



Terrorism Act 2000

2000 CHAPTER 11

PART III

TERRORIST PROPERTY

Offences

15 Fund-raising

- (1) A person commits an offence if he—
 - (a) invites another to provide money or other property, and
 - (b) intends that it should be used, or has reasonable cause to suspect that it may be used, for the purposes of terrorism.
- (2) A person commits an offence if he—
 - (a) receives money or other property, and
 - (b) intends that it should be used, or has reasonable cause to suspect that it may be used, for the purposes of terrorism.
- (3) A person commits an offence if he—
 - (a) provides money or other property, and
 - (b) knows or has reasonable cause to suspect that it will or may be used for the purposes of terrorism.
- (4) In this section a reference to the provision of money or other property is a reference to its being given, lent or otherwise made available, whether or not for consideration.

16 Use and possession

- (1) A person commits an offence if he uses money or other property for the purposes of terrorism.
- (2) A person commits an offence if he—
 - (a) possesses money or other property, and

Status: This is the original version (as it was originally enacted).

- (b) intends that it should be used, or has reasonable cause to suspect that it may be used, for the purposes of terrorism.

17 Funding arrangements

A person commits an offence if—

- (a) he enters into or becomes concerned in an arrangement as a result of which money or other property is made available or is to be made available to another, and
- (b) he knows or has reasonable cause to suspect that it will or may be used for the purposes of terrorism.

18 Money laundering

- (1) A person commits an offence if he enters into or becomes concerned in an arrangement which facilitates the retention or control by or on behalf of another person of terrorist property—
 - (a) by concealment,
 - (b) by removal from the jurisdiction,
 - (c) by transfer to nominees, or
 - (d) in any other way.
- (2) It is a defence for a person charged with an offence under subsection (1) to prove that he did not know and had no reasonable cause to suspect that the arrangement related to terrorist property.

19 Disclosure of information: duty

- (1) This section applies where a person—
 - (a) believes or suspects that another person has committed an offence under any of sections 15 to 18, and
 - (b) bases his belief or suspicion on information which comes to his attention in the course of a trade, profession, business or employment.
- (2) The person commits an offence if he does not disclose to a constable as soon as is reasonably practicable—
 - (a) his belief or suspicion, and
 - (b) the information on which it is based.
- (3) It is a defence for a person charged with an offence under subsection (2) to prove that he had a reasonable excuse for not making the disclosure.
- (4) Where—
 - (a) a person is in employment,
 - (b) his employer has established a procedure for the making of disclosures of the matters specified in subsection (2), and
 - (c) he is charged with an offence under that subsection,it is a defence for him to prove that he disclosed the matters specified in that subsection in accordance with the procedure.
- (5) Subsection (2) does not require disclosure by a professional legal adviser of—

- (a) information which he obtains in privileged circumstances, or
 - (b) a belief or suspicion based on information which he obtains in privileged circumstances.
- (6) For the purpose of subsection (5) information is obtained by an adviser in privileged circumstances if it comes to him, otherwise than with a view to furthering a criminal purpose—
- (a) from a client or a client's representative, in connection with the provision of legal advice by the adviser to the client,
 - (b) from a person seeking legal advice from the adviser, or from the person's representative, or
 - (c) from any person, for the purpose of actual or contemplated legal proceedings.
- (7) For the purposes of subsection (1)(a) a person shall be treated as having committed an offence under one of sections 15 to 18 if—
- (a) he has taken an action or been in possession of a thing, and
 - (b) he would have committed an offence under one of those sections if he had been in the United Kingdom at the time when he took the action or was in possession of the thing.
- (8) A person guilty of an offence under this section shall be liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding five years, to a fine or to both, or
 - (b) on summary conviction, to imprisonment for a term not exceeding six months, or to a fine not exceeding the statutory maximum or to both.

20 Disclosure of information: permission

- (1) A person may disclose to a constable—
- (a) a suspicion or belief that any money or other property is terrorist property or is derived from terrorist property;
 - (b) any matter on which the suspicion or belief is based.
- (2) A person may make a disclosure to a constable in the circumstances mentioned in section 19(1) and (2).
- (3) Subsections (1) and (2) shall have effect notwithstanding any restriction on the disclosure of information imposed by statute or otherwise.
- (4) Where—
- (a) a person is in employment, and
 - (b) his employer has established a procedure for the making of disclosures of the kinds mentioned in subsection (1) and section 19(2),
- subsections (1) and (2) shall have effect in relation to that person as if any reference to disclosure to a constable included a reference to disclosure in accordance with the procedure.

21 Cooperation with police

- (1) A person does not commit an offence under any of sections 15 to 18 if he is acting with the express consent of a constable.

Status: This is the original version (as it was originally enacted).

- (2) Subject to subsections (3) and (4), a person does not commit an offence under any of sections 15 to 18 by involvement in a transaction or arrangement relating to money or other property if he discloses to a constable—
- (a) his suspicion or belief that the money or other property is terrorist property, and
 - (b) the information on which his suspicion or belief is based.
- (3) Subsection (2) applies only where a person makes a disclosure—
- (a) after he becomes concerned in the transaction concerned,
 - (b) on his own initiative, and
 - (c) as soon as is reasonably practicable.
- (4) Subsection (2) does not apply to a person if—
- (a) a constable forbids him to continue his involvement in the transaction or arrangement to which the disclosure relates, and
 - (b) he continues his involvement.
- (5) It is a defence for a person charged with an offence under any of sections 15(2) and (3) and 16 to 18 to prove that—
- (a) he intended to make a disclosure of the kind mentioned in subsections (2) and (3), and
 - (b) there is reasonable excuse for his failure to do so.
- (6) Where—
- (a) a person is in employment, and
 - (b) his employer has established a procedure for the making of disclosures of the same kind as may be made to a constable under subsection (2),
- this section shall have effect in relation to that person as if any reference to disclosure to a constable included a reference to disclosure in accordance with the procedure.
- (7) A reference in this section to a transaction or arrangement relating to money or other property includes a reference to use or possession.

22 Penalties

A person guilty of an offence under any of sections 15 to 18 shall be liable—

- (a) on conviction on indictment, to imprisonment for a term not exceeding 14 years, to a fine or to both, or
- (b) on summary conviction, to imprisonment for a term not exceeding six months, to a fine not exceeding the statutory maximum or to both.

23 Forfeiture

- (1) The court by or before which a person is convicted of an offence under any of sections 15 to 18 may make a forfeiture order in accordance with the provisions of this section.
- (2) Where a person is convicted of an offence under section 15(1) or (2) or 16 the court may order the forfeiture of any money or other property—
- (a) which, at the time of the offence, he had in his possession or under his control, and

- (b) which, at that time, he intended should be used, or had reasonable cause to suspect might be used, for the purposes of terrorism.
- (3) Where a person is convicted of an offence under section 15(3) the court may order the forfeiture of any money or other property—
- (a) which, at the time of the offence, he had in his possession or under his control, and
 - (b) which, at that time, he knew or had reasonable cause to suspect would or might be used for the purposes of terrorism.
- (4) Where a person is convicted of an offence under section 17 the court may order the forfeiture of the money or other property—
- (a) to which the arrangement in question related, and
 - (b) which, at the time of the offence, he knew or had reasonable cause to suspect would or might be used for the purposes of terrorism.
- (5) Where a person is convicted of an offence under section 18 the court may order the forfeiture of the money or other property to which the arrangement in question related.
- (6) Where a person is convicted of an offence under any of sections 15 to 18, the court may order the forfeiture of any money or other property which wholly or partly, and directly or indirectly, is received by any person as a payment or other reward in connection with the commission of the offence.
- (7) Where a person other than the convicted person claims to be the owner of or otherwise interested in anything which can be forfeited by an order under this section, the court shall give him an opportunity to be heard before making an order.
- (8) A court in Scotland shall not make an order under this section except on the application of the prosecutor—
- (a) in proceedings on indictment, when he moves for sentence, and
 - (b) in summary proceedings, before the court convicts the accused,
- and for the purposes of any appeal or review, an order under this section made by a court in Scotland is a sentence.
- (9) Schedule 4 (which makes further provision in relation to forfeiture orders under this section) shall have effect.