



Terrorism Prevention and Investigation Measures Act 2011

2011 CHAPTER 23

Court scrutiny of imposition of measures

9 Review hearing

- (1) On a review hearing held in compliance with directions under section 8(4), the function of the court is to review the decisions of the Secretary of State that the relevant conditions were met and continue to be met.
- (2) In doing so, the court must apply the principles applicable on an application for judicial review.
- (3) The court—
 - (a) must discontinue the review hearing if the individual requests the court to do so; and
 - (b) may discontinue the review hearing in any other circumstances.
- (4) The court may not discontinue the review hearing in accordance with subsection (3)(b) without giving the Secretary of State and the individual the opportunity to make representations.
- (5) The court has the following powers (and only those powers) on a review hearing—
 - (a) power to quash the TPIM notice;
 - (b) power to quash measures specified in the TPIM notice;
 - (c) power to give directions to the Secretary of State for, or in relation to,—
 - (i) the revocation of the TPIM notice, or
 - (ii) the variation of measures specified in the TPIM notice.
- (6) If the court does not exercise any of its powers under subsection (5), the court must decide that the TPIM notice is to continue in force.
- (7) If the court exercises a power under subsection (5)(b) or (c)(ii), the court must decide that the TPIM notice is to continue in force subject to that exercise of that power.

Status: This is the original version (as it was originally enacted).

(8) In this section “relevant conditions” means—

- (a) condition A;
- (b) condition B;
- (c) condition C; and
- (d) condition D.