

SCHEDULES

SCHEDULE 1

TERRORISM PREVENTION AND INVESTIGATION MEASURES

PART 1

MEASURES

Overnight residence measure

- 1 (1) The Secretary of State may impose restrictions on the individual in relation to the residence in which the individual resides.
- (2) The Secretary of State may, in particular, impose any of the following—
 - (a) a requirement to reside at a specified residence;
 - (b) a requirement to give notice to the Secretary of State of the identity of any other individuals who reside (or will reside) at the specified residence;
 - (c) a requirement, applicable overnight between such hours as are specified, to remain at, or within, the specified residence.
- (3) The specified residence must be—
 - (a) premises that are the individual's own residence, or
 - (b) other premises provided by or on behalf of the Secretary of State that are situated in an appropriate locality or an agreed locality.
- (4) An "appropriate locality" is—
 - (a) a locality in the United Kingdom in which the individual has a residence;
 - (b) if the individual has no such residence, a locality in the United Kingdom with which the individual has a connection;
 - (c) if the individual has no such residence or connection, any locality in the United Kingdom that appears to the Secretary of State to be appropriate.
- (5) An "agreed locality" is a locality in the United Kingdom which is agreed by the Secretary of State and the individual.
- (6) If the specified residence is provided to the individual by or on behalf of the Secretary of State, the Secretary of State may require the individual to comply with any specified terms of occupancy of that residence (which may be specified by reference to a lease or other document).
- (7) A requirement of the kind mentioned in sub-paragraph (2)(c) must include provision to enable the individual to apply for the permission of the Secretary of State to be away from the specified residence, for the whole or part of any applicable period, on one or more occasions.

Status: This is the original version (as it was originally enacted).

- (8) The Secretary of State may grant such permission subject to either or both of the following conditions—
- (a) the condition that the individual remains overnight at other agreed premises between such hours as the Secretary of State may require;
 - (b) the condition that the individual complies with such other restrictions in relation to the individual’s movements whilst away from the specified residence as are so required.
- (9) “Agreed premises” are premises in the United Kingdom which are agreed by the Secretary of State and the individual.
- (10) Sub-paragraph (8) is not to be read as limiting—
- (a) the generality of sub-paragraph (7) of paragraph 13 (power to impose conditions when granting permission), or
 - (b) the power to impose further conditions under that sub-paragraph in connection with permission granted by virtue of sub-paragraph (7) of this paragraph.
- (11) In sub-paragraph (7) “applicable period” means a period for which the individual is required to remain at the specified residence by virtue of a requirement of the kind mentioned in sub-paragraph (2)(c).