

Status: Point in time view as at 30/04/2021. This version of this schedule contains provisions that are not valid for this point in time.
Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism and Sentencing Act 2021, SCHEDULE 2. (See end of Document for details)

SCHEDULES

VALID FROM 29/06/2021

SCHEDULE 2

Section 2

SERIOUS TERRORISM OFFENCES: ENGLAND AND WALES

This is the Schedule to be inserted as Schedule 17A to the Sentencing Code—

“SCHEDULE 17A

Section 306

SERIOUS TERRORISM OFFENCES

PART 1

TERRORISM OFFENCES

Terrorism Act 2000

- 1 An offence under any of the following provisions of the Terrorism Act 2000—
- (a) section 54 (weapons training);
 - (b) section 56 (directing a terrorist organisation);
 - (c) section 59 (inciting terrorism overseas), other than an offence which is an offence by virtue of subsection (2)(c) of that section.

Terrorism Act 2006

- 2 An offence under any of the following provisions of the Terrorism Act 2006—
- (a) section 5 (preparation of terrorist acts);
 - (b) section 6 (training for terrorism);
 - (c) section 9 (making or possession of radioactive device or material);
 - (d) section 10 (misuse of radioactive device or material for terrorist purposes etc);
 - (e) section 11 (terrorist threats relating to radioactive devices etc).

Inchoate offences

- 3 An inchoate offence (see section 398) in relation to an offence specified in any of the preceding paragraphs of this Part of this Schedule.

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PART 2

OTHER OFFENCES (IN CASE WHERE DETERMINATION OF TERRORIST CONNECTION UNDER SECTION 69 IS MADE)

Common law offences

- 4 Manslaughter.
- 5 Kidnapping.
- 6 False imprisonment.

Offences against the Person Act 1861

- 7 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 to cause grievous bodily harm);
 - (c) section 21 (attempting to choke, suffocate or strangle in order to commit or assist in the committing of an indictable offence);
 - (d) section 22 (using chloroform etc to commit or assist in the committing of any indictable offence);
 - (e) section 28 (causing bodily injury by explosives);
 - (f) section 29 (using explosives etc with intent to do grievous bodily harm);
 - (g) section 32 (endangering the safety of railway passengers).

Explosive Substances Act 1883

- 8 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 to offences of causing or attempting to cause explosions or making or possessing explosives).

Infant Life (Preservation) Act 1929

- 9 An offence under section 1 of the Infant Life (Preservation) Act 1929 (child destruction).

Infanticide Act 1938

- 10 An offence under section 1 of the Infanticide Act 1938 (infanticide).

Firearms Act 1968

- 11 An offence under any of the following provisions of the Firearms Act 1968—
 - (a) section 16 (possession of firearm with intent to endanger life);

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- (b) section 17(1) (use of firearm to resist arrest);
- (c) section 17(2) (possession of firearm at time of committing or being arrested for offence specified in Schedule 1 to that Act);
- (d) section 18 (carrying a firearm with criminal intent).

Theft Act 1968

- 12 An offence under either of the following provisions of the Theft Act 1968—
- (a) section 8 (robbery or assault with intent to rob);
 - (b) section 10 (aggravated burglary).

Criminal Damage Act 1971

- 13 (1) An offence of arson under section 1 of the Criminal Damage Act 1971.
- (2) An offence under section 1(2) of that Act (destroying or damaging property) other than an offence of arson.

Biological Weapons Act 1974

- 14 An offence under section 1 of the Biological Weapons Act 1974 (developing certain biological agents and toxins or biological weapons).

Taking of Hostages Act 1982

- 15 An offence under section 1 of the Taking of Hostages Act 1982 (hostage-taking).

Aviation Security Act 1982

- 16 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 6(2) (inducing or assisting the commission of offences relating to safety of aircraft).

Nuclear Material (Offences) Act 1983

- 17 An offence under either of the following provisions of the Nuclear Material (Offences) Act 1983—
- (a) section 1B (offences relating to damage to the environment);
 - (b) section 2 (preparatory acts and threats).

Criminal Justice Act 1988

- 18 An offence under section 134 of the Criminal Justice Act 1988 (torture).

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Aviation and Maritime Security Act 1990

- 19 An offence under any of the following provisions of the Aviation and Maritime Security Act 1990—
- (a) section 1 (endangering safety at aerodromes);
 - (b) section 9 (hijacking of ships);
 - (c) section 10 (seizing or exercising control of fixed platforms);
 - (d) section 11 (destroying ships or fixed platforms or endangering their safety);
 - (e) section 12 (other acts endangering or likely to endanger safe navigation);
 - (f) section 13 (offences involving threats);
 - (g) section 14(4) (inducing or assisting the commission of offences relating to hijacking of ships, or destroying ships or fixed platforms or endangering their safety).

Channel Tunnel (Security) Order 1994

- 20 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).

Chemical Weapons Act 1996

- 21 An offence under either of the following provisions of the Chemical Weapons Act 1996—
- (a) section 2 (use etc of chemical weapons);
 - (b) section 11 (premises or equipment used for producing chemical weapons).

International Criminal Court Act 2001

- 22 An offence under section 51 or 52 of the International Criminal Court Act 2001 (genocide, crimes against humanity, war crimes and related offences), other than one involving murder.

Anti-terrorism, Crime and Security Act 2001

- 23 An offence under either of the following provisions of the Anti-terrorism, Crime and Security Act 2001—
- (a) section 47 (use etc of nuclear weapons);
 - (b) section 50 (assisting or inducing certain weapons-related acts overseas).

Modern Slavery Act 2015

- 24 An offence under either of the following provisions of the Modern Slavery Act 2015—
- (a) section 1 (slavery, servitude and forced or compulsory labour);
 - (b) section 2 (human trafficking).

Inchoate offences

- 25 An inchoate offence (see section 398) in relation to an offence specified in any of the preceding paragraphs of this Part of this Schedule.

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26	An inchoate offence in relation to murder.”
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