



Counter-Terrorism Act 2008

CHAPTER 28

COUNTER-TERRORISM ACT 2008

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SCHEDULES

SCHEDULE 1 — Disclosure and the intelligence services: consequential amendments

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 1A — Offences where terrorist connection not required to be considered

Terrorism Act 2000

- 1 An offence under any of the following provisions of the...

Anti-terrorism, Crime and Security Act 2001

- 2 An offence under section 113 of the Anti-terrorism, Crime and...

Terrorism Act 2006

- 3 An offence under any of the following provisions of the...

Counter-Terrorism Act 2008

- 4 An offence under section 54 of the Counter-Terrorism Act 2008...

Terrorism Prevention and Investigation Measures 2011

- 5 An offence under section 23 of the Terrorism Prevention and...

Counter-Terrorism and Security Act 2015

- 6 An offence under section 10 of the Counter-Terrorism and Security...

Ancillary offences

- 7 An ancillary offence in relation to an offence specified in...

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SCHEDULE 2 — Offences committed before the commencement of section 1 of the Counter-Terrorism and Sentencing Act 2021 where terrorist connection to be considered

Common law offences

Murder. Manslaughter. Culpable homicide. Kidnapping. Abduction. Assault by explosive device...

Statutory offences

An offence under any of the following sections of the...
An offence under any of the following sections of the...
An offence under section 20 of the Theft Act (Northern...
An offence under section 1 of the Protection 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 Article 6 of the Protection from Harassment...
An offence under any of the following sections of the...
An offence under any of the following paragraphs of Schedule...
An offence under any of the following provisions of the...

Ancillary offences

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)...

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 3A — Notification requirements: financial information and information about identification documents

Financial information

1 (1) The financial information referred to in section 47(2)(gb) that...

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Information about identification documents

- 2 The information about identification documents referred to in section 47(2)(gc)...

SCHEDULE 4 — Notification orders

Introductory

- 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...

Effect of notification order

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

Adaptation of provisions of this Part in relation to foreign proceedings

- 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...

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...

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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—

SCHEDULE 6 — Notification requirements: application to service offences

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...

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...

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- 11 References in this Part to a sentence of detention do...
12 The following provisions do not apply in relation to service...

Application of power to make transitional modifications etc

- 13 An order under subsection (4) of section 380 of the...

SCHEDULE 7 — Terrorist financing and money laundering
Part 1 — CONDITIONS FOR GIVING A DIRECTION

Conditions for giving a direction

- 1 (1) The Treasury may give a direction under this Schedule...

Main definitions

- 2 (1) “Terrorist financing” means— (a) the use of funds, or...
Part 2 — PERSONS TO WHOM A DIRECTION MAY BE GIVEN

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 capital requirements...

Power to amend

- 8 (1) The Treasury may by order amend paragraphs 4 to...
Part 3 — REQUIREMENTS THAT MAY BE IMPOSED BY A DIRECTION

Requirements that may be imposed by a direction

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

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...

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Limiting or ceasing business

- 13 A direction may require a relevant person not to enter...
Part 4 — PROCEDURAL PROVISIONS AND LICENSING

General directions to be given by order

- 14 (1) A direction given to— (a) a description of persons...

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...

Directions limiting or ceasing business: exemption by licence

- 17 (1) The following provisions apply where a direction contains requirements...

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Enforcement authorities and officers

- 18 (1) In this Schedule “enforcement authority” means—

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—

Powers of local enforcement officers

- 24 (1) A local enforcement officer may only exercise powers under...
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Power to impose civil penalties

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

Imposition of penalty by HMRC: procedure ...

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

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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...

Review out of time

- 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 ... (“the authority”)...

Appeal against imposition of civil penalty other than by HMRC

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

Payment and recovery of civil penalties

- 29 (1) A penalty imposed under paragraph 25 or 25A is...

Part 7 — ENFORCEMENT: OFFENCES

Offences: failure to comply with requirement imposed by direction

- 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...

Offences in connection with licences

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

Extra-territorial application of offences

- 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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Jurisdiction to try offences

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...

Liability of officers of bodies corporate etc

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

Proceedings against unincorporated bodies

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

38 (1) As soon as reasonably practicable after the end of...

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...

Notices

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...

Index of defined expressions

46 In this Schedule the following expressions are defined or otherwise...

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- 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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