

*These notes refer to the Terrorism Act 2006 (c.11)
which received Royal Assent on 30 March 2006*

TERRORISM ACT 2006

EXPLANATORY NOTES

OVERVIEW

10. The Act's Parts and Schedules are as follows.
11. **Part 1** (Offences) provides for new offences, amendments to existing offences, and makes incidental provisions about terrorism offences. Part 1 creates offences relating to the encouragement of acts of terrorism, and to the dissemination of terrorist publications. Part 1 makes specific provision about how these two new offences are to apply to those providing and using the internet and other electronic services. It also creates offences relating to the preparation of terrorist acts and terrorist training; the making, possession or use of radioactive devices and materials; the making of terrorist threats relating to radioactive devices, materials, or nuclear facilities; and trespass on nuclear sites. The Act increases penalties for possession for terrorist purposes; offences relating to nuclear material; and offences relating to the contravention of a notice relating to encrypted information. Part 1 also sets out new procedures to be followed in the preparation of terrorist cases for trial. Schedule 1 sets out a list of "Convention offences" that are referred to in Part 1. These represent the parallel offences in UK law to those offences mentioned in the Council of Europe Convention on the Prevention of Terrorism.
12. **Part 2** (Miscellaneous provisions) includes an amendment to the grounds on which the Secretary of State is empowered to proscribe organisations, a process through which a proscribed organisation may be identified by another name, and amendments to police and investigatory powers. These changes affect:
 - Powers to detain terrorist suspects under the TACT, and the grounds on which such detention may be authorised. The provisions extending the maximum length of time a person can be detained under Schedule 8 to the TACT from 14 to 28 days will have effect for one year after their commencement but they can be extended by order made by the Secretary of State for periods of up to a year each.
 - Powers to search premises, and seize material under Schedule 5 to the TACT
 - Powers to seize, and seek forfeiture of, terrorist publications
 - Powers to search at ports under Schedule 7 to the TACT, and to issue authorisations to stop and search under Section 44 of the TACT
 - Powers to issue authorisations or warrants to carry out acts under the ISA
 - Powers to issue, and amend the schedules of intercept warrants
 - Powers to seek disclosure notices under the Serious Organised Crime and Police Act 2005
 - The definition of terrorism, as set out in the TACT
 - The process under which terrorist cash-seizure hearings are heard under the TACT

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13. [Schedule 2](#) sets out the method by which forfeiture proceedings should be carried out, following a seizure of terrorist publications.
14. [Part 3](#) (Supplemental provisions) provides for the oversight of the operation of Part 1 of the Act and the TACT through an independent annual review to Parliament. It also includes a number of consequential amendments and repeals.