



Terrorism Prevention and Investigation Measures Act 2011

2011 CHAPTER 23

Enforcement

23 Offence

- (1) An individual is guilty of an offence if—
 - (a) a TPIM notice is in force in relation to the individual, and
 - (b) the individual contravenes, without reasonable excuse, any measure specified in the TPIM notice.
- (2) If the individual has the permission of the Secretary of State by virtue of Schedule 1 for an act which would, without that permission, contravene such a measure, the individual contravenes that measure by virtue of that act if the act is not in accordance with the terms of the permission.
- (3) An individual guilty of an offence under subsection (1) is liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding 5 years or to a fine, or to both;
 - (b) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum, or to both;
 - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum, or to both;
 - (d) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum, or to both.
- (4) In relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003, the reference in subsection (3)(b) to 12 months is to be read as a reference to 6 months.

- (5) Where an individual is convicted by or before a court of an offence under subsection (1), it is not open to that court to make in respect of the offence—
- (a) an order under section 12(1)(b) of the Powers of Criminal Courts (Sentencing) Act 2000 (conditional discharge);
 - (b) an order under section 227A of the Criminal Procedure (Scotland) Act 1995 (community payback orders); or
 - (c) an order under Article 4(1)(b) of the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I. 24)) (conditional discharge in Northern Ireland).

24 Powers of entry etc

Schedule 5 (powers of entry, search, seizure and retention) has effect.

25 Fingerprints and samples

Schedule 6 (fingerprints and samples) has effect.