



Counter-Terrorism and Border Security Act 2019

2019 CHAPTER 3

PART 1

COUNTER-TERRORISM

CHAPTER 2

PUNISHMENT AND MANAGEMENT OF TERRORIST OFFENDERS

Sentencing

7 Increase in maximum sentences

- (1) The Terrorism Act 2000 is amended in accordance with subsections (2) to (4).
- (2) In section 38B (information about acts of terrorism), in subsection (5)(a), for “five years” substitute “10 years”.
- (3) In section 58 (collection of information), in subsection (4)(a), for “10 years” substitute “15 years”.
- (4) In section 58A (eliciting, publishing or communicating information about members of armed forces etc), in subsection (3)(a), for “10 years” substitute “15 years”.
- (5) The Terrorism Act 2006 is amended in accordance with subsections (6) and (7).
- (6) In section 1 (encouragement of terrorism), in subsection (7)(a), for “7 years” substitute “15 years”.
- (7) In section 2 (dissemination of terrorist publications), in subsection (11)(a), for “7 years” substitute “15 years”.

8 Sentences for offences with a terrorist connection

- (1) The Counter-Terrorism Act 2008 is amended as follows.
- (2) In section 30 (sentences for offences with a terrorist connection: England and Wales)
 - (a) in the heading, after “Wales” insert “and Northern Ireland”;
 - (b) in subsection (1), after “Wales” insert “, or in Northern Ireland.”.
- (3) In section 42 (offences to which notification requirements apply: offences having a terrorist connection), in subsection (1), in paragraph (a), after “Wales” insert “and Northern Ireland”.
- (4) Schedule 2 (list of offences where terrorist connection to be considered) is amended in accordance with subsections (5) and (6).
- (5) In the list of common law offences, after the entry for “Abduction” insert—
 - “Assault by explosive device under the law of Scotland.
 - Assault to severe injury under the law of Scotland.
 - Assault and poisoning under the law of Scotland.
 - Poisoning under the law of Scotland.
 - False imprisonment under the law of Northern Ireland.”
- (6) In the list of statutory offences—
 - (a) in the entry relating to the Offences against the Person Act 1861, after paragraph (a) insert—
 - “(aa) section 18 (wounding with intent).”;
 - (b) after the entry relating to the Explosive Substances Act 1883 insert—
 - “An offence under section 20 of the [Theft Act \(Northern Ireland\) 1969 \(c. 16 \(N.I.\)\)](#) (blackmail).
 - An offence under section 1 of the [Protection of the Person and Property Act \(Northern Ireland\) 1969 \(c. 29 \(N.I.\)\)](#) (intimidation).”;
 - (c) after the entry relating to the Chemical Weapons Act 1996 insert—
 - “An offence under Article 6 of the [Protection from Harassment \(Northern Ireland\) Order 1997 \(S.I. 1997/1180 \(N.I. 9\)\)](#) (putting people in fear of violence).”;
 - (d) after the entry relating to the Anti-terrorism, Crime and Security Act 2001 insert—
 - “An offence under any of the following provisions of the [Firearms \(Northern Ireland\) Order 2004 \(S.I. 2004/702 \(N.I. 3\)\)](#)—
 - (a) Article 3(1) (unauthorised possession etc of firearm),
 - (b) Article 3(2) (unauthorised possession etc of ammunition),
 - (c) Article 58(1) (possession of firearm with intent to endanger life etc),
 - (d) Article 58(2) (possession of firearm with intent to cause person to believe that unlawful violence will be used etc),
 - (e) Article 60 (carrying a firearm with criminal intent),
 - (f) Article 61 (carrying or discharging a firearm in a public place),
 - (g) Article 64 (possession of firearm or ammunition in suspicious circumstances).”

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

9 Extended sentences etc for terrorism offences: England and Wales

- (1) The Criminal Justice Act 2003 is amended as follows.
- (2) In section 224 (meaning of “specified offence” etc)—
 - (a) in subsection (1), for “or a specified sexual offence” substitute “, a specified sexual offence or a specified terrorism offence”;
 - (b) in subsection (3), after the definition of “specified sexual offence” insert—

““specified terrorism offence” means an offence specified in Part 3 of that Schedule.”
- (3) In section 226A (extended sentence for certain violent or sexual offences: persons 18 or over)—
 - (a) in the heading, for “or sexual” substitute “, sexual or terrorism”;
 - (b) in subsection (8), in paragraph (b), at the end insert “or a specified terrorism offence”.
- (4) In section 226B (extended sentence for certain violent or sexual offences: persons under 18)—
 - (a) in the heading, for “or sexual” substitute “, sexual or terrorism”;
 - (b) in subsection (6), in paragraph (b), at the end insert “or a specified terrorism offence”.
- (5) In Schedule 15 (specified offences for the purposes of certain sentencing provisions in Chapter 5 of Part 12, relating to dangerous offenders), after Part 2 insert—

“PART 3

SPECIFIED TERRORISM OFFENCES

An offence under section 11 of the Terrorism Act 2000 (membership of a proscribed organisation).

An offence under section 12 of that Act (inviting support for a proscribed organisation).

An offence under section 54 of that Act (weapons training).

An offence under section 56 of that Act (directing a terrorist organisation).

An offence under section 57 of that Act (possession of article for terrorist purposes).

An offence under section 58 of that Act (collection of information likely to be of use to a terrorist).

An offence under section 58A of that Act (publishing information about members of the armed forces etc).

An offence under section 58B of that Act (entering or remaining in a designated area).

An offence under section 59 of that Act (inciting terrorism overseas).

An offence under section 47 of the Anti-terrorism, Crime and Security Act 2001 (use etc of nuclear weapons).

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

An offence under section 50 of that Act (assisting or inducing certain weapons-related acts overseas).

An offence under section 113 of that Act (use of noxious substance or thing to cause harm or intimidate).

An offence under section 1 of the Terrorism Act 2006 (encouragement of terrorism).

An offence under section 2 of that Act (dissemination of terrorist publications).

An offence under section 5 of that Act (preparation of terrorist acts).

An offence under section 6 of that Act (training for terrorism).

An offence under section 8 of that Act (attendance at a place used for terrorist training).

An offence under section 9 of that Act (making or possession of radioactive device or material).

An offence under section 10 of that Act (misuse of radioactive device or material for terrorist purposes etc).

An offence under section 11 of that Act (terrorist threats relating to radioactive devices etc).

- (1) Aiding, abetting, counselling or procuring the commission of an offence specified in the preceding paragraphs of this Part of this Schedule.
 - (2) An attempt to commit such an offence.
 - (3) Conspiracy to commit such an offence.
 - (4) Incitement to commit such an offence.
 - (5) An offence under Part 2 of the Serious Crime Act 2007 in relation to which an offence specified in the preceding paragraphs of this Part of this Schedule is the offence (or one of the offences) which the person intended or believed would be committed.”
- (6) In Schedule 18A (offences in relation to which a special custodial sentence for offenders of particular concern may be imposed under section 236A)—
- (a) after paragraph 6 insert—
 - “6A An offence under section 11 of the Terrorism Act 2000 (membership of a proscribed organisation).
 - 6B An offence under section 12 of that Act (inviting support for a proscribed organisation).”;
 - (b) after paragraph 9 insert—
 - “9A An offence under section 58 of that Act (collection of information likely to be of use to a terrorist).
 - 9B An offence under section 58A of that Act (publishing information about members of the armed forces etc).
 - 9C An offence under section 58B of that Act (entering or remaining in a designated area).”;

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- (c) after paragraph 13 insert—
 - “13A An offence under section 1 of the Terrorism Act 2006 (encouragement of terrorism).
 - 13B An offence under section 2 of that Act (dissemination of terrorist publications).”;
- (d) after paragraph 15 insert—
 - “15A An offence under section 8 of that Act (attendance at a place used for terrorist training).”

10 Extended sentences for terrorism offences: Scotland

- (1) Section 210A of the Criminal Procedure (Scotland) Act 1995 (extended sentences for sex and violent offenders) is amended as follows.
- (2) In the heading, for “sex and violent offenders” substitute “sex, violent and terrorist offenders”.
- (3) In subsection (1)—
 - (a) for “or violent” substitute “, violent or terrorism”;
 - (b) in paragraph (a)(ii), after “violent” insert “or terrorism”.
- (4) In subsection (3)—
 - (a) omit “and” at the end of paragraph (a);
 - (b) after paragraph (b) insert “, and
 - (c) a terrorism offence, ten years.”
- (5) In subsection (10)—
 - (a) in the definition of “imprisonment”, omit “and” at the end of paragraph (ii);
 - (b) after that definition insert—
 - ““terrorism offence” means—
 - (a) an offence under any of the following provisions of the Terrorism Act 2000—
 - (i) section 11 (membership of a proscribed organisation),
 - (ii) section 12 (inviting support for a proscribed organisation),
 - (iii) section 54 (weapons training),
 - (iv) section 56 (directing a terrorist organisation),
 - (v) section 57 (possession of article for terrorist purposes),
 - (vi) section 58 (collection of information likely to be of use to a terrorist),
 - (vii) section 58A (publishing information about members of the armed forces etc),
 - (viii) section 58B (entering or remaining in a designated area), or
 - (ix) section 59 (inciting terrorism overseas),
 - (b) an offence under any of the following provisions of the Anti-terrorism, Crime and Security Act 2001—
 - (i) section 47 (use etc of nuclear weapons),

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

- (ii) section 50 (assisting or inducing certain weapons-related acts overseas), or
- (iii) section 113 (use of noxious substance or thing to cause harm or intimidate),
- (c) an offence under any of the following provisions of the Terrorism Act 2006—
 - (i) section 1 (encouragement of terrorism),
 - (ii) section 2 (dissemination of terrorist publications),
 - (iii) section 5 (preparation of terrorist acts),
 - (iv) section 6 (training for terrorism),
 - (v) section 8 (attendance at a place used for terrorist training),
 - (vi) section 9 (making or possession of radioactive device or material),
 - (vii) section 10 (misuse of radioactive device or material for terrorist purposes etc), or
 - (viii) section 11 (terrorist threats relating to radioactive devices etc),
- (d) an offence of aiding, abetting, counselling, procuring or inciting the commission of an offence specified in paragraphs (a) to (c),
- (e) an offence of attempting to commit such an offence,
- (f) an offence of conspiring to commit such an offence; and”.

11 Extended sentences for terrorism offences: Northern Ireland

- (1) The Criminal Justice (Northern Ireland) Order 2008 ([S.I. 2008/1216 \(N.I. 1\)](#)) is amended as follows.
- (2) In Article 12 (meaning of “specified offence” etc)—
 - (a) in paragraph (1), for “or a specified sexual offence” substitute “, a specified sexual offence or a specified terrorism offence”;
 - (b) in paragraph (3), after the definition of “specified sexual offence” insert—

““specified terrorism offence” means an offence specified in Part 3 of that Schedule.”
- (3) In Article 14 (extended custodial sentence for certain violent or sexual offences), in paragraph (8), in sub-paragraph (b) at the end insert “or a specified terrorism offence”.
- (4) In Schedule 2 (specified offences for the purposes of certain sentencing provisions in Chapter 3, relating to dangerous offenders), after Part 2 insert—

“PART 3

SPECIFIED TERRORISM OFFENCES

1 The Terrorism Act 2000 (c. 11)

An offence under—

section 11 (membership of a proscribed organisation),

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

section 12 (inviting support for a proscribed organisation),
section 54 (weapons training),
section 56 (directing a terrorist organisation),
section 57 (possession of article for terrorist purposes),
section 58 (collection of information likely to be of use to a terrorist),
section 58A (publishing information about members of the armed forces etc),
section 58B (entering or remaining in a designated area), or
section 59 (inciting terrorism overseas).

2 The Anti-terrorism, Crime and Security Act 2001 (c. 24)

An offence under—

section 47 (use etc of nuclear weapons),
section 50 (assisting or inducing certain weapons-related acts overseas),
or
section 113 (use of noxious substance or thing to cause harm or intimidate).

3 The Terrorism Act 2006 (c. 11)

An offence under—

section 1 (encouragement of terrorism),
section 2 (dissemination of terrorist publications),
section 5 (preparation of terrorist acts),
section 6 (training for terrorism),
section 8 (attendance at a place used for terrorist training),
section 9 (making or possession of radioactive device or material),
section 10 (misuse of radioactive device or material for terrorist purposes etc), or
section 11 (terrorist threats relating to radioactive devices etc).

4 Other offences

An offence of—

- (a) aiding, abetting, counselling, procuring or inciting the commission of an offence specified in this Part of this Schedule,
- (b) conspiring to commit an offence so specified, or
- (c) attempting to commit an offence so specified.

An offence under Part 2 of the Serious Crime Act 2007 (c. 27) (encouraging or assisting crime) in relation to an offence specified in this Part of this Schedule.”

Notification requirements

12 Additional requirements

- (1) The Counter-Terrorism Act 2008 is amended as follows.
- (2) In section 47 (information to be notified), in subsection (2)—
 - (a) after paragraph (d) insert—

“(da) all contact details on that date;”;
 - (b) after paragraph (f) insert—

“(fa) all contact details on the date on which notification is made;”;
 - (c) after paragraph (g) insert—

“(ga) identifying information of any motor vehicle of which the person is the registered keeper, or which the person has a right to use (whether routinely or on specific occasions or for specific purposes), on the date on which notification is made;

(gb) the financial information specified in paragraph 1 of Schedule 3A;

(gc) the information about identification documents specified in paragraph 2 of Schedule 3A;”.
- (3) In section 48 (notification of changes)—
 - (a) in the heading, at the end insert “: general”;
 - (b) after subsection (4) insert—

“(4A) If there is a change in the contact details of a person to whom the notification requirements apply, the person must notify the police of the new contact details.

(4B) If a person to whom the notification requirements apply ceases to use contact details which the person has previously notified under this Part, the person must notify the police of that fact.

(4C) If a person to whom the notification requirements apply becomes the registered keeper of, or acquires a right to use, a motor vehicle the identifying information of which has not previously been notified to the police, the person must notify the police of the identifying information of that motor vehicle.

(4D) If there is a change in the identifying information of a motor vehicle previously notified under this Part, the person must notify the police—

 - (a) that there has been a change, and
 - (b) of the new identifying information of the motor vehicle.

(4E) If a person to whom the notification requirements apply ceases to be the registered keeper of a motor vehicle the identifying information of which the person has notified, or ceases to have the right to use such a motor vehicle, the person must notify the police that the person is no longer the registered keeper of the motor vehicle or no longer has the right to use it.”;
 - (c) for subsection (7) substitute—

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- “(7) Notification under this section must be made—
- (a) in a case to which subsection (4C) applies, before the earlier of the following—
 - (i) the end of the period of three days beginning with the day on which the person becomes the registered keeper of the motor vehicle or acquires a right to use it, or
 - (ii) the first occasion on which the person uses the motor vehicle by virtue of being its registered keeper or having a right to use it,
 - (b) in a case to which subsection (4D) applies, before the earlier of the following—
 - (i) the end of the period of three days beginning with the day on which the identifying information changes, or
 - (ii) the first occasion on which the person uses the motor vehicle after the identifying information has changed,
 - (c) in any other case, before the end of the period of three days beginning with the day on which the event in question occurs (and, where subsection (3) applies, that is the day with which the period referred to in paragraph (a) or (b) (as the case may be) of subsection (3) ends).”

- (4) After section 48 insert—

“48A Notification of changes: financial information and information about identification documents

- (1) If there is a change in any of the financial information (see paragraph 1 of Schedule 3A), or information about identification documents (see paragraph 2 of that Schedule), in relation to a person to whom the notification requirements apply, the person must notify the police of the change.
- (2) For the purposes of subsection (1) there is a change in the financial information if—
 - (a) an account previously notified in accordance with this Part is closed;
 - (b) a payment card previously notified in accordance with this Part is no longer held by the person notified as holding it;
 - (c) an account is opened, or a payment card is obtained, which would have been required to be notified in accordance with section 47(2)(gb) if the account or card had been held at the time when notification was made under section 47(1);
 - (d) any other financial information previously notified in accordance with this Part is altered or becomes inaccurate.
- (3) For the purposes of subsection (1) there is a change in the information about identification documents if—
 - (a) the person ceases to hold a passport or other document previously notified in accordance with this Part;
 - (b) the person obtains a passport or other document which would have been required to be notified in accordance with section 47(2)(gc)

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

if it had been held at the time when notification was made under section 47(1).

- (4) Where a change required to be notified under subsection (1) relates to opening a new account or obtaining a new payment card as mentioned in subsection (2) (c), the person must in notifying the change include all the information (so far as relevant) specified in paragraph 1(2) of Schedule 3A in respect of the new account or card.
 - (5) Where a change required to be notified under subsection (1) relates to the holding of a new passport or other document as mentioned in subsection (3) (b), the person must in notifying the change include all the information (so far as relevant) specified in paragraph 2 of Schedule 3A in relation to the new passport or other document.
 - (6) Notification under this section must be made before the end of the period of three days beginning with the day on which the event in question occurs.
 - (7) In determining the period within which notification is to be made under this section, any time when the person is—
 - (a) remanded in or committed to custody by any order of a court,
 - (b) serving a sentence of imprisonment or detention,
 - (c) detained in a hospital, or
 - (d) detained under the Immigration Acts,
 is to be ignored.
 - (8) Notification under this section must be accompanied by re-notification of the other information mentioned in section 47(2).”
- (5) In section 49 (periodic re-notification)—
- (a) in subsection (1), for “the period of one year” substitute “the applicable period”;
 - (b) after that subsection insert—

“(1A) In this section the “applicable period” means—

 - (a) in the case of a person who has no sole or main residence in the United Kingdom, the period of one week, and
 - (b) in any other case, the period of one year.””
- (6) In section 60 (minor definitions), at the appropriate places insert the following definitions—
- ““contact details” means—
- (a) telephone numbers (if any), and
 - (b) email addresses (if any);”;
- ““identifying information”, in relation to a motor vehicle, means—
- (a) the registration number of the vehicle,
 - (b) the make, model and colour of the vehicle, and
 - (c) the location where the vehicle is normally kept when not in use;”;
- ““motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads;”;
- ““payment card” means a credit card, a charge card, a prepaid card or a debit card;”;

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

““registered keeper”, in relation to a motor vehicle, means the person in whose name the vehicle is registered under the Vehicle Excise and Registration Act 1994;”.

(7) After Schedule 3 insert, as Schedule 3A, the Schedule set out in Schedule 1 to this Act.

13 Power to enter and search home

In the Counter-Terrorism Act 2008, after section 56 insert—

“Entry and search of home address

56A Power to enter and search home address

- (1) If on an application made by a senior police officer of the relevant force a justice is satisfied that the requirements in subsection (2) are met, the justice may issue a warrant authorising a constable of that force—
 - (a) to enter premises specified in the warrant for the purpose of assessing the risks posed by the person to whom the warrant relates; and
 - (b) to search the premises for that purpose.
- (2) The requirements are—
 - (a) that the person to whom the warrant relates—
 - (i) is a person to whom the notification requirements apply, and
 - (ii) is not a person to whom subsection (3) applies,
 - (b) that the address of each set of premises specified in the application is an address falling within subsection (4),
 - (c) that it is necessary for a constable to enter and search the premises for the purpose mentioned in subsection (1)(a), and
 - (d) that on at least two occasions a constable has sought entry to the premises in order to search them for that purpose and has been unable to gain entry for that purpose.
- (3) This subsection applies to a person who is—
 - (a) remanded in or committed to custody by order of a court,
 - (b) serving a sentence of imprisonment or a term of service detention,
 - (c) detained in a hospital, or
 - (d) outside the United Kingdom.
- (4) An address falls within this subsection if—
 - (a) it is the address which was last notified in accordance with the notification requirements by the person to whom the warrant relates, or
 - (b) there are reasonable grounds to believe that the person to whom the warrant relates resides there or may regularly be found there.
- (5) A warrant issued under this section must specify each set of premises to which it relates.
- (6) The warrant may authorise the constable executing it to use reasonable force if necessary to enter and search the premises.

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

- (7) The warrant may authorise entry to and search of premises on more than one occasion if, on the application, the justice is satisfied that it is necessary to authorise multiple entries in order to achieve the purpose mentioned in subsection (1)(a).
- (8) Where a warrant issued under this section authorises multiple entries, the number of entries authorised may be unlimited or limited to a maximum.
- (9) In this section—
- “justice” means—
- (a) in the application of this section to England and Wales, a justice of the peace;
 - (b) in the application of this section to Northern Ireland, a lay magistrate;
 - (c) in the application of this section to Scotland, a sheriff or summary sheriff;
- “the relevant force” means—
- (a) in relation to premises in England or Wales, the police force maintained for the police area in which the premises in respect of which the application is made or the warrant is issued are situated;
 - (b) in relation to premises in Northern Ireland, the Police Service of Northern Ireland;
 - (c) in relation to premises in Scotland, the Police Service of Scotland;
- “senior police officer” means a constable of the rank of superintendent or above;
- “sentence of imprisonment” includes any form of custodial sentence (apart from service detention);
- “service detention” has the meaning given by section 374 of the Armed Forces Act 2006.”

Serious crime prevention orders

14 Serious crime prevention orders

- (1) Schedule 1 to the Serious Crime Act 2007 (serious offences for the purposes of serious crime prevention orders) is amended as follows.
- (2) In Part 1 (serious offences in England and Wales), after paragraph 2 insert—
- “Terrorism*
- 2A An offence for the time being listed in section 41(1) of the Counter-Terrorism Act 2008 (offences to which Part 4 of that Act applies: terrorism offences).”
- (3) In Part 1A (serious offences in Scotland), after paragraph 16B insert—

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

“Terrorism

16BA An offence for the time being listed in section 41(1) of the Counter-Terrorism Act 2008 (offences to which Part 4 of that Act applies: terrorism offences).”

(4) In Part 2 (serious offences in Northern Ireland), after paragraph 18 insert—

“Terrorism

18A An offence for the time being listed in section 41(1) of the Counter-Terrorism Act 2008 (offences to which Part 4 of that Act applies: terrorism offences).”