



# Counter-Terrorism Act 2008

## CHAPTER 28

### COUNTER-TERRORISM ACT 2008

#### PART 1

##### POWERS TO GATHER AND SHARE INFORMATION

###### *Power to remove documents for examination*

- 1 Power to remove documents for examination
- 2 Offence of obstruction
- 3 Items subject to legal privilege
- 4 Record of removal
- 5 Retention of documents
- 6 Access to documents
- 7 Photographing and copying of documents
- 8 Return of documents
- 9 Power to remove documents: supplementary provisions

###### *Power to take fingerprints and samples from person subject to control order*

- 10 Power to take fingerprints and samples: England and Wales
- 11 Power to take fingerprints and samples: Scotland
- 12 Power to take fingerprints and samples: Northern Ireland
- 13 Power to take fingerprints and samples: transitional provision

###### *Retention and use of fingerprints and samples*

- 14 Material subject to the Police and Criminal Evidence Act 1984
- 15 Material subject to the Police and Criminal Evidence (Northern Ireland) Order 1989
- 16 Material subject to the Terrorism Act 2000: England and Wales and Northern Ireland

*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Counter-Terrorism Act 2008 is up to date with all changes known to be in force on or before 27 June 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)*

---

- 17 Material subject to the Terrorism Act 2000: Scotland
- 18 Destruction of national security material not subject to existing statutory restrictions
- 18A Retention of material: general
- 18B Retention for purposes of national security
- 18BA Retention of further fingerprints
- 18C Destruction of copies
- 18D Use of retained material
- 18E Sections 18 to 18E: supplementary provisions

*Disclosure of information and the intelligence services*

- 19 Disclosure and the intelligence services
- 20 Disclosure and the intelligence services: supplementary provisions
- 21 Disclosure and the intelligence services: interpretation

**PART 2**

POST-CHARGE QUESTIONING OF TERRORIST SUSPECTS

- 22 Post-charge questioning: England and Wales
- 23 Post-charge questioning: Scotland
- 24 Post-charge questioning: Northern Ireland
- 25 Recording of interviews
- 26 Issue and revision of code of practice
- 27 Meaning of “terrorism offence”

**PART 3**

PROSECUTION AND PUNISHMENT OF TERRORIST OFFENCES

*Jurisdiction*

- 28 Jurisdiction to try offences committed in the UK

*Consent to prosecution*

- 29 Consent to prosecution of offence committed outside UK

*Sentencing*

- 30 Sentences for offences with a terrorist connection: ... Northern Ireland
- 31 Sentences for offences with a terrorist connection: Scotland
- 32 Sentences for offences with a terrorist connection: armed forces
- 33 Power to amend list of offences where terrorist connection to be considered

*Forfeiture*

- 34 Forfeiture: terrorist property offences
- 35 Forfeiture: other terrorism offences and offences with a terrorist connection
- 36 Forfeiture: supplementary provisions
- 37 Forfeiture: application of proceeds to compensate victims
- 38 Forfeiture: other amendments
- 39 Forfeiture: consequential amendments

*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Counter-Terrorism Act 2008 is up to date with all changes known to be in force on or before 27 June 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)*

---

## PART 4

### NOTIFICATION REQUIREMENTS

#### *Introductory*

40 Scheme of this Part

#### *Offences to which this Part applies*

- 41 Offences to which this Part applies: terrorism offences
- 42 Offences to which this Part applies: offences having a terrorist connection
- 43 Offences dealt with before commencement

#### *Persons to whom the notification requirements apply*

- 44 Persons to whom the notification requirements apply
- 45 Sentences or orders triggering notification requirements
- 46 Power to amend specified terms or periods of imprisonment or detention

#### *Notification requirements*

- 47 Initial notification
- 48 Notification of changes : general
- 48A Notification of changes: financial information and information about identification documents
- 49 Periodic re-notification
- 50 Method of notification and related matters
- 51 Meaning of “local police area”
- 52 Travel outside the United Kingdom

#### *Period for which notification requirements apply*

- 53 Period for which notification requirements apply

#### *Offences in relation to notification*

- 54 Offences relating to notification
- 55 Effect of absence abroad
- 56 Notification on return after absence from UK

#### *Entry and search of home address*

- 56A Power to enter and search home address

#### *Supplementary provisions*

- 57 Notification orders
- 58 Foreign travel restriction orders
- 59 Application of Part to service offences and related matters
- 60 Minor definitions for Part 4
- 61 References to a person being “dealt with” for an offence

*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Counter-Terrorism Act 2008 is up to date with all changes known to be in force on or before 27 June 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)*

---

## **PART 5**

### TERRORIST FINANCING AND MONEY LAUNDERING

- 62 Terrorist financing and money laundering

## **PART 6**

### FINANCIAL RESTRICTIONS PROCEEDINGS

#### **CHAPTER 1**

##### APPLICATION TO SET ASIDE FINANCIAL RESTRICTIONS DECISION

- 63 Application to set aside financial restrictions decision  
64 UN terrorism orders

#### **CHAPTER 2**

### FINANCIAL RESTRICTIONS PROCEEDINGS

#### *Introductory*

- 65 Financial restrictions proceedings

#### *Rules of court, disclosure and related matters*

- 66 General provisions about rules of court  
67 Rules of court about disclosure  
68 Appointment of special advocate  
69 Intercept evidence  
70 Qualification of duty to give reasons

#### *Supplementary provisions*

- 71 Allocation of proceedings to Queen's Bench Division  
72 Initial exercise of powers by Lord Chancellor  
73 Interpretation

## **PART 7**

### MISCELLANEOUS

#### *Inquiries*

- 74 Inquiries: intercept evidence

#### *Amendment of definition of "terrorism" etc*

- 75 Amendment of definition of "terrorism" etc

#### *Terrorist offences*

- 76 Offences relating to information about members of armed forces etc  
77 Terrorist property: disclosure of information about possible offences

#### *Control orders*

- 78 Control orders: powers of entry and search

*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Counter-Terrorism Act 2008 is up to date with all changes known to be in force on or before 27 June 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)*

---

- 79 Control orders: meaning of involvement in terrorism-related activity
- 80 Time allowed for representations by controlled person
- 81 Application for anonymity for controlled person

*Pre-charge detention of terrorist suspects*

- 82 Pre-charge detention: minor amendments

*Forfeiture of terrorist cash*

- 83 Forfeiture of terrorist cash: determination of period for which cash may be detained
- 84 Forfeiture of terrorist cash: appeal against decision in forfeiture proceedings

*Costs of policing at gas facilities*

- 85 Costs of policing at gas facilities: England and Wales
- 86 Costs of policing at gas facilities: Scotland
- 87 Designated gas transporters
- 88 Costs of policing at gas facilities: recovery of costs
- 89 Costs of policing at gas facilities: supplementary provisions
- 90 Application of provisions to costs incurred before commencement

*Appointment of special advocates in Northern Ireland*

- 91 Appointment of special advocates in Northern Ireland

**PART 8**

SUPPLEMENTARY PROVISIONS

*General definitions*

- 92 Meaning of “terrorism”
- 93 Meaning of offence having a “terrorist connection”
- 94 Meaning of “ancillary offence”
- 95 Meaning of “service court” and “service offence”

*Orders and regulations*

- 96 Orders and regulations
- 97 Orders and regulations: affirmative and negative resolution procedure

*Financial provisions*

- 98 Financial provisions

*Repeals and revocations*

- 99 Repeals and revocations

*Final provisions*

- 100 Commencement
- 101 Extent
- 102 Short title

*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Counter-Terrorism Act 2008 is up to date with all changes known to be in force on or before 27 June 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 1 — Disclosure and the intelligence services: consequential amendments

#### *Anti-terrorism, Crime and Security Act 2001 (c. 24)*

- 1 In section 19(2) of the Anti-terrorism, Crime and Security Act...

#### *Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341)*

- 2 (1) The Representation of the People (England and Wales) Regulations...

#### *Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497)*

- 3 (1) The Representation of the People (Scotland) Regulations 2001 are...

#### *Immigration, Asylum and Nationality Act 2006 (c. 13)*

- 4 In the Immigration, Asylum and Nationality Act 2006, omit section...

#### *Statistics and Registration Service Act 2007 (c. 18)*

- 5 In the Statistics and Registration Service Act 2007, omit—

### SCHEDULE 1A — Offences where terrorist connection not required to be considered

#### *Terrorism Act 2000*

- 1 An offence under any of the following provisions of the...

#### *Anti-terrorism, Crime and Security Act 2001*

- 2 An offence under section 113 of the Anti-terrorism, Crime and...

#### *Terrorism Act 2006*

- 3 An offence under any of the following provisions of the...

#### *Counter-Terrorism Act 2008*

- 4 An offence under section 54 of the Counter-Terrorism Act 2008...

#### *Terrorism Prevention and Investigation Measures 2011*

- 5 An offence under section 23 of the Terrorism Prevention and...

#### *Counter-Terrorism and Security Act 2015*

- 6 An offence under section 10 of the Counter-Terrorism and Security...

#### *Ancillary offences*

- 7 An ancillary offence in relation to an offence specified in...

*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Counter-Terrorism Act 2008 is up to date with all changes known to be in force on or before 27 June 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)*

---

SCHEDULE 2 — Offences committed before the commencement of section 1 of the Counter-Terrorism and Sentencing Act 2021 where terrorist connection to be considered

*Common law offences*

Murder. Manslaughter. Culpable homicide. Kidnapping. Abduction. Assault by explosive device...

*Statutory offences*

An offence under any of the following sections of the...  
An offence under any of the following sections of the...  
An offence under section 20 of the Theft Act (Northern...  
An offence under section 1 of the Protection of the...  
An offence under section 1 of the Biological Weapons Act...  
An offence under section 1 of the Taking of Hostages...  
An offence under any of the following sections of the...  
An offence under any of the following sections of the...  
An offence under any of the following sections of the...  
An offence under Part 2 of the Channel Tunnel (Security)...  
An offence under any of the following sections of the...  
An offence under Article 6 of the Protection from Harassment...  
An offence under any of the following sections of the...  
An offence under any of the following paragraphs of Schedule...  
An offence under any of the following provisions of the...

*Ancillary offences*

Any ancillary offence in relation to an offence specified in...

SCHEDULE 3 — Forfeiture: consequential amendments

*Proceeds of Crime (Northern Ireland) Order 1996 (S.I. 1996/1299 (N.I. 9))*

1 In Article 5(3) of the Proceeds of Crime (Northern Ireland)...

*Terrorism Act 2000 (c. 11)*

2 In section 54 of the Terrorism Act 2000, omit subsections...  
3 In section 58 of that Act, omit subsections (5) to...  
4 In section 119(1) of that Act for “sections 15 to...  
5 (1) Schedule 4 to that Act is amended as follows...  
6 In Schedule 8 to that Act, in paragraphs 8(4)(d), 17(3)(c)...

*Proceeds of Crime Act 2002 (c. 29)*

7 (1) The Proceeds of Crime Act 2002 is amended as...

SCHEDULE 3A — Notification requirements: financial information and information about identification documents

*Financial information*

1 (1) The financial information referred to in section 47(2)(gb) that...

*Status: Point in time view as at 28/04/2022.*

**Changes to legislation:** Counter-Terrorism Act 2008 is up to date with all changes known to be in force on or before 27 June 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)

---

### *Information about identification documents*

- 2 The information about identification documents referred to in section 47(2)(gc)...

## SCHEDULE 4 — Notification orders

### *Introductory*

- 1 A “notification order” is an order applying the notification requirements...

### *Corresponding foreign offences*

- 2 (1) A “corresponding foreign offence” means an act that—

### *Conditions for making a notification order*

- 3 (1) The conditions for making a notification order in respect...

### *Application for notification order*

- 4 (1) In England and Wales an application for a notification...
- 5 (1) In Scotland an application for a notification order in...
- 6 (1) In Northern Ireland an application for a notification order...

### *Effect of notification order*

- 7 The effect of a notification order is that the notification...

### *Adaptation of provisions of this Part in relation to foreign proceedings*

- 8 The provisions of this Part have effect with the following...

## SCHEDULE 5 — Foreign travel restriction orders

### *Introductory*

- 1 A foreign travel restriction order is an order prohibiting the...

### *Conditions for making a foreign travel restriction order*

- 2 (1) The conditions for making a foreign travel restriction order...

### *Application for foreign travel restriction order*

- 3 (1) In England and Wales an application for a foreign...
- 4 (1) In Scotland an application for a foreign travel restriction...
- 5 (1) In Northern Ireland an application for a foreign travel...

### *Provisions of a foreign travel restriction order*

- 6 (1) A foreign travel restriction order may prohibit the person...

### *Duration of foreign travel restriction order*

- 7 (1) A foreign travel restriction order has effect for a...



*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Counter-Terrorism Act 2008 is up to date with all changes known to be in force on or before 27 June 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)*

---

*Variation, renewal or discharge of order*

- 8 (1) In England and Wales an application for an order...
- 9 (1) In Scotland an application for an order varying, renewing...
- 10 (1) In Northern Ireland an application for an order varying,...

*Provisions of renewed or varied order*

- 11 (1) A foreign travel restriction order may be renewed, or...

*Appeals*

- 12 (1) In England and Wales— (a) a person against whom...
- 13 (1) In Scotland an interlocutor of the sheriff granting or...
- 14 (1) In Northern Ireland— (a) a person against whom a...

*Breach of foreign travel restriction order an offence*

- 15 (1) A person commits an offence who, without reasonable excuse—...

*Meaning of “terrorism activity”*

- 16 In this Schedule “terrorism activity” means anything that—

SCHEDULE 6 — Notification requirements: application to service offences

*Service offences to which this Part applies: terrorism offences*

- 1 This Part applies to a service offence as respects which...

*Service offences to which this Part applies: offences having a terrorist connection*

- 2 (1) This Part applies to a service offence as to...

*Service offences dealt with before commencement*

- 3 (1) This Part applies to a person dealt with for...

*Service offences: persons to whom notification requirements apply*

- 4 The notification requirements apply to a person who—

*Service offences: sentences or orders triggering notification requirements*

- 5 (1) The notification requirements apply to a person who—

*Service offences: power to amend specified terms or periods of imprisonment or detention*

- 6 (1) The Secretary of State may by order amend the...

*Service offences: period for which notification requirements apply*

- 7 (1) The period for which the notification requirements apply is—...

*Modifications in relation to service offences etc*

- 8 (1) In the following provisions, references to a person committed...
- 9 In the application of section 47(6) (initial notification: person dealt...
- 10 Where in relation to a service offence the court of...

*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Counter-Terrorism Act 2008 is up to date with all changes known to be in force on or before 27 June 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)*

---

- 11 References in this Part to a sentence of detention do...  
12 The following provisions do not apply in relation to service...

*Application of power to make transitional modifications etc*

- 13 An order under subsection (4) of section 380 of the...

SCHEDULE 7 — Terrorist financing and money laundering  
Part 1 — CONDITIONS FOR GIVING A DIRECTION

*Conditions for giving a direction*

- 1 (1) The Treasury may give a direction under this Schedule...

*Main definitions*

- 2 (1) “Terrorist financing” means— (a) the use of funds, or...  
Part 2 — PERSONS TO WHOM A DIRECTION MAY BE GIVEN

*Persons to whom a direction may be given*

- 3 (1) A direction under this Schedule may be given to—...

*Persons operating in the financial sector*

- 4 (1) Any reference in this Schedule to a person operating...

*Meaning of “credit institution” and “financial institution”*

- 5 (1) “Credit institution” means a credit institution, as defined in...

*Exceptions*

- 6 (1) For the purposes of this Schedule the following are...

*Interpretation of this Part*

- 7 In this Part of this Schedule— ... “the capital requirements...

*Power to amend*

- 8 (1) The Treasury may by order amend paragraphs 4 to...  
Part 3 — REQUIREMENTS THAT MAY BE IMPOSED BY A DIRECTION

*Requirements that may be imposed by a direction*

- 9 (1) A direction under this Schedule may impose requirements in...

*Customer due diligence*

- 10 (1) A direction may require a relevant person to undertake...

*Ongoing monitoring*

- 11 (1) A direction may require a relevant person to undertake...

*Systematic reporting*

- 12 (1) A direction may require a relevant person to provide...

*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Counter-Terrorism Act 2008 is up to date with all changes known to be in force on or before 27 June 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)*

---

*Limiting or ceasing business*

- 13 A direction may require a relevant person not to enter...  
Part 4 — PROCEDURAL PROVISIONS AND LICENSING

*General directions to be given by order*

- 14 (1) A direction given to— (a) a description of persons...

*Specific directions: notification and duration of directions*

- 15 (1) This paragraph applies in relation to a direction given...

*General directions: publication and duration of directions*

- 16 (1) This paragraph applies to an order containing directions under...

*Directions limiting or ceasing business: exemption by licence*

- 17 (1) The following provisions apply where a direction contains requirements...

Part 5 — ENFORCEMENT: INFORMATION POWERS

*Enforcement authorities and officers*

- 18 (1) In this Schedule “enforcement authority” means—

*Power to require information or documents*

- 19 (1) An enforcement officer may by notice to a relevant...

*Entry, inspection without a warrant etc*

- 20 (1) Where an enforcement officer has reasonable cause to believe...

*Entry to premises under warrant*

- 21 (1) A justice may issue a warrant under this paragraph...

*Restrictions on powers*

- 22 (1) This paragraph applies in relation to the powers conferred...

*Failure to comply with information requirement*

- 23 (1) If on an application made by—

*Powers of local enforcement officers*

- 24 (1) A local enforcement officer may only exercise powers under...  
Part 6 — ENFORCEMENT: CIVIL PENALTIES

*Power to impose civil penalties*

- 25 (1) An enforcement authority may impose a penalty of such...  
25A (1) An enforcement authority may impose a penalty of such...

*Imposition of penalty by HMRC: procedure ...*

- 26 (1) This paragraph applies where HMRC decide to impose a...

*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Counter-Terrorism Act 2008 is up to date with all changes known to be in force on or before 27 June 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)*

---

*Offer of review*

- 26A (1) HMRC must offer a person (P) a review of...

*Review by HMRC*

- 26B (1) HMRC must review a decision if—

*Extensions of time*

- 26C (1) If under paragraph 26A, HMRC have offered P a...

*Review out of time*

- 26D (1) This paragraph applies if— (a) HMRC have offered a...

*Nature of review etc*

- 26E (1) This paragraph applies if HMRC are required to undertake...

*Bringing of appeals against decisions of HMRC*

- 26F (1) An appeal under paragraph 26 is to be made...

*Imposition of penalty by other enforcement authority: procedure*

- 27 (1) This paragraph applies if the FCA ... (“the authority”)...

*Appeal against imposition of civil penalty other than by HMRC*

- 28 (1) A person may appeal to the tribunal against—

*Payment and recovery of civil penalties*

- 29 (1) A penalty imposed under paragraph 25 or 25A is...

Part 7 — ENFORCEMENT: OFFENCES

*Offences: failure to comply with requirement imposed by direction*

- 30 (1) A person who fails to comply with a requirement...

*Offences: relevant person circumventing requirements*

- 30A (1) A relevant person who intentionally participates in activities knowing...

*Offences in connection with licences*

- 31 (1) A person commits an offence who for the purpose...

*Extra-territorial application of offences*

- 32 (1) An offence under this Schedule may be committed by...

*Prosecution of offences*

- 33 (1) Proceedings for an offence under this Schedule may be...

*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Counter-Terrorism Act 2008 is up to date with all changes known to be in force on or before 27 June 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)*

---

*Jurisdiction to try offences*

34 Where an offence under this Schedule is committed outside the...

*Time limit for summary proceedings*

35 (1) An information relating to an offence under this Schedule...

*Liability of officers of bodies corporate etc*

36 (1) If an offence under this Schedule committed by a...

*Proceedings against unincorporated bodies*

37 (1) Proceedings for an offence under this Schedule alleged to...  
Part 8 — SUPPLEMENTARY AND GENERAL

*Report to Parliament*

38 (1) As soon as reasonably practicable after the end of...

*Supervision by supervisory authority*

39 (1) A supervisory authority must take appropriate measures to monitor...

*Assistance in preparing guidance*

40 The Treasury must provide such assistance as may reasonably be...

*Functions of Financial Conduct Authority*

41 (1) The functions of the FSA under this Schedule shall...

*Notices*

42 (1) A notice under this Schedule may be given to...

*Crown application*

43 (1) This Schedule binds the Crown, subject as follows.

*Meaning of “United Kingdom person”*

44 (1) In this Schedule “United Kingdom person” means a United...

*Interpretation*

45 (1) In this Schedule— “authorised person” means a person who...

*Index of defined expressions*

46 In this Schedule the following expressions are defined or otherwise...

SCHEDULE 8 — Offences relating to information about members of armed forces  
etc: supplementary provisions  
The following Schedule is inserted after Schedule 8 to the...

SCHEDULE 9 — Repeals and revocations  
Part 1 — RETENTION AND USE OF FINGERPRINTS AND SAMPLES

*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Counter-Terrorism Act 2008 is up to date with all changes known to be in force on or before 27 June 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)*

---

- Part 2 — DISCLOSURE OF INFORMATION AND THE INTELLIGENCE SERVICES
- Part 3 — FORFEITURE
- Part 4 — FINANCIAL RESTRICTIONS PROCEEDINGS
- Part 5 — CONTROL ORDERS
- Part 6 — PRE-CHARGE DETENTION

**Status:**

Point in time view as at 28/04/2022.

**Changes to legislation:**

Counter-Terrorism Act 2008 is up to date with all changes known to be in force on or before 27 June 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.