

*These notes refer to the Terrorism Act 2006 (c.11)  
which received Royal Assent on 30 March 2006*

# TERRORISM ACT 2006

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## EXPLANATORY NOTES

### COMMENTARY

#### *Definitions*

#### *Section 17 – Commission of offences abroad*

#### **Subsections (5) and (6)**

87. **Subsection (5)** amends section 3 of the [Explosive Substances Act 1883 \(c. 3\)](#). Under section 3(1)(a) of that Act it is an offence to carry out certain acts preparatory to causing an explosion. The preparatory acts must take place in the UK or its dependencies, or, in the case of a citizen of the UK or colonies, anywhere in the world. At the moment in order for the offence to be committed the explosion must be intended to take place in the UK or the Republic of Ireland. This means that it is not an offence to do acts preparatory to an explosion in a country other than the UK or the Republic of Ireland. **Subsection (5)** amends section 3 so that the explosion can be planned to take place anywhere in the world. **Subsection (6)** provides that the amendment to the Explosive Substances Act 1883 only applies to Scotland so far as the act that may be considered an offence is an act of terrorism, an act for the purposes of terrorism, or that any possession or control of a substance is for the purposes of terrorism. The provision is so limited because section 3 of the Explosive Substances Act 1883 is only a reserved matter, within the meaning of the Scotland Act 1998, insofar as it relates to terrorism.