
Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Cross Heading: Application for foreign travel restriction order. (See end of Document for details)

SCHEDULES

SCHEDULE 5

FOREIGN TRAVEL RESTRICTION ORDERS

Application for foreign travel restriction order

- 3 (1) In England and Wales an application for a foreign travel restriction order in respect of a person may only be made by a chief officer of police.
- (2) An application may only be made if—
- (a) the person resides in the chief officer's police area, or
 - (b) the chief officer believes that the person is in, or is intending to come to, that area.
- (3) The application must be made by complaint to a magistrates' court whose commission area includes any part of the chief officer's police area.

Commencement Information

- II** Sch. 5 para. 3 in force at 1.10.2009 by [S.I. 2009/1493](#), [art. 2\(c\)](#)

- 4 (1) In Scotland an application for a foreign travel restriction order in respect of a person may only be made by [^{F1}the chief constable of the Police Service of Scotland] .
- (2) An application may only be made if—
- (a) the person resides in [^{F2}Scotland] , or
 - (b) the chief constable believes that the person is in, or is intending to come to, [^{F3}Scotland] .
- (3) The application must be made by summary application ^{F4}....
- (4) A record of evidence is to be kept on any such summary application.
- (5) Where the sheriff makes a foreign travel restriction order, the clerk of the court must give a copy of the order to the respondent or send a copy to the respondent by registered post or the recorded delivery service.
- (6) An acknowledgement or certificate of delivery issued by the Post Office is sufficient evidence of the delivery of the copy on the day specified in the acknowledgement or certificate.

Textual Amendments

- F1** Words in Sch. 5 para. 4(1) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), [art. 1\(2\)](#), [Sch. 2 para. 60\(8\)](#)
- (a)

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- F2** Word in Sch. 5 para. 4(2)(a) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 60(8)(b)**
- F3** Word in Sch. 5 para. 4(2)(b) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 60(8)(c)**
- F4** Words in Sch. 5 para. 4(3) omitted (1.4.2013) by virtue of The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 60(8)(d)**

Commencement Information

- I2** Sch. 5 para. 4 in force at 1.10.2009 by S.I. 2009/1493, **art. 2(c)**

- 5 (1) In Northern Ireland an application for a foreign travel restriction order in respect of a person may only be made by the Chief Constable of the Police Service of Northern Ireland.
- (2) An application may only be made if—
- (a) the person resides in Northern Ireland, or
 - (b) the Chief Constable believes that the person is in, or is intending to come to, Northern Ireland.
- (3) The application must be made by complaint under Part 8 of the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26)) to a court of summary jurisdiction.

Commencement Information

- I3** Sch. 5 para. 5 in force at 1.10.2009 by S.I. 2009/1493, **art. 2(c)**

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