

Status: Point in time view as at 15/12/2011.

Changes to legislation: There are currently no known outstanding effects for the Terrorism Prevention and Investigation Measures Act 2011, SCHEDULE 7. (See end of Document for details)

SCHEDULES

SCHEDULE 7

Section 29

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

GENERAL

Senior Courts Act 1981

- 1 In paragraph 2 of Schedule 1 to the Senior Courts Act 1981 (business allocated to the Queen's Bench Division)—
- (a) omit sub-paragraph (ba), and
 - (b) after sub-paragraph (bc) insert—
 - “(bd) all TPIM proceedings (within the meaning of the Terrorism Prevention and Investigation Measures Act 2011);”.

Police and Criminal Evidence Act 1984

- 2 In Schedule 2A to the Police and Criminal Evidence Act 1984 (fingerprints and samples: power to require attendance at police station), omit paragraphs 4 and 12.

Criminal Justice Act 1988

- 3 In section 133(5) of the Criminal Justice Act 1988 (compensation for miscarriages of justice)—
- (a) omit paragraph (d), and
 - (b) at the end of paragraph (e) insert “; or
 - (f) on an appeal under Schedule 3 to the Terrorism Prevention and Investigation Measures Act 2011.”.

Regulation of Investigatory Powers Act 2000

- 4 (1) Section 18 of the Regulation of Investigatory Powers Act 2000 (exceptions to exclusion of intercepted communications etc from legal proceedings) is amended as follows.
- (2) In subsection (1)—
- (a) omit paragraph (da), and
 - (b) after paragraph (dc) insert—
 - “(dd) any TPIM proceedings (within the meaning of the Terrorism Prevention and Investigation Measures Act 2011) or any proceedings arising out of such proceedings;”.

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(3) In subsection (2)—

- (a) for “(da)” (before “to (f)”) substitute “(db)”,
- (b) omit paragraph (za), and
- (c) after paragraph (zb) insert—
 - “(zc) in the case of proceedings falling within paragraph (dd), to—
 - (i) a person, other than the Secretary of State, who is or was a party to the proceedings, or
 - (ii) any person who for the purposes of the proceedings (but otherwise than by virtue of appointment as a special advocate under Schedule 4 to the Terrorism Prevention and Investigation Measures Act 2011) represents a person falling within sub-paragraph (i);”.

Counter-Terrorism Act 2008

- 5 (1) The Counter-Terrorism Act 2008 is amended as follows.
- (2) In section 1 (power to remove documents for examination), in subsection (1)—
- (a) omit paragraph (e);
 - (b) after paragraph (f) insert—
 - “(g) paragraphs 6, 7, 8 or 10 of Schedule 5 to the Terrorism Prevention and Investigation Measures Act 2011.”.
- (3) Omit sections 10 to 13 (power to take fingerprints and samples from person subject to control order).
- (4) Omit sections 78 to 81 (provision in relation to control orders).

Crime and Security Act 2010

- 6 (1) The Crime and Security Act 2010 is amended as follows.
- (2) In section 6(2) (power to require attendance at police station), in Schedule 2A inserted into the Police and Criminal Evidence Act 1984, omit paragraphs 4 and 12.
- (3) In section 12(2) (power to require attendance at police station), in Schedule 2A inserted into the Police and Criminal Evidence (Northern Ireland) Order 1989, omit paragraphs 4 and 12.
- (4) Omit section 20 (material subject to the Counter-Terrorism Act 2008 (Scotland)).
- (5) Omit—
- (a) section 56 (persons subject to control orders: powers of search and seizure), and
 - (b) section 58(16) (extent of section 56).

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PART 2

NORTHERN IRELAND

Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))

- 7 (1) The Police and Criminal Evidence (Northern Ireland) Order 1989 is amended as follows.
- (2) In Article 26(2) (offences for which an arrest may be made without a warrant in Northern Ireland), in paragraph (o), for “section 9(3) of the Prevention of Terrorism Act 2005” substitute “ section 23(1) of the Terrorism Prevention and Investigation Measures Act 2011 ”.
- (3) In Schedule 2A (fingerprints and samples: power to require attendance at police station), omit paragraphs 4 and 12.

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