations is up to date with all changes known to be in force on or before 17 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

SCHEDULE 5

TERRORIST INVESTIGATIONS: INFORMATION

PART I

ENGLAND AND WALES AND NORTHERN IRELAND

Explanations

- 13 (1) A constable may apply to a Circuit judge for an order under this paragraph requiring any person specified in the order to provide an explanation of any material—
- (a) seized in pursuance of a warrant under paragraph 1 or 11, or
 - (b) produced or made available to a constable under paragraph 5.
- [^{F1}(1A) A counter-terrorism financial investigator may apply to a Circuit Judge or a District Judge (Magistrates' Courts) for an order under this paragraph requiring any person specified in the order to provide an explanation of any material produced or made available to a counter-terrorism financial investigator under paragraph 5.]
- (2) An order under this paragraph shall not require any person to disclose any information which he would be entitled to refuse to disclose on grounds of legal professional privilege in proceedings in the High Court.
- (3) But a lawyer may be required to provide the name and address of his client.
- (4) A statement by a person in response to a requirement imposed by an order under this paragraph—
- (a) may be made orally or in writing, and
 - (b) may be used in evidence against him only on a prosecution for an offence under paragraph 14.
- (5) Paragraph 10 shall apply to orders under this paragraph as it applies to orders under paragraph 5.

Textual Amendments

- F1** Sch. 5 para. 13(1A) inserted (27.4.2017 for specified purposes, 27.6.2017 in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), **ss. 41(3)(d)**, 58(4)(6)

Modifications etc. (not altering text)

- C1** Sch. 5 para. 13(2) excluded (1.6.2018) by [The Terrorism Act 2000 \(Enforcement in Different Parts of the United Kingdom\) Order 2018 \(S.I. 2018/521\)](#), arts. 1, **31(4)** (with art. 31(1))
- C2** Sch. 5 para. 13(2) applied (1.6.2018) by [The Terrorism Act 2000 \(Enforcement in Different Parts of the United Kingdom\) Order 2018 \(S.I. 2018/521\)](#), arts. 1, **8(4)** (with art. 8(1))

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- C3** Sch. 5 para. 13(2) applied (1.6.2018) by The Terrorism Act 2000 (Enforcement in Different Parts of the United Kingdom) Order 2018 (S.I. 2018/521), arts. 1, **20(4)** (with art. 20(1))
- C4** Sch. 5 para. 13(2) applied (1.6.2018) by The Terrorism Act 2000 (Enforcement in Different Parts of the United Kingdom) Order 2018 (S.I. 2018/521), arts. 1, **7(4)** (with art. 7(1))
- C5** Sch. 5 para. 13(2) applied (1.6.2018) by The Terrorism Act 2000 (Enforcement in Different Parts of the United Kingdom) Order 2018 (S.I. 2018/521), arts. 1, **19(4)** (with art. 19(1))
- C6** Sch. 5 para. 13(2) excluded (1.6.2018) by The Terrorism Act 2000 (Enforcement in Different Parts of the United Kingdom) Order 2018 (S.I. 2018/521), arts. 1, **32(4)** (with art. 32(1))
- C7** Sch. 5 para. 13(4)(b) excluded (1.6.2018) by The Terrorism Act 2000 (Enforcement in Different Parts of the United Kingdom) Order 2018 (S.I. 2018/521), arts. 1, **32(5)(a)** (with art. 32(1))
- C8** Sch. 5 para. 13(4)(b) applied (1.6.2018) by The Terrorism Act 2000 (Enforcement in Different Parts of the United Kingdom) Order 2018 (S.I. 2018/521), arts. 1, **8(5)(b)** (with art. 8(1))
- C9** Sch. 5 para. 13(4)(b) applied (1.6.2018) by The Terrorism Act 2000 (Enforcement in Different Parts of the United Kingdom) Order 2018 (S.I. 2018/521), arts. 1, **20(5)(b)** (with art. 20(1))
- C10** Sch. 5 para. 13(4)(b) applied (1.6.2018) by The Terrorism Act 2000 (Enforcement in Different Parts of the United Kingdom) Order 2018 (S.I. 2018/521), arts. 1, **19(5)** (with art. 19(1))
- C11** Sch. 5 para. 13(4)(b) applied (1.6.2018) by The Terrorism Act 2000 (Enforcement in Different Parts of the United Kingdom) Order 2018 (S.I. 2018/521), arts. 1, **7(5)** (with art. 7(1))
- C12** Sch. 5 para. 13(4)(b) excluded (1.6.2018) by The Terrorism Act 2000 (Enforcement in Different Parts of the United Kingdom) Order 2018 (S.I. 2018/521), arts. 1, **31(5)(a)** (with art. 31(1))

- 14 (1) A person commits an offence if, in purported compliance with an order under paragraph 13, he—
- (a) makes a statement which he knows to be false or misleading in a material particular, or
 - (b) recklessly makes a statement which is false or misleading in a material particular.
- (2) A person guilty of an offence under sub-paragraph (1) shall be liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years, to a fine or to both, or
 - (b) on summary conviction, to imprisonment for a term not exceeding six months, to a fine not exceeding the statutory maximum or to both.

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