
Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Cross
Heading: Service offences: period for which notification requirements apply. (See end of Document for details)

SCHEDULES

SCHEDULE 6

NOTIFICATION REQUIREMENTS: APPLICATION TO SERVICE OFFENCES

Service offences: period for which notification requirements apply

- 7 (1) The period for which the notification requirements apply is—
- (a) 30 years in the case of a person who—
 - (i) is aged 18 or over at the time of conviction for the service offence,
and
 - (ii) receives in respect of the offence a sentence within sub-paragraph (2);
 - (b) 15 years in the case of a person who—
 - (i) is aged 18 or over at the time of conviction for the service offence,
and
 - (ii) receives in respect of the offence a sentence within sub-paragraph (3);
 - (c) 10 years in any other case.
- (2) The sentences where a 30 year period applies are—
- (a) imprisonment or custody for life,
 - (b) imprisonment or a custodial order for a term of 10 years or more,
 - (c) imprisonment or detention in a young offender institution for public protection under section 225 of the Criminal Justice Act 2003 (c. 44),
 - (d) detention during Her Majesty's pleasure.
- (3) The sentences where a 15 year period applies are imprisonment or a custodial order for a term of 5 years or more but less than 10 years.
- (4) The period begins with the day on which the person is dealt with for the offence.
- (5) If a person who is the subject of a finding within paragraph 5(1)(b)(iii) (finding of unfitness to stand trial etc) is subsequently tried for the offence, the period resulting from that finding ends—
- (a) if the person is acquitted, at the conclusion of the trial;
 - (b) if the person is convicted, when the person is again dealt with in respect of the offence.
- (6) For the purposes of determining the length of the period—
- (a) a person who has been sentenced in respect of two or more terrorism offences to consecutive terms of imprisonment is treated as if sentenced, in respect of each of the offences, to a term of imprisonment equal to the aggregate of the terms; and
 - (b) a person who has been sentenced in respect of two or more such offences to concurrent terms of imprisonment (X and Y) that overlap for a period (Z)

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is treated as if sentenced, in respect of each of the offences, to a term of imprisonment equal to X plus Y minus Z.

- (7) In determining whether the period has expired, there shall be disregarded any period when the person was—
- (a) remanded in or committed to custody by an order of a court,
 - (b) in service custody pursuant to a decision of a court or judge advocate (or an order of a commanding officer under section 110 of the Armed Forces Act 2006 (c. 52)),
 - (c) serving a sentence of imprisonment or detention,
 - (d) detained in a hospital, or
 - (e) detained under the Immigration Acts.
- (8) In sub-paragraph (7)(b)—
- (a) “service custody” includes, in relation to times before the commencement of the relevant provisions of the Armed Forces Act 2006, military custody, air-force custody and naval custody;
 - (b) “judge advocate” includes, in relation to such times, judicial officer;
 - (c) the reference to section 110 of the Armed Forces Act 2006 includes, in relation to times before the commencement of that section, a reference to—
 - (i) section 75K of the Army Act 1955 (3 & 4 Eliz. 2 c. 18) or the Air Force Act 1955 (3 & 4 Eliz. 2 c. 19);
 - (ii) section 47L of the Naval Discipline Act 1957 (c. 53).

Modifications etc. (not altering text)

- C1** Sch. 6 para. 7(2)(b) modified (24.4.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\)](#), art. 1(3), [Sch. 2 para. 17\(b\)](#)
- C2** Sch. 6 para. 7(3) modified (24.4.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\)](#), art. 1(3), [Sch. 2 para. 17\(b\)](#)

Commencement Information

- I1** Sch. 6 para. 7 in force at 1.10.2009 by [S.I. 2009/1493](#), [art. 2\(d\)](#)

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