



# Counter-Terrorism Act 2008

## CHAPTER 28

### COUNTER-TERRORISM ACT 2008

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*Status: Point in time view as at 31/10/2016.*

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91 Appointment of special advocates in Northern Ireland

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#### *Anti-terrorism, Crime and Security Act 2001 (c. 24)*

- 1 In section 19(2) of the Anti-terrorism, Crime and Security Act...

#### *Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341)*

- 2 (1) The Representation of the People (England and Wales) Regulations...

#### *Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497)*

- 3 (1) The Representation of the People (Scotland) Regulations 2001 are...

#### *Immigration, Asylum and Nationality Act 2006 (c. 13)*

- 4 In the Immigration, Asylum and Nationality Act 2006, omit section...

#### *Statistics and Registration Service Act 2007 (c. 18)*

- 5 In the Statistics and Registration Service Act 2007, omit—

### SCHEDULE 2 — Offences where terrorist connection to be considered

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Murder. Manslaughter. Culpable homicide. Kidnapping. Abduction.

#### *Statutory offences*

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 An offence under any of the following sections of the...  
 An offence under section 1 of the Biological Weapons Act...  
 An offence under section 1 of the Taking of Hostages...  
 An offence under any of the following sections of the...  
 An offence under any of the following sections of the...  
 An offence under any of the following sections of the...  
 An offence under Part 2 of the Channel Tunnel (Security)...  
 An offence under any of the following sections of the...  
 An offence under any of the following sections of the...

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Any ancillary offence in relation to an offence specified in...

### SCHEDULE 3 — Forfeiture: consequential amendments

#### *Proceeds of Crime (Northern Ireland) Order 1996 (S.I. 1996/1299 (N.I. 9))*

- 1 In Article 5(3) of the Proceeds of Crime (Northern Ireland)...

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### *Terrorism Act 2000 (c. 11)*

- 2 In section 54 of the Terrorism Act 2000, omit subsections...
- 3 In section 58 of that Act, omit subsections (5) to...
- 4 In section 119(1) of that Act for “sections 15 to...
- 5 (1) Schedule 4 to that Act is amended as follows....
- 6 In Schedule 8 to that Act, in paragraphs 8(4)(d), 17(3)(c)...

### *Proceeds of Crime Act 2002 (c. 29)*

- 7 (1) The Proceeds of Crime Act 2002 is amended as...

## SCHEDULE 4 — Notification orders

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- 1 A “notification order” is an order applying the notification requirements...

### *Corresponding foreign offences*

- 2 (1) A “corresponding foreign offence” means an act that—

### *Conditions for making a notification order*

- 3 (1) The conditions for making a notification order in respect...

### *Application for notification order*

- 4 (1) In England and Wales an application for a notification...
- 5 (1) In Scotland an application for a notification order in...
- 6 (1) In Northern Ireland an application for a notification order...

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- 7 The effect of a notification order is that the notification...

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- 8 The provisions of this Part have effect with the following...

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### *Introductory*

- 1 A foreign travel restriction order is an order prohibiting the...

### *Conditions for making a foreign travel restriction order*

- 2 (1) The conditions for making a foreign travel restriction order...

### *Application for foreign travel restriction order*

- 3 (1) In England and Wales an application for a foreign...
- 4 (1) In Scotland an application for a foreign travel restriction...
- 5 (1) In Northern Ireland an application for a foreign travel...

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*Provisions of a foreign travel restriction order*

- 6 (1) A foreign travel restriction order may prohibit the person...

*Duration of foreign travel restriction order*

- 7 (1) A foreign travel restriction order has effect for a...

*Variation, renewal or discharge of order*

- 8 (1) In England and Wales an application for an order...  
9 (1) In Scotland an application for an order varying, renewing...  
10 (1) In Northern Ireland an application for an order varying,...

*Provisions of renewed or varied order*

- 11 (1) A foreign travel restriction order may be renewed, or...

*Appeals*

- 12 (1) In England and Wales— (a) a person against whom...  
13 (1) In Scotland an interlocutor of the sheriff granting or...  
14 (1) In Northern Ireland— (a) a person against whom a...

*Breach of foreign travel restriction order an offence*

- 15 (1) A person commits an offence who, without reasonable excuse—...

*Meaning of “terrorism activity”*

- 16 In this Schedule “terrorism activity” means anything that—

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*Service offences to which this Part applies: terrorism offences*

- 1 This Part applies to a service offence as respects which...

*Service offences to which this Part applies: offences having a terrorist connection*

- 2 (1) This Part applies to a service offence as to...

*Service offences dealt with before commencement*

- 3 (1) This Part applies to a person dealt with for...

*Service offences: persons to whom notification requirements apply*

- 4 The notification requirements apply to a person who—

*Service offences: sentences or orders triggering notification requirements*

- 5 (1) The notification requirements apply to a person who—

*Service offences: power to amend specified terms or periods of imprisonment or detention*

- 6 (1) The Secretary of State may by order amend the...



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*Service offences: period for which notification requirements apply*

- 7 (1) The period for which the notification requirements apply is—...

*Modifications in relation to service offences etc*

- 8 (1) In the following provisions, references to a person committed...  
9 In the application of section 47(6) (initial notification: person dealt...  
10 Where in relation to a service offence the court of...  
11 References in this Part to a sentence of detention do...  
12 The following provisions do not apply in relation to service...

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*Main definitions*

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*Persons to whom a direction may be given*

- 3 (1) A direction under this Schedule may be given to—...

*Persons operating in the financial sector*

- 4 (1) Any reference in this Schedule to a person operating...

*Meaning of “credit institution” and “financial institution”*

- 5 (1) “Credit institution” means a credit institution, as defined in...

*Exceptions*

- 6 (1) For the purposes of this Schedule the following are...

*Interpretation of this Part*

- 7 In this Part of this Schedule— “the banking consolidation...

*Power to amend*

- 8 (1) The Treasury may by order amend paragraphs 4 to...  
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*Requirements that may be imposed by a direction*

- 9 (1) A direction under this Schedule may impose requirements in...

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*Customer due diligence*

- 10 (1) A direction may require a relevant person to undertake...

*Ongoing monitoring*

- 11 (1) A direction may require a relevant person to undertake...

*Systematic reporting*

- 12 (1) A direction may require a relevant person to provide...

*Limiting or ceasing business*

- 13 A direction may require a relevant person not to enter...  
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*Specific directions: notification and duration of directions*

- 15 (1) This paragraph applies in relation to a direction given...

*General directions: publication and duration of directions*

- 16 (1) This paragraph applies to an order containing directions under...

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- 17 (1) The following provisions apply where a direction contains requirements...  
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*Power to require information or documents*

- 19 (1) An enforcement officer may by notice to a relevant...

*Entry, inspection without a warrant etc*

- 20 (1) Where an enforcement officer has reasonable cause to believe...

*Entry to premises under warrant*

- 21 (1) A justice may issue a warrant under this paragraph...

*Restrictions on powers*

- 22 (1) This paragraph applies in relation to the powers conferred...

*Failure to comply with information requirement*

- 23 (1) If on an application made by—

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- 25 (1) An enforcement authority may impose a penalty of such...  
25A (1) An enforcement authority may impose a penalty of such...

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- 26 (1) This paragraph applies where HMRC decide to impose a...

*Offer of review*

- 26A (1) HMRC must offer a person (P) a review of...

*Review by HMRC*

- 26B (1) HMRC must review a decision if—

*Extensions of time*

- 26C (1) If under paragraph 26A, HMRC have offered P a...

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- 26D (1) This paragraph applies if— (a) HMRC have offered a...

*Nature of review etc*

- 26E (1) This paragraph applies if HMRC are required to undertake...

*Bringing of appeals against decisions of HMRC*

- 26F (1) An appeal under paragraph 26 is to be made...

*Imposition of penalty by other enforcement authority: procedure*

- 27 (1) This paragraph applies if the FCA or the OFT...

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- 28 (1) A person may appeal to the tribunal against—

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- 29 (1) A penalty imposed under paragraph 25 or 25A is...  
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- 30 (1) A person who fails to comply with a requirement...

*Offences: relevant person circumventing requirements*

- 30A (1) A relevant person who intentionally participates in activities knowing...

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*Offences in connection with licences*

- 31 (1) A person commits an offence who for the purpose...

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- 32 (1) An offence under this Schedule may be committed by...

*Prosecution of offences*

- 33 (1) Proceedings for an offence under this Schedule may be...

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- 34 Where an offence under this Schedule is committed outside the...

*Time limit for summary proceedings*

- 35 (1) An information relating to an offence under this Schedule...

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- 36 (1) If an offence under this Schedule committed by a...

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- 37 (1) Proceedings for an offence under this Schedule alleged to...

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*Supervision by supervisory authority*

- 39 (1) A supervisory authority must take appropriate measures to monitor...

*Assistance in preparing guidance*

- 40 The Treasury must provide such assistance as may reasonably be...

*Functions of Financial Conduct Authority*

- 41 (1) The functions of the FSA under this Schedule shall...

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- 42 (1) A notice under this Schedule may be given to...

*Crown application*

- 43 (1) This Schedule binds the Crown, subject as follows.

*Meaning of “United Kingdom person”*

- 44 (1) In this Schedule “United Kingdom person” means a United...

*Interpretation*

- 45 (1) In this Schedule— “authorised person” means a person who...

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SCHEDULE 9 — Repeals and revocations

Part 1 — RETENTION AND USE OF FINGERPRINTS AND SAMPLES

Part 2 — DISCLOSURE OF INFORMATION AND THE INTELLIGENCE SERVICES

Part 3 — FORFEITURE

Part 4 — FINANCIAL RESTRICTIONS PROCEEDINGS

Part 5 — CONTROL ORDERS

Part 6 — PRE-CHARGE DETENTION

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