

These notes refer to the Terrorism Prevention and Investigation Measures Act 2011 (c.23) which received Royal Assent on 14 December 2011

TERRORISM PREVENTION AND INVESTIGATION MEASURES ACT 2011

EXPLANATORY NOTES

SUMMARY

Sections 6-9 and Schedule 2: Court scrutiny of imposition of measures

23. **Sections 6-9** and Schedule 2 provide that, before imposing measures on an individual, the Secretary of State must seek the court's permission to do so – except in cases of urgency, where the notice must be immediately referred to the court for confirmation. If the court gives permission, or confirms measures imposed urgently, it must give directions for a full review hearing at which the court will review the Secretary of State's decisions in relation to imposing the measures. This replicates the position in relation to control orders under the 2005 Act. The commentary on sections includes an explanation of the applicable case law.
24. The relevant court in England and Wales is the High Court; in Scotland the Outer House of the Court of Session; in Northern Ireland the High Court in Northern Ireland (see section 30(1)).