



Terrorism Prevention and Investigation Measures Act 2011

2011 CHAPTER 23

Enforcement

23 Offence

- (1) An individual is guilty of an offence if—
- (a) a TPIM notice is in force in relation to the individual, and
 - (b) the individual contravenes, without reasonable excuse, any measure specified in the TPIM notice.

[^{F1}(1A) Where an individual—

- (a) is subject to a measure specified under paragraph 2 of Schedule 1 (a “travel measure”), and
 - (b) leaves the United Kingdom or travels outside the United Kingdom, subsection (1)(b) has effect, in relation to that act, with the omission of the words “without reasonable excuse”.]
- (2) If the individual has the permission of the Secretary of State by virtue of Schedule 1 for an act which would, without that permission, contravene such a measure, the individual contravenes that measure by virtue of that act if the act is not in accordance with the terms of the permission.
- (3) An individual guilty of an offence under subsection (1) is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding 5 years or to a fine, or to both;
 - (b) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum, or to both;
 - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum, or to both;

Status: Point in time view as at 01/12/2020. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Terrorism Prevention and Investigation Measures Act 2011, Section 23. (See end of Document for details)

- (d) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum, or to both.

[^{F2}(3A) Where an individual commits an offence under subsection (1) by contravening a travel measure, subsection (3)(a) has effect as if “10 years” were substituted for “5 years”.]

- (4) In relation to an offence committed before the commencement of [^{F3}paragraph 24(2) of Schedule 22 to the Sentencing Act 2020], the reference in subsection (3)(b) to 12 months is to be read as a reference to 6 months.

- (5) Where an individual is convicted by or before a court of an offence under subsection (1), it is not open to that court to make in respect of the offence—

- (a) an order under [^{F4}section 80 of the Sentencing Code] (conditional discharge);
 (b) an order under section 227A of the Criminal Procedure (Scotland) Act 1995 (community payback orders); or
 (c) an order under Article 4(1)(b) of the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I. 24)) (conditional discharge in Northern Ireland).

Textual Amendments

- F1** S. 23(1A) inserted (12.2.2015) by [Counter-Terrorism and Security Act 2015 \(c. 6\)](#), **ss. 17(3)**, 52(5) (with [s. 49\(3\)](#))
- F2** S. 23(3A) inserted (12.2.2015) by [Counter-Terrorism and Security Act 2015 \(c. 6\)](#), **ss. 17(4)**, 52(5) (with [s. 49\(3\)](#))
- F3** Words in s. 23(4) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 24 para. 443(1)** (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F4** Words in s. 23(5)(a) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 24 para. 284** (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2

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