

## SCHEDULES

### SCHEDULE 1

Section 2

#### TERRORISM PREVENTION AND INVESTIGATION MEASURES

##### PART 1

##### MEASURES

###### *Overnight residence measure*

- 1 (1) The Secretary of State may impose restrictions on the individual in relation to the residence in which the individual resides.
- (2) The Secretary of State may, in particular, impose any of the following—
  - (a) a requirement to reside at a specified residence;
  - (b) a requirement to give notice to the Secretary of State of the identity of any other individuals who reside (or will reside) at the specified residence;
  - (c) a requirement, applicable overnight between such hours as are specified, to remain at, or within, the specified residence.
- (3) The specified residence must be—
  - (a) premises that are the individual's own residence, or
  - (b) other premises provided by or on behalf of the Secretary of State that are situated in an appropriate locality or an agreed locality.
- (4) An "appropriate locality" is—
  - (a) a locality in the United Kingdom in which the individual has a residence;
  - (b) if the individual has no such residence, a locality in the United Kingdom with which the individual has a connection;
  - (c) if the individual has no such residence or connection, any locality in the United Kingdom that appears to the Secretary of State to be appropriate.
- (5) An "agreed locality" is a locality in the United Kingdom which is agreed by the Secretary of State and the individual.
- (6) If the specified residence is provided to the individual by or on behalf of the Secretary of State, the Secretary of State may require the individual to comply with any specified terms of occupancy of that residence (which may be specified by reference to a lease or other document).
- (7) A requirement of the kind mentioned in sub-paragraph (2)(c) must include provision to enable the individual to apply for the permission of the Secretary of State to be away from the specified residence, for the whole or part of any applicable period, on one or more occasions.

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- (8) The Secretary of State may grant such permission subject to either or both of the following conditions—
- (a) the condition that the individual remains overnight at other agreed premises between such hours as the Secretary of State may require;
  - (b) the condition that the individual complies with such other restrictions in relation to the individual’s movements whilst away from the specified residence as are so required.
- (9) “Agreed premises” are premises in the United Kingdom which are agreed by the Secretary of State and the individual.
- (10) Sub-paragraph (8) is not to be read as limiting—
- (a) the generality of sub-paragraph (7) of paragraph 13 (power to impose conditions when granting permission), or
  - (b) the power to impose further conditions under that sub-paragraph in connection with permission granted by virtue of sub-paragraph (7) of this paragraph.
- (11) In sub-paragraph (7) “applicable period” means a period for which the individual is required to remain at the specified residence by virtue of a requirement of the kind mentioned in sub-paragraph (2)(c).

#### *Travel measure*

- 2 (1) The Secretary of State may impose restrictions on the individual leaving a specified area or travelling outside that area.
- (2) The specified area must be one of the following areas—
- (a) the United Kingdom (in any case);
  - (b) Great Britain (if the individual’s place of residence is in Great Britain);
  - (c) Northern Ireland (if the individual’s place of residence is in Northern Ireland).
- (3) The Secretary of State may, in particular, impose any of the following requirements—
- (a) a requirement not to leave the specified area without the permission of the Secretary of State;
  - (b) a requirement to give notice to the Secretary of State before leaving that area;
  - (c) a requirement not to possess or otherwise control, or seek to obtain, any travel document without the permission of the Secretary of State;
  - (d) a requirement to surrender any travel document that is in the possession or control of the individual.
- (4) “Travel document” means—
- (a) the individual’s passport, or
  - (b) any ticket or other document that permits the individual to make a journey by any means—
    - (i) from the specified area to a place outside that area, or
    - (ii) between places outside the specified area.
- (5) “Passport” means any of the following—
- (a) a United Kingdom passport (within the meaning of the Immigration Act 1971);

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- (b) a passport issued by or on behalf of the authorities of a country or territory outside the United Kingdom, or by or on behalf of an international organisation;
- (c) a document that can be used (in some or all circumstances) instead of a passport.

#### *Exclusion measure*

- 3
- (1) The Secretary of State may impose restrictions on the individual entering—
    - (a) a specified area or place, or
    - (b) a place or area of a specified description.
  - (2) The Secretary of State may, in particular, impose any of the following requirements in respect of a specified area or place or a specified description of an area or place—
    - (a) a requirement not to enter without the permission of the Secretary of State;
    - (b) a requirement to give notice to the Secretary of State before entering;
    - (c) a requirement not to enter unless other specified conditions are met.

#### *Movement directions measure*

- 4
- (1) The Secretary of State may impose a requirement for the individual to comply with directions given by a constable in respect of the individual's movements (which may, in particular, include a restriction on movements).
  - (2) A constable may give such directions only for the purpose of securing compliance—
    - (a) with other specified measures, or
    - (b) with a condition imposed under this Act requiring the individual to be escorted by a constable.
  - (3) Directions may not remain in effect for a period that is any longer than the constable giving the directions considers necessary for the purpose mentioned in sub-paragraph (2); but that period may not in any event be a period of more than 24 hours.

#### *Financial services measure*

- 5
- (1) The Secretary of State may impose restrictions on the individual's use of, or access to, such descriptions of financial services as are specified.
  - (2) The Secretary of State may, in particular, impose any of the following requirements—
    - (a) a requirement not to hold any accounts, without the permission of the Secretary of State, other than the nominated account (see sub-paragraph (3));
    - (b) a requirement to close, or to cease to have an interest in, accounts;
    - (c) a requirement to comply with specified conditions in relation to the holding of any account (including the nominated account) or any other use of financial services;
    - (d) a requirement not to possess, or otherwise control, cash over a total specified value without the permission of the Secretary of State.
  - (3) The Secretary of State must allow the individual to hold (at least) one account (the "nominated account") if—
    - (a) the individual gives notice to the Secretary of State of the holding of the nominated account, and

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- (b) the account is held with a bank.
- (4) In sub-paragraph (3) “bank” means an institution which is incorporated in, or formed under the law of, any part of the United Kingdom and which has permission under Part 4 of the Financial Services and Markets Act 2000 to carry on the regulated activity of accepting deposits (within the meaning of section 22 of that Act, taken with Schedule 2 to that Act and any order under section 22 of that Act).
- (5) The reference in sub-paragraph (2)(d) to possessing or otherwise controlling cash does not include any cash that is held in an account with a person providing financial services (in accordance with any requirements imposed under this paragraph).
- (6) In sub-paragraph (2)(d) “cash” means—
  - (a) coins and notes in any currency,
  - (b) postal orders,
  - (c) cheques of any kind, including travellers’ cheques,
  - (d) bankers’ drafts,
  - (e) bearer bonds and bearer shares, and
  - (f) such other kinds of monetary instrument as may be specified.
- (7) A reference in this paragraph to the individual holding an account is a reference to an account held with a person providing financial services—
  - (a) that is in the individual’s name or is held for the individual’s benefit (whether held solely in the individual’s name or jointly with one or more other persons); or
  - (b) in respect of which the individual has power of attorney or can otherwise exercise control.
- (8) In this paragraph “financial services” means any service of a financial nature, including (but not limited to) banking and other financial services consisting of—
  - (a) accepting deposits and other repayable funds;
  - (b) lending (including consumer credit and mortgage credit);
  - (c) payment and money transmission services (including credit, charge and debit cards).

*Property measure*

- 6 (1) The Secretary of State may impose either or both of the following—
  - (a) restrictions on the individual in relation to the transfer of property to, or by, the individual, or
  - (b) requirements on the individual in relation to the disclosure of property.
- (2) The Secretary of State may, in particular, impose any of the following requirements—
  - (a) a requirement not to transfer money or other property to a person or place outside the United Kingdom without the permission of the Secretary of State;
  - (b) a requirement to give notice to the Secretary of State before transferring money or other property to a person or place outside the United Kingdom;
  - (c) a requirement to comply with any other specified conditions in relation to the transfer of property to, or by, the individual;
  - (d) a requirement to disclose to the Secretary of State such details as may be specified of any property that falls within sub-paragraph (3).

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- (3) Property falls within this sub-paragraph if it is property of a specified description—
  - (a) in which the individual has an interest of any kind, or
  - (b) over which, or in relation to which, the individual may exercise any right (including a right of use or a right to grant access).
- (4) A reference in this paragraph to the transfer of property includes a reference to the arrangement of such a transfer.
- (5) In this paragraph “property” includes rights over, or in relation to, property (including rights of use and rights to grant access); and a reference to the transfer of property includes a reference to the acquisition or disposal of such rights.

*Electronic communication device measure*

- 7 (1) The Secretary of State may impose either or both of the following—
  - (a) restrictions on the individual’s possession or use of electronic communication devices;
  - (b) requirements on the individual in relation to the possession or use of electronic communication devices by other persons in the individual’s residence.
- (2) The Secretary of State may, in particular, impose—
  - (a) a requirement not to possess or use any devices without the permission of the Secretary of State (subject to sub-paragraph (3));
  - (b) a requirement that a device may only be possessed or used subject to specified conditions.
- (3) The Secretary of State must allow the individual to possess and use (at least) one of each of the following descriptions of device (subject to any conditions on such use as may be specified under sub-paragraph (2)(b))—
  - (a) a telephone operated by connection to a fixed line;
  - (b) a computer that provides access to the internet by connection to a fixed line (including any apparatus necessary for that purpose);
  - (c) a mobile telephone that does not provide access to the internet.
- (4) The conditions specified under sub-paragraph (2)(b) may, in particular, include conditions in relation to—
  - (a) the type or make of a device (which may require the individual to use a device that is supplied or modified by the Secretary of State);
  - (b) the manner in which, or the times at which, a device is used;
  - (c) the monitoring of such use;
  - (d) the granting to a specified description of person of access to the individual’s premises for the purpose of the inspection or modification of a device;
  - (e) the surrendering to a specified description of person of a device on a temporary basis for the purpose of its inspection or modification at another place.
- (5) An “electronic communication device” means any of the following—
  - (a) a device that is capable of storing, transmitting or receiving images, sounds or information by electronic means;
  - (b) a component part of such a device;

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- (c) an article designed or adapted for use with such a device (including any disc, memory stick, film or other separate article on which images, sound or information may be recorded).
- (6) The devices within sub-paragraph (5)(a) include (but are not limited to)—
- (a) computers,
  - (b) telephones (whether mobile telephones or telephones operated by connection to a fixed line),
  - (c) equipment (not within paragraph (a) or (b)) designed or adapted for the purpose of connecting to the internet, and
  - (d) equipment designed or adapted for the purposes of sending or receiving facsimile transmissions.

*Association measure*

- 8 (1) The Secretary of State may impose restrictions on the individual's association or communication with other persons.
- (2) The Secretary of State may, in particular, impose any of the following requirements—
- (a) a requirement not to associate or communicate with specified persons, or specified descriptions of persons, without the permission of the Secretary of State;
  - (b) a requirement to give notice to the Secretary of State before associating or communicating with other persons (whether at all or in specified circumstances);
  - (c) a requirement to comply with any other specified conditions in connection with associating or communicating with other persons.
- (3) An individual associates or communicates with another person if the individual associates or communicates with that person by any means (and for this purpose it is immaterial whether the association or communication is carried out by the individual in person or by or through another individual or means).

*Work or studies measure*

- 9 (1) The Secretary of State may impose restrictions on the individual in relation to the individual's work or studies.
- (2) The Secretary of State may, in particular, impose any of the following requirements—
- (a) a requirement not to carry out without the permission of the Secretary of State—
    - (i) specified work or work of a specified description, or
    - (ii) specified studies or studies of a specified description;
  - (b) a requirement to give notice to the Secretary of State before carrying out any work or studies;
  - (c) a requirement to comply with any other specified conditions in connection with any work or studies.
- (3) In this paragraph—
- “work” includes any business or occupation (whether paid or unpaid);
  - “studies” includes any course of education or training.

### *Reporting measure*

- 10 (1) The Secretary of State may impose a requirement for the individual—
- (a) to report to such a police station, at such times and in such manner, as the Secretary of State may by notice require, and
  - (b) to comply with any directions given by a constable in relation to such reporting.
- (2) Such a notice may, in particular, provide that a requirement to report to a police station is not to apply if conditions specified in the notice are met.

### *Photography measure*

- 11 The Secretary of State may impose a requirement for the individual to allow photographs to be taken of the individual at such locations and at such times as the Secretary of State may by notice require.

### *Monitoring measure*

- 12 (1) The Secretary of State may impose requirements for the individual to co-operate with specified arrangements for enabling the individual's movements, communications or other activities to be monitored by electronic or other means.
- (2) The Secretary of State may, in particular, impose any of the following requirements for co-operation with the specified arrangements—
- (a) a requirement to submit to procedures required by the arrangements;
  - (b) a requirement to wear or otherwise use apparatus approved by or in accordance with the arrangements;
  - (c) a requirement to maintain such apparatus in a specified manner;
  - (d) a requirement to comply with directions given by persons carrying out functions for the purposes of the arrangements.
- (3) Directions under sub-paragraph (2)(d) may include directions requiring the individual to grant access to the individual's residence for the purpose of the inspection or modification of any apparatus used or maintained under the arrangements.

## **PART 2**

### **PERMISSION AND NOTICES**

#### *Permission*

- 13 (1) Any application by an individual for permission must be made in writing.
- (2) The Secretary of State may by notice specify—
- (a) the information to be supplied on an application, and
  - (b) the time by which the application is to be made.
- (3) A notice under sub-paragraph (2) may make different provision for different measures.

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- (4) The Secretary of State may by notice request the provision, within such period of time as the notice may specify, of further information from the individual in connection with an application received under sub-paragraph (1).
- (5) The Secretary of State is not required to consider an application further unless any information requested under sub-paragraph (4) is provided in accordance with the notice mentioned in that sub-paragraph.
- (6) Permission on an application is granted by the Secretary of State giving notice to the individual.
- (7) Permission may be granted subject to such conditions as the Secretary of State may by notice specify.
- (8) In this paragraph “permission” means permission in connection with a requirement or restriction imposed under Part 1 of this Schedule.

#### *Notices*

- 14 (1) This paragraph applies for the purposes of any notice given by the individual to the Secretary of State in connection with measures imposed under Part 1 of this Schedule (“a Part 1 notice”).
  - (2) The Secretary of State may by notice specify—
    - (a) the information to be supplied in a Part 1 notice, and
    - (b) the time by which a Part 1 notice is to be given.
  - (3) A notice under sub-paragraph (2) may make different provision for different measures.
  - (4) The Secretary of State may by notice request the provision, within such period of time as the notice may specify, of further information from the individual in connection with a Part 1 notice received from the individual.
  - (5) A requirement on the individual to give a Part 1 notice is not complied with unless and until the individual has received notice from the Secretary of State—
    - (a) that the Part 1 notice has been received, and
    - (b) that no (or no further) information is required under sub-paragraph (4) in relation to the Part 1 notice.

#### *Power of Secretary of State to vary or revoke notices*

- 15 The Secretary of State may vary or revoke a notice given by the Secretary of State under this Schedule.