

# **TERRORISM PREVENTION AND INVESTIGATION MEASURES ACT 2011**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 21: Expiry and repeal of TPIM powers***

117. **Section 21** provides that the Secretary of State's TPIM powers expire after five years, unless renewed by order subject to the affirmative resolution procedure. The Secretary of State's TPIM powers, as specified in *subsection (8)*, are the powers under the Act to impose, extend, vary or revive a TPIM notice. The powers may be renewed for no longer than a further five years at a time, and the Secretary of State may also by order repeal them, or revive them after they have been allowed to expire. *Subsections (5) and (6)* provide that such an order need not be made subject to the normal affirmative resolution procedure in a case where the Secretary of State declares that this is necessary by reasons of urgency. The order must instead be laid before Parliament after being made, and must be approved by resolution of each House within 40 days, failing which it will cease to have effect. The 40 day period does not include days when Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
118. *Subsection (3)* provides that before making any order under this section the Secretary of State must consult: the independent reviewer of the Act (see section 20); the Intelligence Services Commissioner; and the Director-General of the Security Service.