

**Changes to legislation:** Prisoners and Criminal Proceedings (Scotland) Act 1993, PART 2 is up to date with all changes known to be in force on or before 16 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 1A

#### OFFENCES CARRYING RESTRICTED ELIGIBILITY OF TERRORIST PRISONERS FOR RELEASE ON LICENCE

##### Textual Amendments

- F1** Sch. 1A substituted (29.6.2021) by Counter-Terrorism and Sentencing Act 2021 (c. 11), s. 50(2)(o), Sch. 10

### PART 2

#### TERRORISM OFFENCES PUNISHABLE WITH IMPRISONMENT FOR MORE THAN TWO YEARS (BUT NOT LIFE)

- 5 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 15 (fund-raising);
  - (d) section 16 (use of money or property for terrorist purposes);
  - (e) section 17 (involvement in terrorist funding arrangements);
  - (f) section 17A (insuring payments made in response to terrorist threats);
  - (g) section 18 (laundering of terrorist property);
  - (h) section 19 (failure to disclose professional belief or suspicion about terrorist offences);
  - (i) section 21A (failure in regulated sectors to disclose knowledge or suspicion about terrorist offences);
  - (j) section 38B (failure to disclose information about acts of terrorism);
  - (k) section 39 (disclosure of information prejudicial to a terrorist investigation etc);
  - (l) section 57 (possession of article for terrorist purposes);
  - (m) section 58 (collection of information likely to be of use to a terrorist);
  - (n) section 58A (publishing information about members of the armed forces etc);
  - (o) section 58B (entering or remaining in a designated area);
  - (p) section 59 (inciting terrorism overseas: England and Wales), in the case of an offence which is an offence by virtue of the reference in subsection (2) (c) of that section to an offence under section 23 of the Offences against the Person Act 1861;
  - (q) section 60 (inciting terrorism overseas: Northern Ireland), in the case of an offence which is an offence by virtue of the reference in subsection (2)(c)

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- of that section to an offence under section 23 of the Offences against the Person Act 1861.
- 6 An offence under section 113 of the Anti-terrorism, Crime and Security Act 2001 (use of noxious substances to harm or intimidate).
- 7 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 8 (attendance at a place used for terrorist training).
- 8 An offence under section 54 of the Counter-Terrorism Act 2008 (breach of police notification requirements etc).
- 9 An offence under section 23 of the Terrorism Prevention and Investigation Measures Act 2011 (breach of notices imposing terrorism prevention and investigation measures).
- 10 An offence under section 10 of the Counter-Terrorism and Security Act 2015 (breach of temporary exclusion order).
- 11 (1) An attempt to commit an offence specified in a preceding paragraph of this Part of this Schedule (“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.
  - (5) An offence under Part 2 of the Serious Crime Act 2007 in relation to which a listed offence is the offence (or one of the offences) which the person intended or believed would be committed.
- 12 An offence that—
- (a) was abolished before the coming into force of this Schedule, and
  - (b) if committed on the day on which this Schedule came into force, would have constituted an offence specified in any of the preceding paragraphs of this Part of this Schedule.]

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3A(3A) inserted by [2019 asp 14 s. 51\(2\)](#)
- s. 3B inserted by [2019 asp 14 s. 51\(3\)](#)
- s. 3B(1)(a) words inserted by [2021 c. 11 Sch. 13 para. 52\(10\)\(a\)](#)
- s. 3B(1)(b) words inserted by [2021 c. 11 Sch. 13 para. 52\(10\)\(b\)\(i\)](#)
- s. 3B(1)(b) words inserted by [2021 c. 11 Sch. 13 para. 52\(10\)\(b\)\(ii\)](#)
- s. 3B(4)(b) words inserted by [2021 c. 11 Sch. 13 para. 52\(10\)\(c\)](#)
- s. 3C-3E and cross-heading inserted by [2023 asp 4 s. 11\(2\)](#)
- s. 3AA(4)(aa) inserted by [2023 asp 4 s. 9\(4\)\(b\)\(ii\)](#)
- s. 3AA(7A) inserted by [2023 asp 4 s. 9\(4\)\(d\)](#)
- s. 3AB3AC inserted by [2023 asp 4 s. 9\(5\)](#)
- s. 11(3C)(3D) inserted by [2023 asp 4 s. 9\(6\)\(b\)](#)
- s. 12(3A) inserted by [2023 asp 4 s. 11\(3\)](#)
- s. 12AA(7) inserted by [2023 asp 4 s. 9\(8\)\(d\)](#)
- s. 12ZA inserted by [2023 asp 4 s. 11\(4\)](#)
- s. 16(2A) inserted by [2016 asp 1 s. 86\(4\)](#)
- s. 17(2A)(2B) inserted by [2023 asp 4 s. 10\(2\)](#)
- s. 17A(2B)(2C) inserted by [2023 asp 4 s. 10\(3\)\(a\)](#)
- s. 17B inserted by [2023 asp 4 s. 10\(4\)](#)
- s. 27(7A)(7B) inserted by [2023 asp 4 s. 8\(2\)\(b\)](#)