



# Terrorism Prevention and Investigation Measures Act 2011

## 2011 CHAPTER 23

*New regime to protect the public from terrorism*

### **1 Abolition of control orders**

The Prevention of Terrorism Act 2005 (which gives powers to impose control orders) is repealed.

### **2 Imposition of terrorism prevention and investigation measures**

- (1) The Secretary of State may by notice (a “TPIM notice”) impose specified terrorism prevention and investigation measures on an individual if conditions A to E in section 3 are met.
- (2) In this Act “terrorism prevention and investigation measures” means requirements, restrictions and other provision which may be made in relation to an individual by virtue of Schedule 1 (terrorism prevention and investigation measures).
- (3) In this section and Part 1 of Schedule 1 “specified” means specified in the TPIM notice.

### **3 Conditions A to E**

- (1) Condition A is that the Secretary of State reasonably believes that the individual is, or has been, involved in terrorism-related activity (the “relevant activity”).
- (2) Condition B is that some or all of the relevant activity is new terrorism-related activity.
- (3) Condition C is that the Secretary of State reasonably considers that it is necessary, for purposes connected with protecting members of the public from a risk of terrorism, for terrorism prevention and investigation measures to be imposed on the individual.
- (4) Condition D is that the Secretary of State reasonably considers that it is necessary, for purposes connected with preventing or restricting the individual’s involvement

in terrorism-related activity, for the specified terrorism prevention and investigation measures to be imposed on the individual.

- (5) Condition E is that—
- (a) the court gives the Secretary of State permission under section 6, or
  - (b) the Secretary of State reasonably considers that the urgency of the case requires terrorism prevention and investigation measures to be imposed without obtaining such permission.
- (6) In this section “new terrorism-related activity” means—
- (a) if no TPIM notice relating to the individual has ever been in force, terrorism-related activity occurring at any time (whether before or after the coming into force of this Act);
  - (b) if only one TPIM notice relating to the individual has ever been in force, terrorism-related activity occurring after that notice came into force; or
  - (c) if two or more TPIM notices relating to the individual have been in force, terrorism-related activity occurring after such a notice came into force most recently.

#### **4 Involvement in terrorism-related activity**

- (1) For the purposes of this Act, involvement in terrorism-related activity is any one or more of the following—
- (a) the commission, preparation or instigation of acts of terrorism;
  - (b) conduct which facilitates the commission, preparation or instigation of such acts, or which is intended to do so;
  - (c) conduct which gives encouragement to the commission, preparation or instigation of such acts, or which is intended to do so;
  - (d) conduct which gives support or assistance to individuals who are known or believed by the individual concerned to be involved in conduct falling within paragraphs (a) to (c);
- and for the purposes of this Act it is immaterial whether the acts of terrorism in question are specific acts of terrorism or acts of terrorism in general.
- (2) For the purposes of this Act, it is immaterial whether an individual’s involvement in terrorism-related activity occurs before or after the coming into force of this Act.