



Suppression of Terrorism Act 1978

1978 CHAPTER 26

1 Cases in which certain offences are not to be regarded as of a political character.

- (1) This section applies to any offence of which a person is accused or has been convicted outside the United Kingdom if the act constituting the offence, or the equivalent act, would, if it took place in any part of the United Kingdom or, in the case of an extra-territorial offence, in corresponding circumstances outside the United Kingdom, constitute one of the offences listed in Schedule 1 to this Act.
- (2) For the purposes mentioned in subsection (3) below—
 - (a) no offence to which this section applies shall be regarded as an offence of a political character; and
 - (b) no proceedings in respect of an offence to which this section applies shall be regarded as a criminal matter of a political character or as criminal proceedings of a political character.
- (3) Those purposes are—
 - (a) ^{F1}
 - (b) ^{F1}
 - (c) the purposes of the ^{M1}Backing of Warrants (Republic of Ireland) Act 1965 in relation to any warrant issued in the Republic of Ireland to which this paragraph applies by virtue of an order under subsection (4) below; [^{F2}and
 - (d) the purposes of section 5 of the ^{M2}Extradition Act 1873 (evidence for foreign criminal matters) and section 5 of the ^{M3}Evidence (Proceedings in Other Jurisdictions) Act 1975 (evidence for criminal proceedings outside the United Kingdom) in relation to—
 - (i) any criminal proceedings instituted in a convention country (not being the Republic of Ireland) after the coming into force of this subparagraph; and
 - (ii) any criminal proceedings in the Republic of Ireland to which this subparagraph applies by virtue of an order under subsection (4) below.]
- (4) The Secretary of State may by order direct that subsection (3)(c) above shall apply to warrants of the kind mentioned in section 1(1)(a) of the said Act of 1965 issued while

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the order is in force, [^{F3}and that subsection (3)(d)(ii) above shall apply to criminal proceedings instituted in the Republic of Ireland while the order is in force.]

- (5) On the revocation of an order made under subsection (4) above—
 - (a) subsection (3)(c) above shall cease to apply to any warrant issued while the order was in force; [^{F3}and
 - (b) subsection (3)(d)(ii) above shall cease to apply to any criminal proceedings instituted while the order was in force,]
 but without prejudice to the validity of anything done while the order was in force.

Textual Amendments

F1 S. 1(3)(a)(b) repealed by Extradition Act 1989 (c. 33, SIF 48), s. 37, **Sch. 2**

F2 S. 1(3)(d), together with the word “and” immediately preceding it repealed (*prosp.*) by Criminal Justice (International Co-operation) Act 1990 (c. 5, SIF 39:1), ss. 31(3), 32(2), **Sch. 5**

F3 Words repealed (*prosp.*) by Criminal Justice (International Co-operation) Act 1990 (c. 5, SIF 39:1), **ss. 31(3), 32(2)** Sch. 5

Modifications etc. (not altering text)

C1 S. 1(1)(2) applied by S.I. 1986/2146, art. 3, **Sch. 2 para. 1**

C2 S. 1(3)(c) applied by S.I. 1989/2313, **art. 2**

C3 S. 1(3)(d) applied by S.I. 1986/2146, art. 3, **Sch. 2 para. 1**

C4 S. 1(3)(d)(ii) applied by S.I. 1989/2313, **art. 2**

Marginal Citations

M1 1965 c. 45.

M2 1873 c. 60.

M3 1975 c. 34.

2 Restriction on return of criminal under Extradition Act 1870, or to Republic of Ireland, in certain cases.

^{F4}(1)

^{XI}(2) In relation to any warrant issued in the Republic of Ireland which specifies an offence to which section 1 above applies, being a warrant to which paragraph (c) of subsection (3) of that section applies as mentioned in that paragraph, the ^{M4}Backing of Warrants (Republic of Ireland) Act 1965 shall have effect as if at the end of section 2(2), as amended by the ^{M5}Criminal Jurisdiction Act 1975, (cases where warrant from Republic of Ireland is not to be executed) there were added the following words—

“or

- (e) that there are substantial grounds for believing—
 - (i) that the warrant was in fact issued in order to secure the return of the person named or described in it to the Republic for the purpose of prosecuting or punishing him on account of his race, religion, nationality or political opinions; or
 - (ii) that he would, if returned there, be prejudiced at his trial or punished, detained or restricted in his personal liberty by reason of his race, religion, nationality or political opinions.”.

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Editorial Information

X1 The text of ss. 2(2), 6, 9(2), Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

F4 S. 2(1) repealed by [Extradition Act 1989 \(c. 33, SIF 48\)](#), s. 37, **Sch. 2**

Marginal Citations

M4 1965 c. 45.
M5 1975 c. 59.

^{F5}3

Textual Amendments

F5 S. 3 repealed by [Extradition Act 1989 \(c. 33, SIF 48\)](#), s. 37, **Sch. 2**

4 Jurisdiction in respect of offences committed outside United Kingdom.

- (1) If a person, whether a citizen of the United Kingdom and Colonies or not, does in a convention country any act which, if he had done it in a part of the United Kingdom, would have made him guilty in that part of the United Kingdom of—
 - (a) an offence mentioned in paragraph 1, 2, 4, 5, 10, 11, [^{F6}11B,]12, 13, 14 or 15 of Schedule 1 to this Act; or
 - (b) an offence of attempting to commit any offence so mentioned,he shall, in that part of the United Kingdom, be guilty of the offence or offences aforesaid of which the act would have made him guilty if he had done it there.
- (2)^{F7}
- (3) If a person who is a national of a convention country but not a citizen of the United Kingdom and Colonies does outside the United Kingdom and that convention country any act which makes him in that convention country guilty of an offence and which, if he had been a citizen of the United Kingdom and Colonies, would have made him in any part of the United Kingdom guilty of an offence mentioned in paragraph 1, 2 or 13 of Schedule 1 to this Act, he shall, in any part of the United Kingdom, be guilty of the offence or offences aforesaid of which the act would have made him guilty if he had been such a citizen.
- (4) Proceedings for an offence which [^{F8}(disregarding the provisions of the ^{M6}Internationally Protected Persons Act 1978) [^{F9}and the Nuclear Material (Offences) Act 1983]] would not be an offence apart from this section shall not be instituted—
 - (a) in Northern Ireland, except by or with the consent of the Attorney General for Northern Ireland; or
 - (b) in England and Wales, except by or with the consent of the Attorney General;

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and references to a consent provision in Article 7(3) to (5) of the ^{M7}Prosecution of Offences (Northern Ireland) Order 1972 (which relates to consents to prosecutions) shall include so much of this subsection as precedes paragraph (b).

- (5) Without prejudice to any jurisdiction exercisable apart from this subsection, every sheriff court in Scotland shall have jurisdiction to entertain proceedings for an offence which ^{F8}(disregarding the provisions of the ^{M8}Internationally Protected Persons Act 1978 ^{F9}and the Nuclear Material (Offences) Act 1983)] would not be an offence in Scotland apart from this section.

- (6) ^{F7}

- (7) For the purposes of this section any act done—

- (a) on board a ship registered in a convention country, being an act which, if the ship had been registered in the United Kingdom, would have constituted an offence within the jurisdiction of the Admiralty; or
- (b) on board an aircraft registered in a convention country while the aircraft is in flight elsewhere than in or over that country; or
- (c) on board a hovercraft registered in a convention country while the hovercraft is in journey elsewhere than in or over that country,

shall be treated as done in that convention country; ^{F10}and subsection (4) of section 92 of the Civil Aviation Act 1982 (definition of 'in flight' or, as applied to hovercraft, 'in journey') shall apply for the purposes of this subsection as it applies for the purposes of that section.]

Textual Amendments

- F6** Figure inserted by [Child Abduction Act 1984 \(c. 37, SIF 39:4\)](#), **s. 11(4)**
- F7** [S. 4\(2\)\(6\)](#) repealed by [Internationally Protected Persons Act 1978 \(c. 17\)](#), **s. 5(4)(a)(5)**
- F8** Words inserted by [Internationally Protected Persons Act 1978 \(c. 17\)](#), **s. 5(4)(b)(5)**
- F9** Words inserted (*prosp.*) by [Nuclear Material \(Offences\) Act 1983 \(c. 18, SIF 8\)](#), **ss. 4(1)(b), 8(2)**
- F10** Words substituted by [Civil Aviation Act 1982 \(c. 16, SIF 9\)](#) s. 109, Sch. 15 para. 21

Marginal Citations

- M6** [1978 c. 17.](#)
- M7** [S.I. 1972/538 \(N.I. 1\)](#)
- M8** [1978 c. 17.](#)

5 Power to apply provisions of Act to non-convention countries.

- (1) In the case of any country which, not being a convention country, is either—
- (a) a designated Commonwealth country within the meaning of the ^{F11}Extradition Act 1989]or
- (b) a foreign state with which there is in force an arrangement of the kind described in section 2 of the Extradition Act 1870 ^{F12}or in the Extradition Act 1989] with respect to the surrender to that state of fugitive criminals; or
- ^{F13}(c) a colony]
- the Secretary of State may by order direct—
- (i) in the case of a country within paragraph (a) or (b) above, that all or any of the provisions ^{F14}[to which this paragraph applies] shall apply in relation to that

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country (subject to such exceptions, if any, as may be specified in the order) as they apply in relation to a convention country; or

(ii) in the case of a country within paragraph (c) above, that the provisions of section 4 above shall so apply in relation to that country;

and while such an order is in force in the case of any country, the provisions in question shall apply in relation to it accordingly.

[^{F15}(1A) Subsection (1)(i) above applies—

- (a) to the provisions of this Act which would, apart from this section, apply only in relation to convention countries; and
- (b) to section 24(1) and (2) of the Extradition Act 1989.]

(2) The Secretary of State may, at any time when the Republic of Ireland is not a convention country, by order direct that section 4 above shall apply in relation to the Republic as if it were a convention country; and while such an order is in force, that section shall apply in relation to the Republic accordingly.

(3) An order under subsection (2) above shall, unless previously revoked, cease to have effect if the Republic of Ireland subsequently becomes a convention country.

Textual Amendments

- F11** Words substituted by [Extradition Act 1989 \(c. 33, SIF 48\), s. 36\(4\)](#)
- F12** Words inserted after “1870” by [Extradition Act 1989 \(c. 33, SIF 48\), s. 36\(5\)](#)
- F13** Words substituted by [Extradition Act 1989 \(c. 33, SIF 48\), s. 36\(6\)](#)
- F14** Words substituted by [Extradition Act 1989 \(c. 33, SIF 48\), s. 36\(7\)](#)
- F15** [S. 5\(1A\)](#) inserted by [Extradition Act 1989 \(c. 33, SIF 48\), s. 36\(8\)](#)

^{X2}6 **Amendment of Criminal Jurisdiction Act 1975, Sch. 3.**

(1) For paragraph 2(2) of Schedule 3 to the ^{M9}Criminal Jurisdiction Act 1975 (postponement of operation of order for return to Republic of Ireland of person accused of extraterritorial offence where he is serving a sentence imposed for any offence) there shall be substituted—

“(2) If at the time when the order under this paragraph is made the accused stands charged with or convicted of an offence other than the extra-territorial offence, so much of the order as directs him to be delivered as aforesaid shall not take effect until the conclusion of the proceedings (including any appeal or retrial) in respect of that other offence and of any sentence of imprisonment or detention imposed in those proceedings.”.

(2) This section shall extend to Northern Ireland only.

Editorial Information

- X2** The text of ss. 2(2), 6, 9(2), Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M9** 1975 c. 59.

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7 Extension to Channel Islands, Isle of Man and other countries.

- (1) Subject to subsection (2) below, this Act shall extend to the Channel Islands and the Isle of Man, and shall have effect as if each of them were part of the United Kingdom.
- (2) Her Majesty may by Order in Council direct that this Act shall, in its application to any of the said islands, have effect subject to such exceptions, adaptations or modifications as may be specified in the Order.
- (3) Her Majesty may by Order in Council make provision for extending any provisions of this Act, with such exceptions, adaptations or modifications as may be specified in the Order, to any colony, other than a colony for whose external relations a country other than the United Kingdom is responsible, or any country outside Her Majesty's dominions in which Her Majesty has jurisdiction in right of the government of the United Kingdom.
- (4) An Order in Council under subsection (3) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) An Order in Council under subsection (2) or (3) above may be varied or revoked by a subsequent Order in Council under that subsection.

Modifications etc. (not altering text)

- C5 S. 7 applied by S.I. 1986/2146, art. 3, **Sch. 2 para. 3** and by [Aviation and Maritime Security Act 1990](#) (c. 31, SIF 39:2), **s. 51(2)**

8 Provisions as to interpretation and orders.

- (1) In this Act—
 - “act” includes omission;
 - “convention country” means a country for the time being designated in an order made by the Secretary of State as a party to the European Convention on the Suppression of Terrorism signed at Strasbourg on the 27th January 1977;
 - “country” includes any territory;
 - “enactment” includes an enactment of the Parliament of Northern Ireland, a Measure of the Northern Ireland Assembly, and an Order in Council under the ^{M10}Northern Ireland (Temporary Provisions) Act 1972 or the ^{M11}Northern Ireland Act 1974.
- (2) Except so far as the context otherwise requires, any reference in this Act to an enactment is a reference to it as amended by or under any other enactment, including this Act.
- (3) For the purpose of construing references in this Act to other Acts, section 38(1) of the ^{M12}Interpretation Act 1889 shall apply in cases of repeal and re-enactment by a Measure of the Northern Ireland Assembly or by an Order in Council under the ^{M13}Northern Ireland Act 1974 as it applies in cases of repeal and re-enactment by an Act.
- (4) Any power to make an order conferred on the Secretary of State by any provision of this Act—
 - (a) shall be exercisable by statutory instrument; and

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- (b) shall include power to revoke or vary a previous order made under that provision.
- (5) No order shall be made—
- (a) under section 1(4) above at a time when the Republic of Ireland is not a convention country; or
- (b) under section 5 above at any time,
- unless a draft of the order has been laid before Parliament and approved by a resolution of each House of Parliament.
- (6) Any statutory instrument containing an order made under section 1(4) above at a time when the Republic of Ireland was a convention country or an order made under subsection (1) above shall be laid before Parliament after being made.

Modifications etc. (not altering text)

C6 S. 8 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 4

Marginal Citations

M10 1972 c. 22.

M11 1974 c. 28.

M12 1889 c. 63.

M13 1974 c. 28.

9 Short title, repeals and commencement.

- (1) This Act may be cited as the Suppression of Terrorism Act 1978.
- ^{x3}(2) The enactments specified in Schedule 2 to this Act (which contains provisions superseded by section 3 above) are hereby repealed to the extent specified in the third column of that Schedule.
- (3) This Act shall come into force on such day as the Secretary of State may by order appoint, and different days may be so appointed for different purposes.

Editorial Information

X3 The text of ss. 2(2), 6, 9(2), Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Subordinate Legislation Made

P1 21.8.1978 appointed under s. 9(3) by S.I. 1978/1063

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