



# Counter-Terrorism and Security Act 2015

## 2015 CHAPTER 6

### PART 7

#### MISCELLANEOUS AND GENERAL

##### *General*

#### **48 Power to make consequential provision**

- (1) The Secretary of State may by regulations make provision that is consequential on any provision of this Act.
- (2) The power to make regulations under this section—
  - (a) is exercisable by statutory instrument;
  - (b) includes power to make transitional, transitory or saving provision;
  - (c) may, in particular, be exercised by amending, repealing, revoking or otherwise modifying any provision made by or under primary legislation passed before this Act or in the same Session.
- (3) Before making regulations under this section the Secretary of State must—
  - (a) if the regulations contain provision that would fall within the legislative competence of the Scottish Parliament if included in an Act of that Parliament, consult the Scottish Ministers;
  - (b) if the regulations contain provision that would fall within the legislative competence of the National Assembly for Wales if included in an Act of that Assembly, consult the Welsh Ministers;
  - (c) if the regulations contain provision that would fall within the legislative competence of the Northern Ireland Assembly if included in an Act of that Assembly, consult the Department of Justice in Northern Ireland.
- (4) A statutory instrument containing regulations under this section that amend, repeal or revoke anything in primary legislation (whether alone or with other provision) may be made only if a draft of the instrument has been laid before each House of Parliament and approved by a resolution of each House.

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- (5) Any other statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) In this section “primary legislation” means—
- (a) an Act of Parliament;
  - (b) an Act of the Scottish Parliament;
  - (c) a Measure or Act of the National Assembly for Wales;
  - (d) Northern Ireland legislation.

#### 49 Transitional provision

- (1) In relation to offences committed before [<sup>F1</sup>2 May 2022], the reference in section 10(5)(b) to [<sup>F2</sup>the general limit in a magistrates’ court] is to be read as a reference to 6 months.
- (2) In relation to offences committed before section 85(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 comes into force—
- (a) the reference in section 10(5)(b) to a fine is to be read as a reference to a fine not exceeding the statutory maximum;
  - (b) paragraph 15(3)(b) of Schedule 1 has effect as if the words “in Scotland or Northern Ireland” were omitted.
- (3) The amendments made by subsections (3) and (4) of section 17 apply only to things done and offences committed after that section comes into force.
- (4) A reference to a calendar year in the following subsections does not include a year before 2016—
- (a) subsection (3) of section 44;
  - (b) subsection (4C) of section 36 of the Terrorism Act 2006 (inserted by section 45(1) above);
  - <sup>F3</sup>(c) .....
  - (d) subsection (2) of section 20 of the Terrorism Prevention and Investigation Measures Act 2011 (substituted by section 45(3) above).

#### Textual Amendments

- F1** Words in s. 49(1) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022 \(S.I. 2022/500\)](#), regs. 1(2), 5(1), [Sch. Pt. 1](#)
- F2** Words in s. 49(1) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates’ Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), [Sch. Pt. 1](#)
- F3** S. 49(4)(c) repealed (31.12.2020) by [Sanctions and Anti-Money Laundering Act 2018 \(c. 13\)](#), s. 64(2), [Sch. 3 para. 9](#) (with [ss. 52\(3\), 53, 58](#)); S.I. 2020/1535, reg. 3(e)

#### 50 Financial provision

There is to be paid out of money provided by Parliament any increase attributable to this Act in the sums payable under any other Act out of money so provided.

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## **51 Extent**

- (1) Part 5 extends to England and Wales and Scotland.
- (2) The other provisions of this Act extend to England and Wales, Scotland and Northern Ireland.
- (3) Her Majesty may by Order in Council direct that any of the provisions of Parts 1 and 4 are to extend, with whatever modifications appear to Her Majesty to be appropriate, to any of the Channel Islands or the Isle of Man.
- (4) The power under section 39(6) of the Terrorism Act 2006 (extension to the Channel Islands or the Isle of Man) may be exercised in relation to any amendments made to that Act by this Act.
- (5) The power under section 31(4) of the Terrorism Prevention and Investigation Measures Act 2011 (extension to the Isle of Man) may be exercised in relation to any amendments made to that Act by this Act.
- (6) The power under section 39(3) of the Aviation Security Act 1982 (extension to the Channel Islands, Isle of Man etc) may be exercised in relation to any amendments made to that Act by this Act.
- (7) The power under section 51(1) of the Aviation and Maritime Security Act 1990 (extension to the Channel Islands, Isle of Man etc) may be exercised in relation to any amendments made to that Act by this Act.
- (8) The power under section 9(3) of the Special Immigration Appeals Commission Act 1997 (extension to the Channel Islands or the Isle of Man) may be exercised in relation to any amendments made to that Act by this Act.

## **52 Commencement**

- (1) Chapter 1 of Part 1 comes into force on the day after the day on which this Act is passed.
- (2) The following provisions come into force at the end of the period of two months beginning with the day on which this Act is passed—
  - (a) sections 36 to 38 and 40;
  - (b) sections 44 to 46.
- (3) The following provisions come into force on whatever day or days the Secretary of State appoints by regulations made by statutory instrument—
  - <sup>F4</sup>(a) .....
  - (b) section 22(10);
  - (c) paragraphs 12 to 14 of Schedule 5 and section 25 so far as relating to those paragraphs;
  - (d) sections 26 and 30, section 31(2) and (4) and sections 32 to 34.
- (4) Regulations under subsection (3)—
  - (a) may make different provision for different purposes;
  - (b) may make transitory, transitional or saving provision.
- (5) The other provisions of this Act come into force on the day on which this Act is passed.

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#### Textual Amendments

- F4** [S. 52\(3\)\(a\)](#) repealed (30.12.2016) by [Investigatory Powers Act 2016 \(c. 25\)](#), s. 272(1), [Sch. 10 Pt. 8](#) (with [Sch. 9 paras. 7, 8, 10](#)); [S.I. 2016/1233](#), reg. 2(r)

### 53 Short title

This Act may be cited as the Counter-Terrorism and Security Act 2015.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 31(1)(ba) inserted by [2023 c. 16 Sch. para. 15\(2\)\(b\)](#)