
Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism and Sentencing Act 2021, SCHEDULE 5. (See end of Document for details)

SCHEDULES

SCHEDULE 5

Section 19

TERRORISM OFFENCES ATTRACTING EXTENDED SENTENCE: SCOTLAND

This is the Schedule to be inserted as Schedule 5ZC to the Criminal Procedure (Scotland) Act 1995—

“SCHEDULE 5ZC

Section 210A

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 11 (membership of a proscribed organisation);
 - (b) section 12 (inviting or expressing support for a proscribed organisation);
 - (c) section 54 (weapons training);
 - (d) section 56 (directing a terrorist organisation);
 - (e) section 57 (possession of article for terrorist purposes);
 - (f) section 58 (collection of information likely to be of use to a terrorist);
 - (g) section 58A (publishing information about members of the armed forces etc);
 - (h) section 58B (entering or remaining in a designated area);
 - (i) section 61 (inciting terrorism overseas).

Anti-Terrorism, Crime and Security Act 2001

- 2 An offence under section 113 of the Anti-Terrorism, Crime and Security Act 2001 (use of noxious substances to harm or intimidate).

Terrorism Act 2006

- 3 An offence under any of the following provisions of the Terrorism Act 2006—
- (a) section 1 (encouragement 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 a place used for terrorist training);
 - (f) section 9 (making or possession of radioactive device or material);

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- (g) section 10 (misuse of radioactive device or material for terrorist purposes etc);
- (h) section 11 (terrorist threats relating to radioactive devices etc).

Ancillary offences

- 4 (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.

PART 2

OTHER OFFENCES (IN CASE WHERE AGGRAVATED BY HAVING A TERRORIST CONNECTION UNDER SECTION 31 OF THE COUNTER-TERRORISM ACT 2008)

Common law offences

- 5 Culpable homicide.
- 6 Abduction.
- 7 Assault by explosive device.
- 8 Assault to severe injury.
- 9 Assault and poisoning.
- 10 Poisoning.
- 11 Robbery.
- 12 Assault with intent to rob.
- 13 Wilful fire-raising.
- 14 Malicious mischief.

Explosive Substances Act 1883

- 15 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).

Firearms Act 1968

- 16 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).

Biological Weapons Act 1974

- 17 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

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

Aviation Security Act 1982

- 19 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

- 20 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

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

Aviation and Maritime Security Act 1990

- 22 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).

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Channel Tunnel (Security) Order 1994

- 23 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

- 24 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).

Anti-terrorism, Crime and Security Act 2001

- 25 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).

International Criminal Court (Scotland) Act 2001 (asp 13)

- 26 An offence under section 1 or 2 of the International Criminal Court (Scotland) Act 2001 (genocide, crimes against humanity, war crimes and related offences), other than one involving murder.

Human Trafficking and Exploitation (Scotland) Act 2015 (asp 12)

- 27 An offence under either of the following provisions of the Human Trafficking and Exploitation (Scotland) Act 2015—
- (a) section 1 (human trafficking);
 - (b) section 4 (slavery, servitude and forced or compulsory labour).

Space Industry Act 2018

- 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).

Ancillary offences

- 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.
- 30 (1) An attempt to commit murder.

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- (2) Conspiracy to commit murder.
- (3) Incitement to commit murder.”

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