



# Terrorism Prevention and Investigation Measures Act 2011

## 2011 CHAPTER 23

### *Enforcement*

#### **23 Offence**

- (1) An individual is guilty of an offence if—
  - (a) a TPIM notice is in force in relation to the individual, and
  - (b) the individual contravenes, without reasonable excuse, any measure specified in the TPIM notice.
- (2) If the individual has the permission of the Secretary of State by virtue of Schedule 1 for an act which would, without that permission, contravene such a measure, the individual contravenes that measure by virtue of that act if the act is not in accordance with the terms of the permission.
- (3) An individual guilty of an offence under subsection (1) is liable—
  - (a) on conviction on indictment, to imprisonment for a term not exceeding 5 years or to a fine, or to both;
  - (b) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum, or to both;
  - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum, or to both;
  - (d) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum, or to both.
- (4) In relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003, the reference in subsection (3)(b) to 12 months is to be read as a reference to 6 months.

---

*Status: This is the original version (as it was originally enacted).*

---

- (5) Where an individual is convicted by or before a court of an offence under subsection (1), it is not open to that court to make in respect of the offence—
- (a) an order under section 12(1)(b) of the Powers of Criminal Courts (Sentencing) Act 2000 (conditional discharge);
  - (b) an order under section 227A of the Criminal Procedure (Scotland) Act 1995 (community payback orders); or
  - (c) an order under Article 4(1)(b) of the Criminal Justice (Northern Ireland) Order 1996 ([S.I. 1996/3160 \(N.I. 24\)](#)) (conditional discharge in Northern Ireland).