

Draft Order laid before Parliament under section 29(3) of the Anti-terrorism, Crime and Security Act 2001, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2005 No.

**PREVENTION AND
SUPPRESSION OF TERRORISM**

Anti-terrorism, Crime and Security Act 2001
(Continuance in force of sections 21 to 23) Order 2005

Made - - - -

Coming into force - - - *14th March 2005*

Whereas a draft of this Order has been laid before Parliament in accordance with section 29(3) of the Anti-terrorism, Crime and Security Act 2001⁽¹⁾ and has been approved by a resolution of each House of Parliament:

Now, therefore, the Secretary of State, in exercise of the powers conferred upon him by section 29(2) (c) of that Act, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Anti-terrorism, Crime and Security Act 2001 (Continuance in force of sections 21 to 23) Order 2005 and shall come into force on 14th March 2005.

Continuance in force of sections 21 to 23 of the Anti-terrorism, Crime and Security Act 2001

2. Sections 21 to 23(2) of the Anti-terrorism, Crime and Security Act 2001 shall not expire in accordance with the Anti-terrorism, Crime and Security Act 2001 (Continuance in force of sections 21 to 23) Order 2004⁽³⁾ but shall continue in force for a period of 9 months beginning with 14th March 2005.

(1) [2001 c. 24](#).

(2) Section 22 of the Anti-terrorism, Crime and Security Act 2001 was amended by paragraphs 14 and 15 of the Schedule to the Nationality, Immigration and Asylum Act 2002 (Consequential and Incidental Provisions) Order 2003 ([S.I. 2003/1016](#)) and section 23 of that Act was amended by section 62(15) of the Nationality, Immigration and Asylum Act 2002 ([c. 41](#)).

(3) [S.I. 2004/751](#).

Home Office

2005

One of Her Majesty's Principal Secretaries of
State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order continues in force for a period of 9 months, beginning with 14th March 2005, sections 21 to 23 of the Anti-terrorism, Crime and Security Act 2001, which would otherwise expire at the end of 13th March 2005 in accordance with the Anti-terrorism, Crime and Security Act 2001 (Continuance in force of sections 21 to 23) Order 2004 ([S.I. 2004/751](#)) made under section 29(2)(c) of that Act.

These provisions enable a person in respect of whom the Secretary of State issues a certificate under section 21 (a “suspected international terrorist”) to be detained under the Immigration Act 1971 despite the fact that the person’s removal from the United Kingdom is prevented by a point of law relating to an international agreement or a practical consideration.