
STATUTORY INSTRUMENTS

2018 No. 521

The Terrorism Act 2000 (Enforcement in Different Parts of the United Kingdom) Order 2018

PART 2

Enforcement in England and Wales of Northern Ireland Orders and Scottish Orders

Scottish Disclosure Orders

6.—(1) Paragraphs (2) to (6) apply where the Lord Advocate gives a notice under a Scottish disclosure order which requires a person in England and Wales to—

- (a) answer questions in England and Wales; or
- (b) provide information or produce documents in England and Wales.

(2) Paragraph 21 of Schedule 5A (offences) does not apply and paragraph 11 of Schedule 5A (offences) applies as if the order were an English or Welsh disclosure order.

(3) Paragraph 22 of Schedule 5A (statements) applies in relation to criminal proceedings brought in England and Wales, as well as criminal proceedings brought in Scotland, with the modifications in paragraph (4).

(4) The modifications are that in sub-paragraph (2)—

- (a) in paragraph (a), after “paragraph 21(1) or (3)” there is inserted “or an offence under paragraph 11(1) or (3)”;
- (b) in paragraph (b), after “perjury” there is inserted “or an offence under section 5 of the Perjury Act 1911”.

(5) Paragraph 23 of Schedule 5A (further provisions) does not apply and paragraph 13 of Schedule 5A (further provisions) applies as if the order were an English or Welsh disclosure order, with the modifications in paragraph (6).

(6) The modifications are that—

- (a) in sub-paragraph (5), for “An appropriate officer” there is substituted “The Lord Advocate”; and
- (b) in sub-paragraph (7), for “an appropriate officer” there is substituted “the Lord Advocate”.

(7) Paragraphs (8) and (9) apply where the Lord Advocate gives a notice under a Scottish disclosure order which requires a person in England and Wales to—

- (a) answer questions in Scotland; or
- (b) provide information or produce documents in Scotland.

(8) Paragraph 11 of Schedule 5A (offences) applies as if the order were an English or Welsh disclosure order, as well as paragraph 21 of Schedule 5A (offences) and, for the avoidance of doubt, paragraph 13 of Schedule 5A (further provisions) does not apply in determining whether the person has committed an offence under paragraph 11(1) or (3) of Schedule 5A (offences).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(9) Paragraph 22 of Schedule 5A (statements) does not prevent a statement made by the person in response to a requirement imposed by the notice from being used in evidence on a prosecution in England and Wales for an offence under paragraph 11(1) or (3) of Schedule 5A (offences).