
STATUTORY INSTRUMENTS

2018 No. 521

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

PART 2

Enforcement in England and Wales of Northern Ireland Orders and Scottish Orders

Scottish Explanation Orders

8.—(1) This article applies where a Scottish explanation order requires a person in England and Wales to provide an explanation of any material produced or made available under paragraph 22 of Schedule 5 (order for production of material).

(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,

and the Summary Jurisdiction (Process) Act 1881, 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 explanation order has effect as if it were an order of the Crown Court in England and Wales.

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

(5) In relation to criminal proceedings brought in England and Wales—

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