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Anti-terrorism, Crime and Security Act 2001

CHAPTER 24

ANTI-TERRORISM, CRIME AND SECURITY ACT 2001

PART 1

TERRORIST PROPERTY

- 1 Forfeiture of terrorist cash
- 2 Amendments relating to section 1
- 3 Terrorist property: amendments

PART 2

FREEZING ORDERS

Orders

- 4 Power to make order
- 5 Contents of order
- 6 Contents: further provisions
- 7 Review of order
- 8 Duration of order

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- 9 Nationals and residents

Orders: procedure etc.

- 10 Procedure for making freezing orders
- 11 Procedure for making certain amending orders

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- 12 Procedure for revoking orders
- 13 De-hybridisation
- 14 Orders: supplementary

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- 24 Bail
- 25 Certification: appeal
- 26 Certification: review
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- 30 Legal proceedings: derogation
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- 43 Transfers of biological agents and toxins
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- 46 Customs and Excise prosecutions for chemical weapons offences

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- 47 Use etc. of nuclear weapons
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- 49 Defences

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- 50 Assisting or inducing certain weapons-related acts overseas

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- 51 Extraterritorial application
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- 53 Revenue and Customs prosecutions
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- 56 Interpretation of Part 6

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- 59 Duty to notify Secretary of State before keeping or using dangerous substances
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- 72 Giving of directions or notices
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- 74 Interpretation of Part 7
- 75 Power to extend Part 7 to animal or plant pathogens, pests or toxic chemicals

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- 76 Atomic Energy Authority special constables
- 77 Regulation of security of civil nuclear industry
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- 79 Prohibition of disclosures relating to nuclear security
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- 81 Part 8: supplementary

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- 82 Arrest without warrant
- 83 Trespass on aerodrome: penalty
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- 90 Searches, examinations and fingerprinting: England and Wales
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- 96 Power to stop and search in anticipation of violence
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MoD and transport police

- 98 Jurisdiction of MoD police
- 99 Provision of assistance by MoD police
- 100 Jurisdiction of transport police
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- 102 Codes and agreements about the retention of communications data
- 103 Procedure for codes of practice
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- 107 Interpretation of Part 11

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- 108 Bribery and corruption: foreign officers etc.
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Third pillar of the European Union

- 111 Implementation of the third pillar
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- 113 Use of noxious substances or things to cause harm and intimidate
- 113A Application of section 113
- 113B Consent to prosecution for offence under section 113
- 114 Hoaxes involving noxious substances or things
- 115 Sections 113 and 114: supplementary

Intelligence Services Act 1994

- 116 Amendments of Intelligence Services Act 1994

Terrorism Act 2000

- 117 Information about acts of terrorism
- 118 Port and airport controls for domestic travel
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- 122 Review of Act
- 123 Effect of report
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- 128 Extent
129 Short title

SCHEDULES

SCHEDULE 1 — FORFEITURE OF TERRORIST CASH PART 1 — INTRODUCTORY

Terrorist cash

- 1 (1) This Schedule applies to cash (“terrorist cash”) which—
PART 2 — SEIZURE AND DETENTION

Seizure of cash

- 2 (1) An authorised officer may seize any cash if he...

Detention of seized cash

- 3 (1) While the authorised officer continues to have reasonable grounds...

Payment of detained cash into an account

- 4 (1) If cash is detained under this Schedule for more...

Release of detained cash

- 5 (1) This paragraph applies while any cash is detained under...
PART 3 — FORFEITURE

Forfeiture

- 6 (1) While cash is detained under this Schedule, an application...

Appeal against forfeiture

- 7 (1) Any party to proceedings in which an order is...

Application of forfeited cash

- 8 (1) Cash forfeited under this Schedule, and any accrued interest...
PART 4 — MISCELLANEOUS

Victims

- 9 (1) A person who claims that any cash detained under...

Compensation

- 10 (1) If no forfeiture order is made in respect of...
PART 5 — PROPERTY EARMARKED AS TERRORIST PROPERTY

Property obtained through terrorism

- 11 (1) A person obtains property through terrorism if he obtains...

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Property earmarked as terrorist property

- 12 (1) Property obtained through terrorism is earmarked as terrorist property....

Tracing property

- 13 (1) Where property obtained through terrorism (“the original property”) is...

Mixing property

- 14 (1) Sub-paragraph (2) applies if a person’s property which is...

Accruing profits

- 15 (1) This paragraph applies where a person who has property...

General exceptions

- 16 (1) If— (a) a person disposes of property earmarked as...
PART 6 — INTERPRETATION

Property

- 17 (1) Property is all property wherever situated and includes—

Obtaining and disposing of property

- 18 (1) References to a person disposing of his property include...

General interpretation

- 19 (1) In this Schedule— “authorised officer” means a constable, a...

SCHEDULE 2 — TERRORIST PROPERTY: AMENDMENTS

PART 1 — ACCOUNT MONITORING ORDERS

- 1 (1) The Terrorism Act 2000 is amended as follows.

PART 2 — RESTRAINT ORDERS

- 2 (1) Part 1 of Schedule 4 to the Terrorism Act...

- 3 (1) Part 2 of Schedule 4 to the Terrorism Act...

- 4 (1) Part 3 of Schedule 4 to the Terrorism Act...

PART 3 — DISCLOSURE OF INFORMATION

- 5 (1) The Terrorism Act 2000 (c. 11) is amended as...

PART 4 — FINANCIAL INFORMATION ORDERS

- 6 (1) Paragraph 1 of Schedule 6 to the Terrorism Act...

SCHEDULE 3 — FREEZING ORDERS

Interpretation

- 1 References in this Schedule to a person specified in a...

Funds

- 2 A freezing order may include provision that funds include gold,...

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Making funds available

- 3 (1) A freezing order must include provision as to the...

Licences

- 4 (1) A freezing order must include— (a) provision for the...

Information and documents

- 5 (1) A freezing order may include provision that a person—...

Disclosure of information

- 6 (1) A freezing order may include provision requiring a person...

Offences

- 7 (1) A freezing order may include any of the provisions...

Offences: procedure

- 8 (1) A freezing order may include any of the provisions...

Offences by bodies corporate etc.

- 9 (1) A freezing order may include any of the provisions...

Compensation

- 10 (1) A freezing order may include provision for the award...

Treasury's duty to give reasons

- 11 A freezing order must include provision that if—

SCHEDULE 4 — EXTENSION OF EXISTING DISCLOSURE POWERS

PART 1 — ENACTMENTS TO WHICH SECTION 17 APPLIES

Agricultural Marketing Act 1958 (c. 47)

- 1 Section 47(2) of the Agricultural Marketing Act 1958.

Harbours Act 1964 (c. 40)

- 2 Section 46(1) of the Harbours Act 1964.

Cereals Marketing Act 1965 (c. 14)

- 3 Section 17(2) of the Cereals Marketing Act 1965.

Agriculture Act 1967 (c. 22)

- 4 Section 24(1) of the Agriculture Act 1967.

Trade Descriptions Act 1968 (c. 29)

- 5 Section 28(5A) of the Trade Descriptions Act 1968.

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Sea Fish Industry Act 1970 (c. 11)

6 Section 14(2) of the Sea Fish Industry Act 1970.

National Savings Bank Act 1971 (c. 29)

7 Section 12(2) of the National Savings Bank Act 1971.

Employment Agencies Act 1973 (c. 35)

8 Section 9(4) of the Employment Agencies Act 1973.

Fair Trading Act 1973 (c. 41)

9 Section 133(3) of the Fair Trading Act 1973 so far...

Prices Act 1974 (c. 24)

10 Paragraph 12(2) of the Schedule to the Prices Act 1974....

Consumer Credit Act 1974 (c. 39)

11 Section 174(3) of the Consumer Credit Act 1974.

Health and Safety at Work etc. Act 1974 (c. 37)

12 Section 28(7) of the Health and Safety at Work etc....

Sex Discrimination Act 1975 (c. 65)

13 Section 61(1) of the Sex Discrimination Act 1975.

Race Relations Act 1976 (c. 74)

14 Section 52(1) of the Race Relations Act 1976.

Energy Act 1976 (c. 76)

15 Paragraph 7 of Schedule 2 to the Energy Act 1976....

National Health Service Act 1977 (c. 49)

16 Paragraph 5 of Schedule 11 to the National Health Service...

Estate Agents Act 1979 (c. 38)

17 Section 10(3) of the Estate Agents Act 1979.

Public Passenger Vehicles Act 1981 (c. 14)

18 Section 54(8) of the Public Passenger Vehicles Act 1981.

Fisheries Act 1981 (c. 29)

19 Section 12(2) of the Fisheries Act 1981.

Merchant Shipping (Liner Conferences) Act 1982 (c. 37)

20 Section 10(2) of the Merchant Shipping (Liner Conferences) Act 1982....

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Civil Aviation Act 1982 (c. 16)

21 Section 23(4) of the Civil Aviation Act 1982.

Diseases of Fish Act 1983 (c. 30)

22 Section 9(1) of the Diseases of Fish Act 1983.

Telecommunications Act 1984 (c. 12)

23 Section 101(2) of the Telecommunications Act 1984.

Companies Act 1985 (c. 6)

24 Section 449 of the Companies Act 1985.

Airports Act 1986 (c. 31)

25 Section 74(2) of the Airports Act 1986.

Legal Aid (Scotland) Act 1986 (c. 47)

26 Section 34(2) of the Legal Aid (Scotland) Act 1986.

Consumer Protection Act 1987 (c. 43)

27 Section 38(2) of the Consumer Protection Act 1987.

Companies Act 1989 (c. 40)

28 Section 87(1) of the Companies Act 1989.

Broadcasting Act 1990 (c. 42)

29 Section 197(2) of the Broadcasting Act 1990.

Property Misdescriptions Act 1991 (c. 29)

30 Paragraph 7(1) of the Schedule to the Property Misdescriptions Act...

Water Industry Act 1991 (c. 56)

31 Section 206(3) of the Water Industry Act 1991.

Water Resources Act 1991 (c. 57)

32 Section 204(2) of the Water Resources Act 1991.

Timeshare Act 1992 (c. 35)

33 Paragraph 5(1) of Schedule 2 to the Timeshare Act 1992....

Railways Act 1993 (c. 43)

34 Section 145(2) of the Railways Act 1993.

Coal Industry Act 1994 (c. 21)

35 Section 59(2) of the Coal Industry Act 1994.

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Shipping and Trading Interests (Protection) Act 1995 (c. 22)

36 Section 3(4) of the Shipping and Trading Interests (Protection) Act...

Pensions Act 1995 (c. 26)

37 (1) Section 105(2) of the Pensions Act 1995.

Goods Vehicles (Licensing of Operators) Act 1995 (c. 23)

38 Section 35(4) of the Goods Vehicles (Licensing of Operators) Act...

Chemical Weapons Act 1996 (c. 6)

39 Section 32(2) of the Chemical Weapons Act 1996.

Bank of England Act 1998 (c. 11)

40 (1) Paragraph 5 of Schedule 7 to the Bank of...

Audit Commission Act 1998 (c. 18)

41 Section 49(1) of the Audit Commission Act 1998.

Data Protection Act 1998 (c. 29)

42 Section 59(1) of the Data Protection Act 1998.

Police (Northern Ireland) Act 1998 (c. 32)

43 Section 63(1) of the Police (Northern Ireland) Act 1998.

Landmines Act 1998 (c. 33)

44 Section 19(2) of the Landmines Act 1998.

Health Act 1999 (c. 8)

45 Section 24 of the Health Act 1999.

Disability Rights Commission Act 1999 (c. 17)

46 Paragraph 22(2)(f) of Schedule 3 to the Disability Rights Commission...

Access to Justice Act 1999 (c. 22)

47 Section 20(2) of the Access to Justice Act 1999.

Nuclear Safeguards Act 2000 (c. 5)

48 Section 6(2) of the Nuclear Safeguards Act 2000.

Finance Act 2000 (c. 21)

49 Paragraph 34(3) of Schedule 22 to the Finance Act 2000....

Local Government Act 2000 (c. 22)

50 Section 63(1) of the Local Government Act 2000.

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Postal Services Act 2000 (c. 26)

- 51 Paragraph 3(1) of Schedule 7 to the Postal Services Act...

Utilities Act 2000 (c. 27)

- 52 Section 105(4) of the Utilities Act 2000.

Transport Act 2000 (c. 38)

- 53 (1) Section 143(5)(b) of the Transport Act 2000.
53A Paragraph 8(1) of Schedule 5 to the Health and Social...
53C Paragraph 5 of Schedule 22 to the National Health Service...

Equality Act 2006

- 53B Section 6 of the Equality Act 2006.
PART 2 — NORTHERN IRELAND LEGISLATION TO WHICH SECTION 17
APPLIES

Transport Act (Northern Ireland) 1967 (c. 37 (N.I.))

- 54 Section 36(1) of the Transport Act (Northern Ireland) 1967.

Sex Discrimination (Northern Ireland) Order 1976 (S.I. 1976/1042 (N.I. 15))

- 55 Article 61(1) of the Sex Discrimination (Northern Ireland) Order
1976....

Health and Safety at Work (Northern Ireland) Order 1978 (S.I. 1978/1039 (N.I. 9))

- 56 Article 30(6) of the Health and Safety at Work (Northern...
57 Article 24(1) of the Legal Aid, Advice and Assistance (Northern...

Agricultural Marketing (Northern Ireland) Order 1982 (S.I. 1982/1080 (N.I. 12))

- 58 Article 29(3) of the Agricultural Marketing (Northern Ireland) Order
1982....

Companies (Northern Ireland) Order 1986 (S.I. 1986/1032 (N.I. 6))

- 59 Article 442(1) of the Companies (Northern Ireland) Order 1986.

Consumer Protection (Northern Ireland) Order 1987 (S.I. 1987 (N.I. 20))

- 60 Article 29(2) of the Consumer Protection (Northern Ireland) Order
1987....

Electricity (Northern Ireland) Order 1992 (S.I. 1992/231 (N.I. 1))

- 61 Article 61(2) of the Electricity (Northern Ireland) Order 1992.

Airports (Northern Ireland) Order 1994 (S.I. 1994/426 (N.I. 1))

- 62 Article 49(2) of the Airports (Northern Ireland) Order 1994.

Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22))

- 63 (1) Article 103(2) of the Pensions (Northern Ireland) Order 1995....

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Gas (Northern Ireland) Order 1996 (S.I. 1996/275 (N.I. 2))

64 Article 44(3) of the Gas (Northern Ireland) Order 1996.

Race Relations (Northern Ireland) Order 1997 (S.I. 1997/869 (N.I. 6))

65 Article 50(1) of the Race Relations (Northern Ireland) Order 1997....

Fair Employment and Treatment (Northern Ireland) Order 1998 (S.I. 1998/3162 (N.I. 21))

66 Article 18(1) of the Fair Employment and Treatment (Northern Ireland)...

SCHEDULE 5 — PATHOGENS AND TOXINS

VIRUSES

Chikungunya virus Congo-crimean haemorrhagic fever virus Dengue fever virus Eastern...

RICKETTSIAE

Bartonella quintana (Rochalimea quintana, Rickettsia quintana) Coxiella burnetii Rickettsia prowazeki...

BACTERIA

Bacillus anthracis Brucella abortus Brucella melitensis Brucella suis Burkholderia mallei...

FUNGI

Cladophialophora bantiana Cryptococcus neoformans.

TOXINS

Aflatoxins Botulinum toxins Clostridium perfringens toxins Conotoxin Microcystin (Cyanginosin) Ricin...

— NOTES

- 1 Any reference in this Schedule to a micro-organism includes -...
- 2 Any reference in this Schedule to a toxin includes -...
- 3 Any reference in this Schedule to a toxin includes subunits...

SCHEDULE 6 — THE PATHOGENS ACCESS APPEAL COMMISSION

Constitution and administration

- 1 (1) The Commission shall consist of members appointed by the...
- 2 The Lord Chancellor may appoint officers and servants for the...
- 3 The Lord Chancellor— (a) may pay sums by way of...

Procedure

- 4 (1) The Commission shall sit at such times and in...
- 5 (1) The Lord Chancellor may make rules—
- 6 (1) The relevant law officer may appoint a person to...

SCHEDULE 7 — TRANSPORT POLICE AND MOD POLICE: FURTHER PROVISIONS

Police (Scotland) Act 1967 (c. 77)

- 1 The Police (Scotland) Act 1967 has effect subject to the...
- 2 (1) Section 11 (aid of one police force by another)...
- 3 (1) Section 12 (collaboration agreements) is amended as follows.
- 4 (1) Section 17 (general functions and jurisdiction of constables) is...
- 5 (1) Section 42 (causing disaffection) is amended as follows.

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- 6 (1) Section 43 (impersonation etc.) is amended as follows.
7 In section 51 (interpretation), after the definition of “amalgamation scheme”...

Firearms Act 1968 (c. 27)

- 8 The Firearms Act 1968 has effect subject to the following...
9 In section 54 (Crown servants etc.), after subsection (3) insert—...
10 In section 57(4), after the definition of “Article 7 authority”...

Police and Criminal Evidence Act 1984 (c. 60)

- 11 The Police and Criminal Evidence Act 1984 has effect subject...
12 In section 35 (designated police stations), after subsection (2) insert—...
13 (1) Section 36 (custody officers at designated police stations) is...
14 In section 118(1), after the definition of “arrestable offence” insert—...

Criminal Justice and Public Order Act 1994 (c. 33)

- 15 The Criminal Justice and Public Order Act 1994 has effect...
16 (1) Section 60 (powers to stop and search) is amended...
17 In section 136(1) and (2) (cross-border enforcement: execution of warrants),...
18 In section 137 (cross-border powers of arrest), after subsection (2)...
19 In section 140 (reciprocal powers of arrest), after subsection (6)...

Police Act 1996 (c. 16)

- 20 The Police Act 1996 has effect subject to the following...
21 In section 23 (collaboration agreements between police forces), after subsection...
22 In section 24 (aid of one police force by another),...
23 In section 25 (provision of special services), after subsection (1)...
24 In section 30 (jurisdiction of constables), after subsection (3) insert—...
25 In section 90(4) (impersonation etc.), before the word “and” at...
26 In section 91(2) (causing disaffection), after “applies to” insert “...
27 In section 101(1), before the definition of “chief officer of...
28 In section 105(2) (extent), after the entry relating to section...

Terrorism Act 2000 (c. 11)

- 29 The Terrorism Act 2000 has effect subject to the following...
30 (1) Section 34 (power of superintendent for police area to...
31 In section 44 (power to authorise stopping and searching), after...
32 In section 121— (a) after the definition of “article” insert—...
33 In section 122— (a) after the entry relating to the...

- SCHEDULE 8 — REPEALS AND REVOCATION
PART 1 — TERRORIST PROPERTY
PART 2 — FREEZING ORDERS
PART 3 — IMMIGRATION AND ASYLUM
PART 4 — RACE AND RELIGION
PART 5 — CIVIL NUCLEAR SECURITY
PART 6 — POLICE POWERS
PART 7 — MISCELLANEOUS

Status:

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