

EXPLANATORY NOTES

TERRORISM PREVENTION AND INVESTIGATION MEASURES ACT 2011

INTRODUCTION

BACKGROUND

The Prevention of Terrorism Act 2005

Control order-related provisions in the Counter-Terrorism Act 2008 and the Crime and Security Act 2010

Provision relating to fingerprints and non-intimate samples

Provision relating to powers of entry and search

Other provision

Coalition Government's review of Counter-Terrorism and Security Powers

Coalition Government's position on the retention of DNA

SUMMARY

Sections 1-4 and Schedule 1: New regime to protect the public from terrorism

Section 5: Two year limit on imposition of measures without new terrorism-related activity

Sections 6-9 and Schedule 2: Court scrutiny of imposition of measures

Section 10: Consultation requirements

Section 11: Review of ongoing necessity

Sections 12-15 and Schedule 3: Changes concerning TPIM notices

Sections 16-18 and Schedule 4: Appeals and court proceedings

Sections 19-22: Other safeguards

Section 23: Offence

Section 24 and Schedule 5: Powers of entry, seizure, search and retention

Section 25 and Schedule 6: Fingerprints and non-intimate samples

Sections 26 – 27: Temporary enhanced TPIM order

Sections 28 –31 and Schedules 7 and 8: Final provisions

TERRITORIAL EXTENT

COMMENTARY ON SECTIONS

Section 1: Abolition of control orders

Section 2: Imposition of terrorism prevention and investigation measures and Schedule 1

Schedule 1, Part 1: Measures

Schedule 1, Part 2: Permission and notices

Section 3: Conditions A to E

Section 4: Involvement in terrorism-related activity

Section 5: Two year limit for TPIM notices.

Section 6: Prior permission of the court

Section 7 and Schedule 2: Urgent cases: reference to the court

Section 8: Directions hearing

Section 9: Review hearing

Section 10: Criminal investigations into terrorism-related activity

Section 11: Review of ongoing necessity

Section 12: Variation of measures

Section 13: Revocation and revival of TPIM notices

Section 14: Replacement of TPIM notice that is quashed

Section 15 and Schedule 3: Other provisions relating to the quashing of TPIM notice

Section 16: Appeals

Section 17: Jurisdiction in relation to decisions under this Act

Section 18 and Schedule 4: Proceedings relating to measures

Section 19: Reports on exercise of powers under Act

Section 20: Reviews of operation of Act

Section 21: Expiry and repeal of TPIM powers

Section 22: Section 21: supplementary provision

Section 23: Offence

These notes refer to the Terrorism Prevention and Investigation Measures Act 2011 (c.23)

Section 24 and Schedule 5: Powers of entry

Section 25 and Schedule 6: Fingerprints and samples

Section 26: Temporary power for imposition of enhanced measures

Section 27: Section 26: supplementary provision

Section 28: Notices

Section 29, Schedules 7 and 8: Financial and supplemental provisions

Section 30: Interpretation

Section 31: Short title, commencement and extent

HANSARD REFERENCES