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**Changes to legislation:** There are currently no known outstanding effects for the Terrorist Offenders (Restriction of Early Release) Act 2020, SCHEDULE 2. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 2

Section 3

#### TERRORIST OFFENCES CARRYING RESTRICTED ELIGIBILITY FOR RELEASE ON LICENCE: SCOTLAND

This is the Schedule to be inserted as Schedule 1A to the Prisoners and Criminal Proceedings (Scotland) Act 1993—

#### “SCHEDULE 1A

Section 1AB

#### TERRORIST OFFENCES CARRYING RESTRICTED ELIGIBILITY FOR RELEASE ON LICENCE

### PART 1

#### OFFENCES UNDER COUNTER-TERRORISM LEGISLATION

- 1 An offence under any of the following provisions of the Terrorism Act 2000—
- (a) section 11 (membership of proscribed organisations);
  - (b) section 12 (inviting or expressing support for terrorist organisations);
  - (c) section 15 (fund-raising);
  - (d) section 16 (use of money or property for terrorist purposes);
  - (e) section 17 (involvement in terrorist funding arrangements);
  - (f) section 17A (insuring payments made in response to terrorist threats);
  - (g) section 18 (laundering of terrorist property);
  - (h) section 19 (failure to disclose professional belief or suspicion about terrorist offences);
  - (i) section 21A (failure in regulated sectors to disclose knowledge or suspicion about terrorist offences);
  - (j) section 38B (failure to disclose information about acts of terrorism);
  - (k) section 39 (disclosure of information prejudicial to a terrorist investigation etc);
  - (l) section 54 (weapons training);
  - (m) section 56 (directing terrorist organisations);
  - (n) section 57 (possession of articles for terrorist purposes);
  - (o) section 58 (collection, possession or viewing of information useful for terrorism);
  - (p) section 58A (eliciting, publishing or communicating information about members of armed forces or police etc);
  - (q) section 58B (presence in designated overseas areas);
  - (r) section 59 (inciting terrorism overseas: England and Wales);
  - (s) section 60 (inciting terrorism overseas: Northern Ireland);
  - (t) section 61 (inciting terrorism overseas: Scotland).

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- 2 An offence under any of the following provisions of the Anti-terrorism, Crime and Security Act 2001—
- (a) section 50 (assisting or inducing weapons-related acts overseas);
  - (b) section 67 (offences under Part 7 of that Act: security of pathogens and toxins);
  - (c) section 79 (disclosure of information etc relating to nuclear security);
  - (d) section 113 (use of noxious substances to harm or intimidate).
- 3 An offence under any of the following provisions of the Terrorism Act 2006—
- (a) section 1 (encouraging acts of terrorism);
  - (b) section 2 (dissemination of terrorist publications);
  - (c) section 5 (preparation of terrorist acts);
  - (d) section 6 (training for terrorism);
  - (e) section 8 (attendance at places used for terrorist training);
  - (f) section 9 (making or possessing radioactive devices or materials);
  - (g) section 10 (misuse of radioactive devices or materials or nuclear facilities);
  - (h) section 11 (threats relating to radioactive devices or materials or nuclear facilities).
- 4 An offence under section 54 of the Counter-Terrorism Act 2008 (breach of police notification requirements etc).
- 5 An offence under section 23 of the Terrorism Prevention and Investigation Measures Act 2011 (breach of notices imposing terrorism prevention and investigation measures).
- 6 An offence under section 10 of the Counter-Terrorism and Security Act 2015 (breach of temporary exclusion order).
- 7 (1) An attempt to commit an offence specified in the preceding paragraphs of this Part (“a listed offence”).
- (2) Conspiracy to commit a listed offence.
  - (3) Incitement to commit a listed offence.
  - (4) Aiding, abetting, counselling or procuring the commission of a listed offence.
  - (5) An offence under Part 2 of the Serious Crime Act 2007 in relation to which a listed offence is the offence (or one of the offences) which the person intended or believed would be committed.
- 8 An offence that—
- (a) was abolished before the coming into force of this Schedule, and
  - (b) if committed on the day on which this Schedule came into force, would have constituted an offence specified in the preceding paragraphs of this Part of this Schedule.

## PART 2

### OFFENCES WHICH MAY BE DETERMINED TO HAVE A TERRORIST CONNECTION UNDER THE COUNTER-TERRORISM ACT 2008

- 9 Manslaughter.
- 10 Culpable homicide.

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- 11 Kidnapping.
- 12 Abduction.
- 13 Assault by explosive device under the law of Scotland.
- 14 Assault to severe injury under the law of Scotland.
- 15 Assault and poisoning under the law of Scotland.
- 16 Poisoning under the law of Scotland.
- 17 False imprisonment under the law of Northern Ireland.
- 18 An offence under any of the following provisions of the Offences against the Person Act 1861—
  - (a) section 4 (soliciting murder);
  - (b) section 18 (wounding with intent);
  - (c) section 23 (maliciously administering poison etc so as to endanger life or inflict grievous bodily harm);
  - (d) section 28 (causing bodily injury by explosives);
  - (e) section 29 (using explosives etc with intent to do grievous bodily harm);
  - (f) section 30 (placing explosives with intent to do bodily injury).
- 19 An offence under any of the following provisions of the Explosive Substances Act 1883—
  - (a) section 2 (causing explosion likely to endanger life or property);
  - (b) section 3 (attempt to cause explosion or making or keeping explosive with intent to endanger life or property);
  - (c) section 4 (making or possession of explosive under suspicious circumstances);
  - (d) section 5 (punishment of accessories).
- 20 An offence under section 1 of the Biological Weapons Act 1974 (restriction on development etc of certain biological agents and toxins and of biological weapons).
- 21 An offence under section 1 of the Taking of Hostages Act 1982 (hostage-taking).
- 22 An offence under any of the following provisions of the Aviation Security Act 1982—
  - (a) section 1 (hijacking);
  - (b) section 2 (destroying, damaging or endangering safety of aircraft);
  - (c) section 3 (other acts endangering or likely to endanger safety of aircraft);
  - (d) section 4 (offences in relation to certain dangerous articles);
  - (e) section 6(2) (inducing or assisting commission of offence under section 1, 2 or 3 outside the United Kingdom).
- 23 An offence under any of the following provisions of the Nuclear Material (Offences) Act 1983—
  - (a) section 1B (offences relating to damage to the environment);
  - (b) section 1C (offences of importing or exporting etc nuclear materials: extended jurisdiction);
  - (c) section 2 (offences involving preparatory acts and threats), so far as relating to an offence specified in this Schedule.
- 24 An offence under any of the following provisions of the Aviation and Maritime Security Act 1990—
  - (a) section 1 (endangering safety at aerodromes);

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- (b) section 9 (hijacking of ships);
  - (c) section 10 (seizing or exercising control of fixed platforms);
  - (d) section 11 (destroying fixed platforms or endangering their safety);
  - (e) section 14(4) (inducing or assisting commission of an offence outside the United Kingdom), so far as relating to an offence under section 9 or 11 of that Act.
- 25 An offence under Part 2 of the Channel Tunnel (Security) Order 1994 (S.I. 1994/570) (offences relating to Channel Tunnel trains and the tunnel system).
- 26 An offence under any of the following provisions of the Chemical Weapons Act 1996—
- (a) section 2 (use etc of chemical weapons);
  - (b) section 11 (premises or equipment for producing chemical weapons).
- 27 An offence under any of the following provisions of the Anti-terrorism, Crime and Security Act 2001 —
- (a) section 47 (use etc of nuclear weapons);
  - (b) section 114 (hoaxes involving noxious substances or things).
- 28 An offence under any of the following provisions of Schedule 4 to the Space Industry Act 2018—
- (a) paragraph 1 (hijacking of spacecraft);
  - (b) paragraph 2 (destroying, damaging or endangering the safety of spacecraft);
  - (c) paragraph 3 (other acts endangering or likely to endanger safety of spacecraft);
  - (d) paragraph 4 (endangering safety at spaceports);
  - (e) paragraph 5 (offences in relation to certain dangerous articles).
- 29 (1) An attempt to commit an offence specified in the preceding paragraphs of this Part (“a listed offence”).
- (2) Conspiracy to commit a listed offence.
  - (3) Incitement to commit a listed offence.
  - (4) Aiding, abetting, counselling or procuring the commission of a listed offence.
  - (5) An offence under Part 2 of the Serious Crime Act 2007 in relation to which a listed offence is the offence (or one of the offences) which the person intended or believed would be committed.
- 30 (1) An attempt to commit murder.
- (2) Conspiracy to commit murder.
  - (3) Incitement to commit murder.
  - (4) An offence under Part 2 of the Serious Crime Act 2007 in relation to which murder is the offence (or one of the offences) which the person intended or believed would be committed.”

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