



Terrorism Prevention and Investigation Measures Act 2011

CHAPTER 23

TERRORISM PREVENTION AND INVESTIGATION MEASURES ACT 2011

New regime to protect the public from terrorism

- 1 Abolition of control orders
- 2 Imposition of terrorism prevention and investigation measures
- 3 Conditions A to E
- 4 Involvement in terrorism-related activity

Two year limit on imposition of measures without new terrorism-related activity

- 5 Two year limit for TPIM notices

Court scrutiny of imposition of measures

- 6 Prior permission of the court
- 7 Urgent cases: reference to the court etc
- 8 Directions hearing
- 9 Review hearing

Consultation requirements

- 10 Criminal investigations into terrorism-related activity

Review of ongoing necessity

- 11 Review of ongoing necessity

Status: Point in time view as at 15/12/2011.

Changes to legislation: There are currently no known outstanding effects for the Terrorism Prevention and Investigation Measures Act 2011. (See end of Document for details)

Changes concerning TPIM notices

- 12 Variation of measures
- 13 Revocation and revival of TPIM notices
- 14 Replacement of TPIM notice that is quashed etc
- 15 Other provision relating to the quashing of TPIM notices etc

Appeals and court proceedings

- 16 Appeals
- 17 Jurisdiction in relation to decisions under this Act
- 18 Proceedings relating to measures

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- 19 Reports on exercise of powers under Act
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- 26 Temporary power for imposition of enhanced measures
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SCHEDULES

SCHEDULE 1 — Terrorism prevention and investigation measures
Part 1 — MEASURES

Overnight residence measure

- 1 (1) The Secretary of State may impose restrictions on the...

Travel measure

- 2 (1) The Secretary of State may impose restrictions on the...

Exclusion measure

- 3 (1) The Secretary of State may impose restrictions on the...

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Movement directions measure

4 (1) The Secretary of State may impose a requirement for...

Financial services measure

5 (1) The Secretary of State may impose restrictions on the...

Property measure

6 (1) The Secretary of State may impose either or both...

Electronic communication device measure

7 (1) The Secretary of State may impose either or both...

Association measure

8 (1) The Secretary of State may impose restrictions on the...

Work or studies measure

9 (1) The Secretary of State may impose restrictions on the...

Reporting measure

10 (1) The Secretary of State may impose a requirement for...

Photography measure

11 The Secretary of State may impose a requirement for the...

Monitoring measure

12 (1) The Secretary of State may impose requirements for the...

Part 2 — PERMISSION AND NOTICES

Permission

13 (1) Any application by an individual for permission must be...

Notices

14 (1) This paragraph applies for the purposes of any notice...

Power of Secretary of State to vary or revoke notices

15 The Secretary of State may vary or revoke a notice...

SCHEDULE 2 — Urgent cases: reference to the court etc

Application

1 This Schedule applies if the Secretary of State—

Statement of urgency

2 The TPIM notice must include a statement that the Secretary...

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- 3 (1) Immediately after serving the TPIM notice, the Secretary of...

Decision by court

- 4 (1) In a case where the court determines that a...

Procedures on reference

- 5 (1) In determining a reference under paragraph 3, the court...

Interpretation

- 6 (1) References in this Schedule to the urgency condition being...

SCHEDULE 3 — Appeals against convictions

- 1 An individual who has been convicted of an offence under...
2 An appeal under this Schedule is to be made—
3 (1) The right of appeal under this Schedule does not...
4 (1) On an appeal under this Schedule to any court,...

SCHEDULE 4 — Proceedings relating to terrorism prevention and investigation measures

Introductory

- 1 In this Schedule— “appeal proceedings” means proceedings in the Court...

Rules of court: general provision

- 2 (1) A person making rules of court relating to TPIM...

Rules of court: disclosure

- 3 (1) Rules of court relating to TPIM proceedings or appeal...
4 (1) Rules of court relating to TPIM proceedings or appeal...

Article 6 rights

- 5 (1) Nothing in paragraphs 2 to 4, or in rules...

Rules of court: anonymity

- 6 (1) Rules of court relating to TPIM proceedings or appeal...

Initial exercise of rule-making powers by Lord Chancellor

- 7 (1) The first time after the passing of this Act...

Use of advisers

- 8 (1) In any TPIM proceedings or appeal proceedings the relevant...
9 (1) The Lord President of the Court of Session may...

Appointment of special advocate

- 10 (1) The appropriate law officer may appoint a person to...

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SCHEDULE 5 — Powers of entry, search, seizure and retention

Introductory

- 1 This Schedule confers powers of entry, search, seizure and retention...
- 2 A power conferred on a constable by virtue of this...
- 3 A constable may detain an individual for the purpose of...
- 4 A constable may use reasonable force, if necessary, for the...

Entry and search for purposes of serving TPIM notice

- 5 (1) For the purpose of serving a relevant notice on...

Search of individual or premises at time of serving TPIM notice

- 6 (1) This paragraph applies if a TPIM notice is being,...

Search of premises on suspicion of absconding

- 7 (1) This paragraph applies if a constable reasonably suspects that...

Search for compliance purposes

- 8 (1) A constable may apply for the issue of a...
- 9 (1) This paragraph applies in relation to a warrant issued...

Search of individual for public safety purposes

- 10 (1) A constable may (without a warrant) search an individual...

Power to retain items

- 11 (1) Anything that is seized under a power conferred by...
- 12 (1) This paragraph applies if— (a) a device is surrendered...

SCHEDULE 6 — Fingerprints and samples

Taking of fingerprints and samples: England, Wales and Northern Ireland

- 1 (1) This paragraph applies at any time when a TPIM...
- 2 (1) A constable may exercise the power under paragraph 1...
- 3 (1) A constable may— (a) require an individual to attend...

Taking of relevant physical data and samples: Scotland

- 4 (1) This paragraph applies at any time when a TPIM...

Checking of fingerprints, samples etc

- 5 Any fingerprints, data or samples obtained under paragraph 1 or...

Requirement to destroy material

- 6 (1) This paragraph applies to— (a) fingerprints taken under paragraph...
- 7 (1) If fingerprints or relevant physical data are required by...

Retention of paragraph 6 material

- 8 (1) This paragraph applies to paragraph 6 material taken from,...

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- 9 (1) This paragraph applies to paragraph 6 material taken from,...
- 10 (1) For the purposes of paragraphs 8 and 9 an...
- 11 (1) Paragraph 6 material may be retained for as long...

Requirement to destroy samples

- 12 (1) This paragraph applies to— (a) non-intimate samples taken under...

Use of retained material

- 13 (1) Any material to which paragraph 6 or 12 applies...

Interpretation

- 14 In this Schedule— “DNA profile” means any information derived from...

SCHEDULE 7 — Minor and consequential amendments

Part 1 — GENERAL

Senior Courts Act 1981

- 1 In paragraph 2 of Schedule 1 to the Senior Courts...

Police and Criminal Evidence Act 1984

- 2 In Schedule 2A to the Police and Criminal Evidence Act...

Criminal Justice Act 1988

- 3 In section 133(5) of the Criminal Justice Act 1988 (compensation...

Regulation of Investigatory Powers Act 2000

- 4 (1) Section 18 of the Regulation of Investigatory Powers Act...

Counter-Terrorism Act 2008

- 5 (1) The Counter-Terrorism Act 2008 is amended as follows.

Crime and Security Act 2010

- 6 (1) The Crime and Security Act 2010 is amended as...

Part 2 — NORTHERN IRELAND

Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))

- 7 (1) The Police and Criminal Evidence (Northern Ireland) Order 1989...

SCHEDULE 8 — Transitional and saving provision

Saving of control orders during transitional period

- 1 A control order which is in force immediately before commencement...

Savings during and after transitional period

- 2 (1) An enactment which is amended or repealed by this...

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Savings etc for court proceedings

- 3 (1) The repeal of the PTA 2005 by this Act...

New powers not affected by previous control order

- 4 The Secretary of State's powers under this Act in relation...

Last report on exercise of powers under PTA 2005

- 5 (1) Section 14(1) of the PTA 2005 applies to the...

Last review of operation of PTA 2005

- 6 (1) Section 14(3) of the PTA 2005 does not apply...

Savings of PTA 2005 not affected by expected expiry

- 7 The fact that sections 1 to 9 of the PTA...

First review of operation of Act

- 8 (1) The review carried out under section 20(2) in respect...

Interpretation

- 9 In this Schedule— “commencement” means the coming into force of...

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Changes to legislation:

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