



Terrorism Prevention and Investigation Measures Act 2011

2011 CHAPTER 23

Final provisions

30 Interpretation etc

(1) In this Act—

“act” and “conduct” include omissions and statements;

“act of terrorism” includes anything constituting an action taken for the purposes of terrorism, within the meaning of the Terrorism Act 2000 (see section 1(5) of that Act);

“condition A”, “condition B”, “condition C”, “condition D” or “condition E” means that condition as set out in section 3;

“court” means—

- (a) in the case of proceedings relating to an individual whose principal place of residence is in Scotland, the Outer House of the Court of Session;
- (b) in the case of proceedings relating to an individual whose principal place of residence is in Northern Ireland, the High Court in Northern Ireland;
- (c) in any other case, the High Court in England and Wales;

“measures” means terrorism prevention and investigation measures (which has the meaning given in section 2);

“notice” means notice in writing;

“terrorism” has the same meaning as in the Terrorism Act 2000 (see section 1(1) to (4) of that Act);

“terrorism-related activity”, and “involvement” (in relation to such activity), are to be construed in accordance with section 4;

“TPIM decision” has the meaning given in section 17;

“TPIM notice” has the meaning given in section 2(1);

“TPIM proceedings” means—

- (a) proceedings on an application for permission under section 6;

Changes to legislation: There are currently no known outstanding effects for the Terrorism Prevention and Investigation Measures Act 2011, Section 30. (See end of Document for details)

- (b) proceedings on a reference under Schedule 2;
 - (c) proceedings on a directions hearing held in accordance with directions under section 8(2);
 - (d) proceedings on a review hearing held in accordance with directions under section 8(4);
 - (e) proceedings on an appeal under section 16;
 - (f) proceedings by virtue of section 17(2);
 - (g) proceedings on an application made by virtue of rules of court made under paragraph 6 of Schedule 4 (application for order requiring anonymity);
 - (h) any other proceedings for questioning a TPIM decision (including any claim for damages or other relief arising out of such a decision).
- (2) In a case where—
- (a) a TPIM notice has come into force in relation to an individual, and
 - (b) by virtue of the coming into force of that TPIM notice, terrorism-related activity which occurred before the coming into force of that notice has ceased to be new terrorism-related activity (within the meaning of section 3(6)) in relation to that individual for the purposes of that section,
- the Secretary of State is not prevented from taking account of that activity for the purposes of the continued imposition, or subsequent imposition, of measures on that individual.
- (3) For the purposes of the definition of “new terrorism-related activity” in section 3, if a TPIM notice is revived under section 13(6), a reference to the notice coming into force is a reference to it coming into force by virtue of section 5(1) (and not to it coming back into force by virtue of section 13(9)).
- (4) For the purpose of determining what measures may be imposed on an individual, it is immaterial whether the involvement in terrorism-related activity to be prevented or restricted by the measures is connected with matters to which the Secretary of State's belief for the purpose of condition A relates.
- (5) A failure by the Secretary of State to consider an application by an individual for—
- (a) the revocation of a TPIM notice, or
 - (b) the variation of measures specified in a TPIM notice,
- is to be treated as a decision by the Secretary of State not to revoke, or not to vary, the TPIM notice.
- (6) Subsections (2) to (5) apply for the purposes of this Act.

Changes to legislation:

There are currently no known outstanding effects for the Terrorism Prevention and Investigation Measures Act 2011, Section 30.