



# Terrorism Act 2006

## 2006 CHAPTER 11

### PART 1

#### OFFENCES

*Offences involving radioactive devices and materials and nuclear facilities and sites*

#### **12 Trespassing etc. on nuclear sites**

- (1) The Serious Organised Crime and Police Act 2005 (c. 15) is amended as follows.
- (2) In sections 128(1), (4) and (7) and 129(1), (4) and (6) (trespassing etc. on a designated site in England and Wales or Northern Ireland or in Scotland), for “designated”, wherever occurring, substitute “protected”.
- (3) After section 128(1) (sites in England and Wales and Northern Ireland) insert—
  - “(1A) In this section ‘protected site’ means—
    - (a) a nuclear site; or
    - (b) a designated site.
  - (1B) In this section ‘nuclear site’ means—
    - (a) so much of any premises in respect of which a nuclear site licence (within the meaning of the Nuclear Installations Act 1965) is for the time being in force as lies within the outer perimeter of the protection provided for those premises; and
    - (b) so much of any other premises of which premises falling within paragraph (a) form a part as lies within that outer perimeter.
  - (1C) For this purpose—
    - (a) the outer perimeter of the protection provided for any premises is the line of the outermost fences, walls or other obstacles provided or relied on for protecting those premises from intruders; and

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*Changes to legislation: There are currently no known outstanding effects for the Terrorism Act 2006, Section 12. (See end of Document for details)*

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- (b) that line shall be determined on the assumption that every gate, door or other barrier across a way through a fence, wall or other obstacle is closed.”
- (4) After section 129(1) (sites in Scotland) insert—
- “(1A) In this section ‘protected Scottish site’ means—
    - (a) a nuclear site in Scotland; or
    - (b) a designated Scottish site.
  - (1B) In this section ‘nuclear site’ means—
    - (a) so much of any premises in respect of which a nuclear site licence (within the meaning of the Nuclear Installations Act 1965) is for the time being in force as lies within the outer perimeter of the protection provided for those premises; and
    - (b) so much of any other premises of which premises falling within paragraph (a) form a part as lies within that outer perimeter.
  - (1C) For this purpose—
    - (a) the outer perimeter of the protection provided for any premises is the line of the outermost fences, walls or other obstacles provided or relied on for protecting those premises from intruders; and
    - (b) that line shall be determined on the assumption that every gate, door or other barrier across a way through a fence, wall or other obstacle is closed.”

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**Commencement Information**

**II** S. 12 in force at 13.4.2006 by S.I. 2006/1013, art. 2(2)(a)

**Changes to legislation:**

There are currently no known outstanding effects for the Terrorism Act 2006, Section 12.