
STATUTORY INSTRUMENTS

2018 No. 521

The Terrorism Act 2000 (Enforcement in Different Parts of the United Kingdom) Order 2018

PART 4

Enforcement in Scotland of English or Welsh Orders and Northern Ireland Orders

English or Welsh Explanation Orders

31.—(1) This article applies where an English or Welsh explanation order requires a person in Scotland to provide an explanation of any material produced or made available under paragraph 5 of Schedule 5 (excluded and special procedure material: production & access).

(2) The explanation order may be served—

- (a) by sending it by post, facsimile transmission or electronic mail to the person in possession of the material; or
- (b) by an English or Welsh appropriate officer or a constable of the Police Service of Scotland serving the order personally,

any rules of court as to the service of documents (other than rules of court made by virtue of section 120C) and any other requirements in law as to the service of documents do not apply.

(3) The sheriff is to be regarded, for the purpose of enforcing the explanation order, as having made the order and proceedings for or with respect to any failure to comply with the order may be taken by the sheriff accordingly.

(4) Paragraph 13(2) of Schedule 5 (explanations) does not apply and paragraph 33(1) (supplementary) of Schedule 5 applies as if the explanation order were a Scottish explanation order.

(5) In relation to criminal proceedings brought in Scotland—

- (a) paragraph 13(4)(b) of Schedule 5 (explanations) does not apply, and
- (b) paragraph 30(3) of Schedule 5 (explanations) applies.