



# Terrorism Act 2000

## 2000 CHAPTER 11

### PART VI **U.K.**

#### MISCELLANEOUS

#### *Terrorist offences*

#### 54 Weapons training. **U.K.**

- (1) A person commits an offence if he provides instruction or training in the making or use of—
  - (a) firearms,
  - [<sup>F1</sup>(aa) radioactive material or weapons designed or adapted for the discharge of any radioactive material,]
  - (b) explosives, or
  - (c) chemical, biological or nuclear weapons.
- (2) A person commits an offence if he receives instruction or training in the making or use of—
  - (a) firearms,
  - [<sup>F1</sup>(aa) radioactive material or weapons designed or adapted for the discharge of any radioactive material,]
  - (b) explosives, or
  - (c) chemical, biological or nuclear weapons.
- (3) A person commits an offence if he invites another to receive instruction or training and the receipt—
  - (a) would constitute an offence under subsection (2), or
  - (b) would constitute an offence under subsection (2) but for the fact that it is to take place outside the United Kingdom.
- (4) For the purpose of subsections (1) and (3)—

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- (a) a reference to the provision of instruction includes a reference to making it available either generally or to one or more specific persons, and
  - (b) an invitation to receive instruction or training may be either general or addressed to one or more specific persons.
- (5) It is a defence for a person charged with an offence under this section in relation to instruction or training to prove that his action or involvement was wholly for a purpose other than assisting, preparing for or participating in terrorism.
- (6) A person guilty of an offence under this section shall be liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding ten 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.
- (7) A court by or before which a person is convicted of an offence under this section may order the forfeiture of anything which the court considers to have been in the person’s possession for purposes connected with the offence.
- (8) Before making an order under subsection (7) a court must give an opportunity to be heard to any person, other than the convicted person, who claims to be the owner of or otherwise interested in anything which can be forfeited under that subsection.
- (9) An order under subsection (7) shall not come into force until there is no further possibility of it being varied, or set aside, on appeal (disregarding any power of a court to grant leave to appeal out of time).

#### Textual Amendments

F1 S. 54(1)(aa)(2)(aa) inserted (14.12.2001) by 2001 c. 24, s. 120(1)

## 55 Weapons training: interpretation. **U.K.**

In section 54—

[<sup>F2</sup>“biological weapon” means a biological agent or toxin (within the meaning of the Biological Weapons Act 1974) in a form capable of use for hostile purposes or anything to which section 1(1)(b) of that Act applies,]

“chemical weapon” has the meaning given by section 1 of the <sup>M1</sup>Chemical Weapons Act 1996, and

[<sup>F3</sup>“radioactive material” means radioactive material capable of endangering life or causing harm to human health,]

<sup>F4</sup> . . .

#### Textual Amendments

F2 Words in s. 55 substituted (14.12.2001) by 2001 c. 24, s. 120(2)(a)

F3 Words in s. 55 inserted (14.12.2001) by 2001 c. 24, s. 120(2)(b)

F4 Words in s. 55 repealed (14.12.2001) by 2001 c. 24, ss. 120(2)(c), 125, Sch. 8 Pt. 7

#### Marginal Citations

M1 1996 c. 6.

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## **56 Directing terrorist organisation. U.K.**

- (1) A person commits an offence if he directs, at any level, the activities of an organisation which is concerned in the commission of acts of terrorism.
- (2) A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for life.

## **57 Possession for terrorist purposes. U.K.**

- (1) A person commits an offence if he possesses an article in circumstances which give rise to a reasonable suspicion that his possession is for a purpose connected with the commission, preparation or instigation of an act of terrorism.
- (2) It is a defence for a person charged with an offence under this section to prove that his possession of the article was not for a purpose connected with the commission, preparation or instigation of an act of terrorism.
- (3) In proceedings for an offence under this section, if it is proved that an article—
  - (a) was on any premises at the same time as the accused, or
  - (b) was on premises of which the accused was the occupier or which he habitually used otherwise than as a member of the public,the court may assume that the accused possessed the article, unless he proves that he did not know of its presence on the premises or that he had no control over it.
- (4) A person guilty of an offence under this section shall be liable—
  - (a) on conviction on indictment, to imprisonment for a term not exceeding 10 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.

## **58 Collection of information. U.K.**

- (1) A person commits an offence if—
  - (a) he collects or makes a record of information of a kind likely to be useful to a person committing or preparing an act of terrorism, or
  - (b) he possesses a document or record containing information of that kind.
- (2) In this section “record” includes a photographic or electronic record.
- (3) It is a defence for a person charged with an offence under this section to prove that he had a reasonable excuse for his action or possession.
- (4) A person guilty of an offence under this section shall be liable—
  - (a) on conviction on indictment, to imprisonment for a term not exceeding 10 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.
- (5) A court by or before which a person is convicted of an offence under this section may order the forfeiture of any document or record containing information of the kind mentioned in subsection (1)(a).

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- (6) Before making an order under subsection (5) a court must give an opportunity to be heard to any person, other than the convicted person, who claims to be the owner of or otherwise interested in anything which can be forfeited under that subsection.
- (7) An order under subsection (5) shall not come into force until there is no further possibility of it being varied, or set aside, on appeal (disregarding any power of a court to grant leave to appeal out of time).

VALID FROM 16/02/2009

**[<sup>F5</sup>58A Eliciting, publishing or communicating information about members of armed forces etc **U.K.****

- (1) A person commits an offence who—
- (a) elicits or attempts to elicit information about an individual who is or has been—
    - (i) a member of Her Majesty's forces,
    - (ii) a member of any of the intelligence services, or
    - (iii) a constable,
 which is of a kind likely to be useful to a person committing or preparing an act of terrorism, or
  - (b) publishes or communicates any such information.
- (2) It is a defence for a person charged with an offence under this section to prove that they had a reasonable excuse for their action.
- (3) A person guilty of an offence under this section is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding 10 years or to a fine, or to both;
  - (b) on summary conviction—
    - (i) in England and Wales or Scotland, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum, or to both;
    - (ii) in Northern Ireland, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum, or to both.
- (4) In this section “the intelligence services” means the Security Service, the Secret Intelligence Service and GCHQ (within the meaning of section 3 of the Intelligence Services Act 1994 (c. 13)).
- (5) Schedule 8A to this Act contains supplementary provisions relating to the offence under this section.]

**Textual Amendments**

- F5** S. 58A inserted (16.2.2009) by Counter-Terrorism Act 2008 (c. 28), ss. 76(1)(2), 100(5) (with s. 101(2)); S.I. 2009/58, art. 2(d)

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### Inciting terrorism overseas

#### 59 England and Wales. **E+W**

- (1) A person commits an offence if—
  - (a) he incites another person to commit an act of terrorism wholly or partly outside the United Kingdom, and
  - (b) the act would, if committed in England and Wales, constitute one of the offences listed in subsection (2).
- (2) Those offences are—
  - (a) murder,
  - (b) an offence under section 18 of the Offences against the <sup>M2</sup>Person Act 1861 (wounding with intent),
  - (c) an offence under section 23 or 24 of that Act (poison),
  - (d) an offence under section 28 or 29 of that Act (explosions), and
  - (e) an offence under section 1(2) of the <sup>M3</sup>Criminal Damage Act 1971 (endangering life by damaging property).
- (3) A person guilty of an offence under this section shall be liable to any penalty to which he would be liable on conviction of the offence listed in subsection (2) which corresponds to the act which he incites.
- (4) For the purposes of subsection (1) it is immaterial whether or not the person incited is in the United Kingdom at the time of the incitement.
- (5) Nothing in this section imposes criminal liability on any person acting on behalf of, or holding office under, the Crown.

#### Marginal Citations

**M2** 1861 c. 100.

**M3** 1971 c. 48.

#### 60 Northern Ireland. **N.I.**

- (1) A person commits an offence if—
  - (a) he incites another person to commit an act of terrorism wholly or partly outside the United Kingdom, and
  - (b) the act would, if committed in Northern Ireland, constitute one of the offences listed in subsection (2).
- (2) Those offences are—
  - (a) murder,
  - (b) an offence under section 18 of the Offences against the <sup>M4</sup>Person Act 1861 (wounding with intent),
  - (c) an offence under section 23 or 24 of that Act (poison),
  - (d) an offence under section 28 or 29 of that Act (explosions), and
  - (e) an offence under Article 3(2) of the <sup>M5</sup>Criminal Damage (Northern Ireland) Order 1977 (endangering life by damaging property).

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- (3) A person guilty of an offence under this section shall be liable to any penalty to which he would be liable on conviction of the offence listed in subsection (2) which corresponds to the act which he incites.
- (4) For the purposes of subsection (1) it is immaterial whether or not the person incited is in the United Kingdom at the time of the incitement.
- (5) Nothing in this section imposes criminal liability on any person acting on behalf of, or holding office under, the Crown.

#### Marginal Citations

- M4 1861 c. 100.  
M5 S.I. 1977/426 (N.I. 4).

## 61 Scotland. **S**

- (1) A person commits an offence if—
  - (a) he incites another person to commit an act of terrorism wholly or partly outside the United Kingdom, and
  - (b) the act would, if committed in Scotland, constitute one of the offences listed in subsection (2).
- (2) Those offences are—
  - (a) murder,
  - (b) assault to severe injury, and
  - (c) reckless conduct which causes actual injury.
- (3) A person guilty of an offence under this section shall be liable to any penalty to which he would be liable on conviction of the offence listed in subsection (2) which corresponds to the act which he incites.
- (4) For the purposes of subsection (1) it is immaterial whether or not the person incited is in the United Kingdom at the time of the incitement.
- (5) Nothing in this section imposes criminal liability on any person acting on behalf of, or holding office under, the Crown.

### *Terrorist bombing and finance offences*

## 62 Terrorist bombing: jurisdiction. **U.K.**

- (1) If—
  - (a) a person does anything outside the United Kingdom as an act of terrorism or for the purposes of terrorism, and
  - (b) his action would have constituted the commission of one of the offences listed in subsection (2) if it had been done in the United Kingdom,
 he shall be guilty of the offence.
- (2) The offences referred to in subsection (1)(b) are—

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- (a) an offence under section 2, 3 or 5 of the <sup>M6</sup>Explosive Substances Act 1883 (causing explosions, &c.),
- (b) an offence under section 1 of the <sup>M7</sup>Biological Weapons Act 1974 (biological weapons), and
- (c) an offence under section 2 of the <sup>M8</sup>Chemical Weapons Act 1996 (chemical weapons).

#### Marginal Citations

**M6** 1883 c. 3.

**M7** 1974 c. 6.

**M8** 1996 c. 6.

### 63 Terrorist finance: jurisdiction. **U.K.**

(1) If—

- (a) a person does anything outside the United Kingdom, and
  - (b) his action would have constituted the commission of an offence under any of sections 15 to 18 if it had been done in the United Kingdom,
- he shall be guilty of the offence.

(2) For the purposes of subsection (1)(b), section 18(1)(b) shall be read as if for “the jurisdiction” there were substituted “a jurisdiction”.

### 64 Extradition. **U.K.**

<sup>F6</sup> .....

#### Textual Amendments

**F6** S. 64 repealed (1.1.2004 subject to savings in the commencing S.I.) by [Extradition Act 2003 \(c. 41\)](#), ss. 219(1), 220, Sch. 3 para. 11, [Sch. 4](#); S.I. 2003/3103, [art. 2](#) (with arts. 3-5) (as amended by S.I. 2003/3312 and S.I. 2003/3258)

*<sup>F7</sup>Extra-territorial jurisdiction for other terrorist offences etc.*

#### Textual Amendments

**F7** Ss. 63A-63E and preceding cross-heading inserted (26.4.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\)](#), [s. 52](#); S.I. 2004/786, [art. 3](#)

### 63A Other terrorist offences under this Act: jurisdiction **U.K.**

(1) If—

- (a) a United Kingdom national or a United Kingdom resident does anything outside the United Kingdom, and
- (b) his action, if done in any part of the United Kingdom, would have constituted an offence under section 54 or any of sections 56 to 61,

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he shall be guilty in that part of the United Kingdom of the offence.

- (2) For the purposes of this section and sections 63B and 63C a “United Kingdom national” means an individual who is—
- (a) a British citizen, a British overseas territories citizen, a British National (Overseas) or a British Overseas citizen,
  - (b) a person who under the British Nationality Act 1981 is a British subject, or
  - (c) a British protected person within the meaning of that Act.
- (3) For the purposes of this section and sections 63B and 63C a “United Kingdom resident” means an individual who is resident in the United Kingdom.

### **63B Terrorist attacks abroad by UK nationals or residents: jurisdiction U.K.**

- (1) If—
- (a) a United Kingdom national or a United Kingdom resident does anything outside the United Kingdom as an act of terrorism or for the purposes of terrorism, and
  - (b) his action, if done in any part of the United Kingdom, would have constituted an offence listed in subsection (2),
- he shall be guilty in that part of the United Kingdom of the offence.

- (2) These are the offences—
- (a) murder, manslaughter, culpable homicide, rape, assault causing injury, assault to injury, kidnapping, abduction or false imprisonment,
  - (b) an offence under section 4, 16, 18, 20, 21, 22, 23, 24, 28, 29, 30 or 64 of the Offences against the Person Act 1861,
  - (c) an offence under any of sections 1 to 5 of the Forgery and Counterfeiting Act 1981,
  - (d) the uttering of a forged document or an offence under section 46A of the Criminal Law (Consolidation) (Scotland) Act 1995,
  - (e) an offence under section 1 or 2 of the Criminal Damage Act 1971,
  - (f) an offence under Article 3 or 4 of the Criminal Damage (Northern Ireland) Order 1977,
  - (g) malicious mischief,
  - (h) wilful fire-raising.

### **63C Terrorist attacks abroad on UK nationals, residents and diplomatic staff etc: jurisdiction U.K.**

- (1) If—
- (a) a person does anything outside the United Kingdom as an act of terrorism or for the purposes of terrorism,
  - (b) his action is done to, or in relation to, a United Kingdom national, a United Kingdom resident or a protected person, and
  - (c) his action, if done in any part of the United Kingdom, would have constituted an offence listed in subsection (2),
- he shall be guilty in that part of the United Kingdom of the offence.

- (2) These are the offences—



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- (a) murder, manslaughter, culpable homicide, rape, assault causing injury, assault to injury, kidnapping, abduction or false imprisonment,
  - (b) an offence under section 4, 16, 18, 20, 21, 22, 23, 24, 28, 29, 30 or 64 of the Offences against the Person Act 1861,
  - (c) an offence under section 1, 2, 3, 4 or 5(1) or (3) of the Forgery and Counterfeiting Act 1981,
  - (d) the uttering of a forged document or an offence under section 46A(1) of the Criminal Law (Consolidation) (Scotland) Act 1995.
- (3) For the purposes of this section and section 63D a person is a protected person if—
- (a) he is a member of a United Kingdom diplomatic mission within the meaning of Article 1(b) of the Vienna Convention on Diplomatic Relations signed in 1961 (as that Article has effect in the United Kingdom by virtue of section 2 of and Schedule 1 to the Diplomatic Privileges Act 1964),
  - (b) he is a member of a United Kingdom consular post within the meaning of Article 1(g) of the Vienna Convention on Consular Relations signed in 1963 (as that Article has effect in the United Kingdom by virtue of section 1 of and Schedule 1 to the Consular Relations Act 1968),
  - (c) he carries out any functions for the purposes of the European Agency for the Evaluation of Medicinal Products, or
  - (d) he carries out any functions for the purposes of a body specified in an order made by the Secretary of State.
- (4) The Secretary of State may specify a body under subsection (3)(d) only if—
- (a) it is established by or under the Treaty establishing the European Community or the Treaty on European Union, and
  - (b) the principal place in which its functions are carried out is a place in the United Kingdom.
- (5) If in any proceedings a question arises as to whether a person is or was a protected person, a certificate—
- (a) issued by or under the authority of the Secretary of State, and
  - (b) stating any fact relating to the question,
- is to be conclusive evidence of that fact.

### **63D Terrorist attacks or threats abroad in connection with UK diplomatic premises etc: jurisdiction U.K.**

- (1) If—
- (a) a person does anything outside the United Kingdom as an act of terrorism or for the purposes of terrorism,
  - (b) his action is done in connection with an attack on relevant premises or on a vehicle ordinarily used by a protected person,
  - (c) the attack is made when a protected person is on or in the premises or vehicle, and
  - (d) his action, if done in any part of the United Kingdom, would have constituted an offence listed in subsection (2),
- he shall be guilty in that part of the United Kingdom of the offence.
- (2) These are the offences—
- (a) an offence under section 1 of the Criminal Damage Act 1971,

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- (b) an offence under Article 3 of the Criminal Damage (Northern Ireland) Order 1977,
  - (c) malicious mischief,
  - (d) wilful fire-raising.
- (3) If—
- (a) a person does anything outside the United Kingdom as an act of terrorism or for the purposes of terrorism,
  - (b) his action consists of a threat of an attack on relevant premises or on a vehicle ordinarily used by a protected person,
  - (c) the attack is threatened to be made when a protected person is, or is likely to be, on or in the premises or vehicle, and
  - (d) his action, if done in any part of the United Kingdom, would have constituted an offence listed in subsection (4),
- he shall be guilty in that part of the United Kingdom of the offence.
- (4) These are the offences—
- (a) an offence under section 2 of the Criminal Damage Act 1971,
  - (b) an offence under Article 4 of the Criminal Damage (Northern Ireland) Order 1977,
  - (c) breach of the peace (in relation to Scotland only).
- (5) “Relevant premises” means—
- (a) premises at which a protected person resides or is staying, or
  - (b) premises which a protected person uses for the purpose of carrying out his functions as such a person.

### **63E Sections 63B to 63D: supplementary U.K.**

- (1) Proceedings for an offence which (disregarding the Acts listed in subsection (2)) would not be an offence apart from section 63B, 63C or 63D are not to be started—
- (a) in England and Wales, except by or with the consent of the Attorney General,
  - (b) in Northern Ireland, except by or with the consent of the Advocate General for Northern Ireland.
- (2) These are the Acts—
- (a) the Internationally Protected Persons Act 1978,
  - (b) the Suppression of Terrorism Act 1978,
  - (c) the Nuclear Material (Offences) Act 1983,
  - (d) the United Nations Personnel Act 1997.
- (3) For the purposes of sections 63C and 63D it is immaterial whether a person knows that another person is a United Kingdom national, a United Kingdom resident or a protected person.
- (4) In relation to any time before the coming into force of section 27(1) of the Justice (Northern Ireland) Act 2002, the reference in subsection (1)(b) to the Advocate General for Northern Ireland is to be read as a reference to the Attorney General for Northern Ireland.]

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