

*Draft Order laid before Parliament under section 29(3) of the Anti-terrorism, Crime and Security Act 2001, for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2005 No.**

**PREVENTION AND  
SUPPRESSION OF TERRORISM**

Anti-terrorism, Crime and Security Act 2001  
(Continuance in force of sections 21 to 23) Order 2005

*Made* - - - -

*Coming into force* - - - *14th March 2005*

Whereas a draft of this Order has been laid before Parliament in accordance with section 29(3) of the Anti-terrorism, Crime and Security Act 2001<sup>(1)</sup> and has been approved by a resolution of each House of Parliament:

Now, therefore, the Secretary of State, in exercise of the powers conferred upon him by section 29(2) (c) of that Act, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Anti-terrorism, Crime and Security Act 2001 (Continuance in force of sections 21 to 23) Order 2005 and shall come into force on 14th March 2005.

**Continuance in force of sections 21 to 23 of the Anti-terrorism, Crime and Security Act 2001**

2. Sections 21 to 23(2) of the Anti-terrorism, Crime and Security Act 2001 shall not expire in accordance with the Anti-terrorism, Crime and Security Act 2001 (Continuance in force of sections 21 to 23) Order 2004<sup>(3)</sup> but shall continue in force for a period of 9 months beginning with 14th March 2005.

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(1) [2001 c. 24.](#)

(2) Section 22 of the Anti-terrorism, Crime and Security Act 2001 was amended by paragraphs 14 and 15 of the Schedule to the Nationality, Immigration and Asylum Act 2002 (Consequential and Incidental Provisions) Order 2003 ([S.I. 2003/1016](#)) and section 23 of that Act was amended by section 62(15) of the Nationality, Immigration and Asylum Act 2002 ([c. 41](#)).

(3) [S.I. 2004/751.](#)

Home Office

2005

One of Her Majesty's Principal Secretaries of  
State

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order continues in force for a period of 9 months, beginning with 14th March 2005, sections 21 to 23 of the Anti-terrorism, Crime and Security Act 2001, which would otherwise expire at the end of 13th March 2005 in accordance with the Anti-terrorism, Crime and Security Act 2001 (Continuance in force of sections 21 to 23) Order 2004 ([S.I. 2004/751](#)) made under section 29(2)(c) of that Act.

These provisions enable a person in respect of whom the Secretary of State issues a certificate under section 21 (a “suspected international terrorist”) to be detained under the Immigration Act 1971 despite the fact that the person’s removal from the United Kingdom is prevented by a point of law relating to an international agreement or a practical consideration.