



Terrorism Act 2006

2006 CHAPTER 11

PART 1

OFFENCES

Offences involving radioactive devices and materials and nuclear facilities and sites

9 Making and possession of devices or materials

- (1) A person commits an offence if—
 - (a) he makes or has in his possession a radioactive device, or
 - (b) he has in his possession radioactive material,with the intention of using the device or material in the course of or in connection with the commission or preparation of an act of terrorism or for the purposes of terrorism, or of making it available to be so used.
- (2) It is irrelevant for the purposes of subsection (1) whether the act of terrorism to which an intention relates is a particular act of terrorism, an act of terrorism of a particular description or an act of terrorism generally.
- (3) A person guilty of an offence under this section shall be liable, on conviction on indictment, to imprisonment for life.
- (4) In this section—
 - “radioactive device” means—
 - (a) a nuclear weapon or other nuclear explosive device;
 - (b) a radioactive material dispersal device;
 - (c) a radiation-emitting device;
 - “radioactive material” means nuclear material or any other radioactive substance which—
 - (a) contains nuclides that undergo spontaneous disintegration in a process accompanied by the emission of one or more types of ionising radiation,

Status: This is the original version (as it was originally enacted).

such as alpha radiation, beta radiation, neutron particles or gamma rays;
and

- (b) is capable, owing to its radiological or fissile properties, of—
 - (i) causing serious bodily injury to a person;
 - (ii) causing serious damage to property;
 - (iii) endangering a person’s life; or
 - (iv) creating a serious risk to the health or safety of the public.

(5) In subsection (4)—

“device” includes any of the following, whether or not fixed to land, namely, machinery, equipment, appliances, tanks, containers, pipes and conduits;

“nuclear material” has the same meaning as in the Nuclear Material (Offences) Act 1983 (c. 18) (see section 6 of that Act).