

These notes refer to the Terrorism Prevention and Investigation Measures Act 2011 (c.23) which received Royal Assent on 14 December 2011

TERRORISM PREVENTION AND INVESTIGATION MEASURES ACT 2011

EXPLANATORY NOTES

TERRITORIAL EXTENT

35. The Act's provisions extend to England, Wales, Scotland and Northern Ireland. In relation to Wales and Northern Ireland the Act addresses reserved or excepted matters only.
36. Certain of the Act's provisions fall within the terms of the Sewel Convention. In particular, Schedule 5 provides constables with the power to seize evidence of any offence (not just reserved offences) and Schedule 6 allows for the use of biometric material taken under the Schedule for devolved purposes (such as the prevention and detection of any crime) as well as for reserved purposes. The temporary order-making power under section 26 could also be used to make provision relating to matters that are devolved in Scotland. The Scottish Parliament gave consent for the provisions in the Act that trigger the Sewel Convention on 17 November 2011. The Sewel Convention provides that Westminster will not normally legislate with regard to devolved matters in Scotland without the consent of the Scottish Parliament.
37. In relation to Wales, the provisions of the Act do not relate to devolved matters or confer functions on the Welsh Ministers.
38. No provisions of the Act relate to devolved matters in Northern Ireland, or confer functions on the Northern Ireland Ministers.