



Counter-Terrorism and Security Act 2015

2015 CHAPTER 6

PART 7

MISCELLANEOUS AND GENERAL

Miscellaneous

44 **Reviews of operation of Part 1 etc**

- (1) The person appointed under section 36(1) of the Terrorism Act 2006 (“the independent reviewer”) is also responsible for reviewing the operation of the provisions listed in subsection (2).
- (2) The provisions are—
 - (a) Part 1 of the Anti-Terrorism, Crime and Security Act 2001;
 - (b) Part 2 of that Act as it applies in cases where a use or threat of the action referred to in section 4(2) of that Act would constitute terrorism;
 - (c) the Counter-Terrorism Act 2008;
 - (d) Part 1 of this Act.
- (3) In each calendar year the independent reviewer must, by 31 January, inform the Secretary of State and the Treasury what (if any) reviews under this section the reviewer intends to carry out in that year.

Those reviews must be completed during that year or as soon as reasonably practicable after the end of it.
- (4) The independent reviewer must send to the Secretary of State a report on the outcome of each review as soon as reasonably practicable after the review is completed.
- (5) On receiving a report under subsection (4), the Secretary of State must lay a copy of it before Parliament.
- (6) The expenses and allowances that may be paid under section 36(6) of the Terrorism Act 2006 include expenses and allowances in respect of functions under this section.

Status: This is the original version (as it was originally enacted).

- (7) In this section “terrorism” has the same meaning as in the Terrorism Act 2000 (see section 1(1) to (4) of that Act).

45 Reviews of operation of other terrorism legislation

- (1) In section 36 of the Terrorism Act 2006 (review of terrorism legislation)—
- (a) in subsection (2), for “carry out a review of those provisions and,” substitute “carry out—
 - (a) a review of the provisions of the Terrorism Act 2000, and
 - (b) a review of the provisions of Part 1 of this Act,
 and,”;
 - (b) in subsection (4), for “subsection (2)” substitute “subsection (2)(a)”;
 - (c) after subsection (4B) insert—

“(4C) In each calendar year the person appointed under subsection (1) must, by 31 January, inform the Secretary of State what (if any) reviews under subsection (2)(b) the person intends to carry out in that year.

Those reviews must be completed during that year or as soon as reasonably practicable after the end of it.”

- (2) In section 31 of the Terrorist Asset-Freezing etc. Act 2010 (independent review of operation of Part 1 of that Act), for subsection (2) substitute—

“(2) In each calendar year the person appointed under subsection (1) must, by 31 January, inform the Treasury what (if any) reviews under this section the person intends to carry out in that year.

Those reviews must be completed during that year or as soon as reasonably practicable after the end of it.”

- (3) In section 20 of the Terrorism Prevention and Investigation Measures Act 2011 (reviews of the operation of that Act)—

- (a) for subsections (2) and (3) substitute—

“(2) In each calendar year the independent reviewer must, by 31 January, inform the Secretary of State what (if any) reviews under this section the reviewer intends to carry out in that year.

Those reviews must be completed during that year or as soon as reasonably practicable after the end of it.”;

- (b) omit subsections (7) to (9).

46 Privacy and Civil Liberties Board

- (1) The Secretary of State may by regulations made by statutory instrument establish a body to provide advice and assistance to the persons appointed under—

- (a) section 36(1) of the Terrorism Act 2006,
- (b) section 31(1) of the Terrorist Asset-Freezing etc. Act 2010, and
- (c) section 20(1) of the Terrorism Prevention and Investigation Measures Act 2011,

in the discharge of their functions.

- (2) The body is to be known as the Privacy and Civil Liberties Board.
- (3) Regulations under this section may include provision about—
 - (a) the membership of the board;
 - (b) the payment of expenses and allowances to members;
 - (c) the circumstances in which a person ceases to be a member;
 - (d) the appointment of staff, their terms and conditions of employment and their pensions, allowances or gratuities;
 - (e) the organisation and procedure of the board;
 - (f) particular things that the board may or must do;
 - (g) the preparation and publication of reports and accounts.
- (4) Regulations under this section must—
 - (a) provide for the Secretary of State to appoint members of the board after considering any recommendations made by the person appointed under section 36(1) of the Terrorism Act 2006;
 - (b) provide for the board to be chaired by that person and to be subject to his or her direction and control.
- (5) Regulations under this section may contain incidental, consequential, transitional or supplementary provision.

This includes provision amending, applying (with or without modifications), disapplying, repealing or revoking any provision of primary legislation, whenever passed or made.
- (6) A statutory instrument—
 - (a) containing the first regulations under this section, or
 - (b) containing any regulations under this section that amend, repeal or revoke anything in primary legislation (whether alone or with other provision),may not be made unless a draft of the instrument has been laid before each House of Parliament and approved by a resolution of each House.
- (7) A statutory instrument containing regulations under this section to which subsection (6) does not apply is subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) In this section “primary legislation” has the same meaning as in section 48.

47 Review of certain naturalisation decisions by Special Immigration Appeals Commission

In section 2D of the Special Immigration Appeals Commission Act 1997 (jurisdiction: review of certain naturalisation and citizenship decisions), in subsection (1)(a)(i), after “6” insert “or 18”.