



Terrorism Prevention and Investigation Measures Act 2011

2011 CHAPTER 23

Final provisions

28 Notices

- (1) In a case where the Secretary of State serves a TPIM notice, a revival notice or an extension notice on an individual, the Secretary of State must, by a further notice, give the following information to the individual—
 - (a) the period for which the TPIM notice will be in force;
 - (b) the day on which the TPIM notice comes, or came, into force; and
 - (c) the day on which the TPIM notice will expire;and, in the case of a revival or extension notice, “TPIM notice” means the TPIM notice which is revived or extended by that notice.
- (2) An individual is not bound by—
 - (a) a TPIM notice,
 - (b) a revival notice, or
 - (c) a variation notice insofar as it gives notice of a variation that is neither a relaxation or removal of measures, nor a variation with the individual’s consent,unless the notice is served personally on the individual.
- (3) An individual is not bound by an extension notice unless the notice is—
 - (a) served personally on the individual, and
 - (b) so served before the TPIM notice to which it relates would otherwise expire.
- (4) Any of the following notices must be served on the individual to whom the notice relates—
 - (a) a revocation notice;
 - (b) a variation notice insofar as subsection (2)(c) does not apply to it;
 - (c) a confirmation notice.

- (5) Any of the following notices may be proved by the production of a document purporting to be certified by the Secretary of State as a true copy of the notice—
- (a) a TPIM notice;
 - (b) an extension notice;
 - (c) a revocation notice;
 - (d) a revival notice;
 - (e) a variation notice;
 - (f) a confirmation notice.
- (6) But that does not prevent the proof of such a notice in other ways.
- (7) In this section—
- “confirmation notice” means a notice given under subsection (1);
 - “extension notice” means a notice under section 5(2);
 - “revival notice” has the same meaning as in section 13(6);
 - “revocation notice” has the same meaning as in section 13(1);
 - “variation notice” has the same meaning as in section 12(1).

29 Financial and supplemental provision

- (1) The Secretary of State may enter into such contracts and other arrangements with other persons as the Secretary of State considers appropriate for securing their assistance in connection with any monitoring, by electronic or other means, that the Secretary of State considers needs to be carried out in connection with measures specified in TPIM notices.
- (2) The following are to be paid out of money provided by Parliament—
- (a) any expenditure incurred by the Secretary of State or Lord Chancellor by virtue of this Act, and
 - (b) any increase attributable to this Act in the sums payable under any other Act out of money so provided.
- (3) Schedule 7 (minor and consequential amendments) has effect.
- (4) Schedule 8 (transitional and saving provision) has effect.

30 Interpretation etc

- (1) In this Act—
- “act” and “conduct” include omissions and statements;
 - “act of terrorism” includes anything constituting an action taken for the purposes of terrorism, within the meaning of the Terrorism Act 2000 (see section 1(5) of that Act);
 - “condition A”, “condition B”, “condition C”, “condition D” or “condition E” means that condition as set out in section 3;
 - “court” means—
- (a) in the case of proceedings relating to an individual whose principal place of residence is in Scotland, the Outer House of the Court of Session;
 - (b) in the case of proceedings relating to an individual whose principal place of residence is in Northern Ireland, the High Court in Northern Ireland;

- (c) in any other case, the High Court in England and Wales;
“measures” means terrorism prevention and investigation measures (which has the meaning given in section 2);
“notice” means notice in writing;
“terrorism” has the same meaning as in the Terrorism Act 2000 (see section 1(1) to (4) of that Act);
“terrorism-related activity”, and “involvement” (in relation to such activity), are to be construed in accordance with section 4;
“TPIM decision” has the meaning given in section 17;
“TPIM notice” has the meaning given in section 2(1);
“TPIM proceedings” means—
- (a) proceedings on an application for permission under section 6;
 - (b) proceedings on a reference under Schedule 2;
 - (c) proceedings on a directions hearing held in accordance with directions under section 8(2);
 - (d) proceedings on a review hearing held in accordance with directions under section 8(4);
 - (e) proceedings on an appeal under section 16;
 - (f) proceedings by virtue of section 17(2);
 - (g) proceedings on an application made by virtue of rules of court made under paragraph 6 of Schedule 4 (application for order requiring anonymity);
 - (h) any other proceedings for questioning a TPIM decision (including any claim for damages or other relief arising out of such a decision).
- (2) In a case where—
- (a) a TPIM notice has come into force in relation to an individual, and
 - (b) by virtue of the coming into force of that TPIM notice, terrorism-related activity which occurred before the coming into force of that notice has ceased to be new terrorism-related activity (within the meaning of section 3(6)) in relation to that individual for the purposes of that section,
- the Secretary of State is not prevented from taking account of that activity for the purposes of the continued imposition, or subsequent imposition, of measures on that individual.
- (3) For the purposes of the definition of “new terrorism-related activity” in section 3, if a TPIM notice is revived under section 13(6), a reference to the notice coming into force is a reference to it coming into force by virtue of section 5(1) (and not to it coming back into force by virtue of section 13(9)).
- (4) For the purpose of determining what measures may be imposed on an individual, it is immaterial whether the involvement in terrorism-related activity to be prevented or restricted by the measures is connected with matters to which the Secretary of State’s belief for the purpose of condition A relates.
- (5) A failure by the Secretary of State to consider an application by an individual for—
- (a) the revocation of a TPIM notice, or
 - (b) the variation of measures specified in a TPIM notice,
- is to be treated as a decision by the Secretary of State not to revoke, or not to vary, the TPIM notice.

(6) Subsections (2) to (5) apply for the purposes of this Act.

31 Short title, commencement and extent

- (1) This Act may be cited as the Terrorism Prevention and Investigation Measures Act 2011.
- (2) This Act comes into force on the day after the day on which it is passed.
- (3) This Act extends to England and Wales, Scotland and Northern Ireland.
- (4) Her Majesty may by Order in Council direct that this Act is to extend, with such modifications as appear to Her Majesty to be appropriate, to the Isle of Man.