
STATUTORY INSTRUMENTS

2018 No. 521

The Terrorism Act 2000 (Enforcement in Different Parts of the United Kingdom) Order 2018

PART 4

Enforcement in Scotland of English or Welsh Orders and Northern Ireland Orders

English or Welsh Disclosure Orders

29.—(1) Paragraphs (2) to (6) apply where an English or Welsh appropriate officer gives a notice under an English or Welsh disclosure order which requires a person in Scotland to—

- (a) answer questions in Scotland; or
- (b) provide information or produce documents in Scotland.

(2) Paragraph 11 of Schedule 5A (offences) does not apply and paragraph 21 of Schedule 5A (offences) applies as if the order were a Scottish disclosure order.

(3) Paragraph 12 of Schedule 5A (statements) applies in relation to criminal proceedings brought in Scotland, as well as criminal proceedings brought in England and Wales, with the modifications in paragraph (4).

(4) The modifications are that in sub-paragraph (2)—

- (a) in paragraph (a), after “paragraph 11(1) or (3)” there is inserted “or an offence under paragraph 21(1) or (3)”;
- (b) in paragraph (b), after “(false statements)” there is inserted “or perjury”.

(5) Paragraph 13 of Schedule 5A (further provisions) does not apply and paragraph 23 of Schedule 5A (further provisions) applies as if the order were a Scottish disclosure order, with the modifications in paragraph (6).

(6) The modifications are that—

- (a) in sub-paragraph (3), for “The Lord Advocate” there is substituted “An English or Welsh appropriate officer”; and
- (b) in sub-paragraph (5), for “the Lord Advocate” there is substituted “an English or Welsh appropriate officer”.

(7) Paragraphs (8) and (9) apply where an English or Welsh appropriate officer gives a notice under an English or Welsh disclosure order which requires a person in Scotland to—

- (a) answer questions in England and Wales; or
- (b) provide information or produce documents in England and Wales.

(8) Paragraph 21 of Schedule 5A (offences) applies as if the order were a Scottish disclosure order, as well as paragraph 11 of Schedule 5A (offences) and, for the avoidance of doubt, paragraph 23 of Schedule 5A (further provisions) does not apply in determining whether the person has committed an offence under paragraph 21(1) or (3) of Schedule 5A (offences).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(9) Paragraph 12 of Schedule 5A (statements) does not prevent a statement made by the person in response to a requirement imposed by the notice from being used in evidence on a prosecution in Scotland for an offence under paragraph 21(1) or (3) of Schedule 5A (offences).