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DRAFT STATUTORY INSTRUMENTS

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**2015 No.**

**The Counter-Terrorism and Security Act  
2015 (Risk of Being Drawn into Terrorism)  
(Amendment and Guidance) Regulations 2015**

**PART 1**

**GENERAL**

**Citation and commencement**

1. These Regulations may be cited as the Counter-Terrorism and Security Act 2015 (Risk of Being Drawn into Terrorism) (Amendment and Guidance) Regulations 2015.
2. These Regulations come into force on the day after the day on which they are made, other than regulation 8 which comes into force on 12th April 2015.

**PART 2**

**GUIDANCE UNDER SECTION 29(1) OF THE ACT**

3. The “Prevent duty guidance (England and Wales)” and the “Prevent duty guidance (Scotland)” issued by the Secretary of State on 12th March 2015 under section 29(1) and (3)(b) of the Act take effect on the day on which this regulation comes into force.

**PART 3**

**AMENDMENTS TO PART 5 OF THE ACT**

**Enforcement of directions under section 30 in Scotland**

4. In section 30 of the Act, for subsection (2) substitute—
  - “(2) A direction given under this section may be enforced—
    - (a) in England and Wales, on an application made on behalf of the Secretary of State, by a mandatory order,
    - (b) in Scotland, on an application made on behalf of the Secretary of State to the Court of Session, by an order of specific implement.”

**Freedom of expression in Scottish universities etc**

- 5.—(1) Section 31 of the Act is amended in accordance with this regulation.

(2) In subsection (1), omit “or” at the end of paragraph (a) and after “(higher education courses)” in paragraph (b) add—

“, or

(c) a post-16 education body within the meaning of the Further and Higher Education (Scotland) Act 2005<sup>(1)</sup>

(3) In subsection (2), after paragraph (a) add—

“(aa) must have particular regard to the need to ensure freedom of speech, if it is the proprietor or governing body of an institution mentioned in subsection (1)(c);”.

(4) In subsection (3), after paragraph (a) add—

“(aa) must have particular regard to the need to ensure freedom of speech, in the case of authorities that are proprietors or governing bodies of institutions mentioned in subsection (1)(c);”.

(5) In subsection (4), after paragraph (a) add—

“(aa) must have particular regard to the need to ensure freedom of speech, in the case of an authority that is the proprietor or governing body of an institution mentioned in subsection (1)(c);”.

(6) In subsection (5), after the definition of “the duty to ensure freedom of speech” add—

““the need to ensure freedom of speech” means the need to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the institution in question and for visiting speakers;”.

#### **Application of Chapter 2 of Part 5 to Scotland**

6.—(1) Section 41 of the Act is amended in accordance with this regulation.

(2) In subsection (1), in the definition of “local authority”, after paragraph (f) add—

“(g) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994<sup>(2)</sup>;”.

(3) After subsection (3) add—

“(4) References in this Chapter to a chief officer of police are to be read as including references to the chief constable of the Police Service of Scotland.”.

## **PART 4**

### **AMENDMENTS TO SCHEDULES 6 AND 7 TO THE ACT**

#### **Amendments to Schedule 6 to the Act (specified authorities)**

7. Schedule 1 amends Schedule 6 to the Act (specified authorities).

#### **Amendments to Schedule 7 to the Act (partners of local panels)**

8. Schedule 2 amends Schedule 7 to the Act (partners of local panels).

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(1) 2005 asp 6.

(2) 1994 c. 39.

Date

*Name*  
Minister of State  
Home Office