

Status: Point in time view as at 15/12/2011.

Changes to legislation: There are currently no known outstanding effects for the Terrorism Prevention and Investigation Measures Act 2011, Cross Heading: Electronic communication device measure. (See end of Document for details)

SCHEDULES

SCHEDULE 1

TERRORISM PREVENTION AND INVESTIGATION MEASURES

PART 1

MEASURES

Electronic communication device measure

- 7 (1) The Secretary of State may impose either or both of the following—
- (a) restrictions on the individual's possession or use of electronic communication devices;
 - (b) requirements on the individual in relation to the possession or use of electronic communication devices by other persons in the individual's residence.
- (2) The Secretary of State may, in particular, impose—
- (a) a requirement not to possess or use any devices without the permission of the Secretary of State (subject to sub-paragraph (3));
 - (b) a requirement that a device may only be possessed or used subject to specified conditions.
- (3) The Secretary of State must allow the individual to possess and use (at least) one of each of the following descriptions of device (subject to any conditions on such use as may be specified under sub-paragraph (2)(b))—
- (a) a telephone operated by connection to a fixed line;
 - (b) a computer that provides access to the internet by connection to a fixed line (including any apparatus necessary for that purpose);
 - (c) a mobile telephone that does not provide access to the internet.
- (4) The conditions specified under sub-paragraph (2)(b) may, in particular, include conditions in relation to—
- (a) the type or make of a device (which may require the individual to use a device that is supplied or modified by the Secretary of State);
 - (b) the manner in which, or the times at which, a device is used;
 - (c) the monitoring of such use;
 - (d) the granting to a specified description of person of access to the individual's premises for the purpose of the inspection or modification of a device;
 - (e) the surrendering to a specified description of person of a device on a temporary basis for the purpose of its inspection or modification at another place.
- (5) An “electronic communication device” means any of the following—

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- (a) a device that is capable of storing, transmitting or receiving images, sounds or information by electronic means;
 - (b) a component part of such a device;
 - (c) an article designed or adapted for use with such a device (including any disc, memory stick, film or other separate article on which images, sound or information may be recorded).
- (6) The devices within sub-paragraph (5)(a) include (but are not limited to)—
- (a) computers,
 - (b) telephones (whether mobile telephones or telephones operated by connection to a fixed line),
 - (c) equipment (not within paragraph (a) or (b)) designed or adapted for the purpose of connecting to the internet, and
 - (d) equipment designed or adapted for the purposes of sending or receiving facsimile transmissions.

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