

Suppression of Terrorism Act 1978

1978 CHAPTER 26

U.K.

An Act to give effect to the European Convention on the Suppression of Terrorism; to amend the law relating to the extradition of criminals and the obtaining of evidence for criminal proceedings outside the United Kingdom; to confer jurisdiction in respect of certain offences committed outside the United Kingdom; and for connected purposes.

[30th June 1978]

Modifications etc. (not altering text)

C1 Act applied (15.11.1993) by S.I. 1993/2533, art.2; London Gazette No. 53484, Friday 12th November 1993.

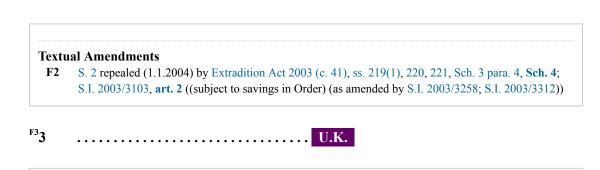
Commencement Information

- Act not in force at Royal Assent. Act wholly in force at 21.8.1978 see s. 9(3)
- Cases in which certain offences are not to be regarded as of a political character. U.K.

Textual Amendments

- F1 S. 1 repealed (1.1.2004) by Extradition Act 2003 (c. 41), ss. 219(1), 220, 221, Sch. 3 para. 4, Sch. 4; S.I. 2003/3103, art. 2 ((subject to savings in Order) (as amended by S.I. 2003/3258; S.I. 2003/3312))
- 2 Restriction on return of criminal under Extradition Act 1870, or to Republic of Ireland, in certain cases. U.K.

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Textual Amendments

F3 S. 3 repealed by Extradition Act 1989 (c. 33, SIF 48), s. 37, Sch. 2

4 Jurisdiction in respect of offences committed outside United Kingdom. U.K.

- (1) If a person, whether a citizen of the United Kingdom and Colonies or not, does in a convention country any act which, if he had done it in a part of the United Kingdom, would have made him guilty in that part of the United Kingdom of—
 - (a) an offence mentioned in paragraph 1, 2, 4, 5, 10, ^{F4}... [F511B,]12, 13, 14 or 15 of Schedule 1 to this Act; or
 - (b) an offence of attempting to commit any offence so mentioned,

he shall, in that part of the United Kingdom, be guilty of the offence or offences aforesaid of which the act would have made him guilty if he had done it there.

F6(2))																

- (3) If a person who is a national of a convention country but not a citizen of the United Kingdom and Colonies does outside the United Kingdom and that convention country any act which makes him in that convention country guilty of an offence and which, if he had been a citizen of the United Kingdom and Colonies, would have made him in any part of the United Kingdom guilty of an offence mentioned in paragraph 1, 2 or 13 of Schedule 1 to this Act, he shall, in any part of the United Kingdom, be guilty of the offence or offences aforesaid of which the act would have made him guilty if he had been such a citizen.
- (4) Proceedings for an offence which [F7(disregarding the provisons of the MIInternationally Protected Persons Act 1978) [F8, the Nuclear Material (Offences) Act 1983 [F9, the United Nations Personnel Act 1997 and the Terrorism Act 2000]]] would not be an offence apart from this section shall not be instituted—
 - (a) in Northern Ireland, except by or with the consent of the Attorney General for Northern Ireland; or
 - (b) in England and Wales, except by or with the consent of the Attorney General;
- (5) Without prejudice to any jurisdiction exercisable apart from this subsection, every sheriff court in Scotland shall have jurisdiction to entertain proceedings for an offence which [F7(disregarding the provisions of the M2Internationally Protected Persons Act 1978 [F8 and the Nuclear Material (Offences) Act 1983 [F9, the United Nations Personnel Act 1997 and the Terrorism Act 2000]])]would not be an offence in Scotland apart from this section.

^{F6} (6) .																

- (7) For the purposes of this section any act done—
 - (a) on board a ship registered in a convention country, being an act which, if the ship had been registered in the United Kingdom, would have constituted an offence within the jurisdiction of the Admiralty; or
 - (b) on board an aircraft registered in a convention country while the aircraft is in flight elsewhere than in or over that country; or
 - (c) on board a hovercraft registered in a convention country while the hovercraft is in journey elsewhere than in or over that country,

shall be treated as done in that convention country; [F11] and subsection (4) of section 92 of the Civil Aviation Act 1982 (definition of 'in flight' or, as applied to hovercraft, 'in journey') shall apply for the purposes of this subsection as it applies for the purposes of that section.]

Textual Amendments

- **F4** Word in s. 4(1)(a) repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), ss. 140, 141, **Sch. 7**; S.I. 2004/874, **art. 2**
- F5 Figure inserted by Child Abduction Act 1984 (c. 37, SIF 39:4), s. 11(4)
- F6 S. 4(2)(6) repealed by Internationally Protected Persons Act 1978 (c. 17), s. 5(4)(a)(5)
- F7 Words inserted by Internationally Protected Persons Act 1978 (c. 17), s. 5(4)(b)(5)
- **F8** Words substituted (27.4.1997) by virtue of 1997 c. 13, ss. 7, 10(2), **Sch. para. 3**.
- **F9** Words in s. 4(4)(5) substituted (26.4.2004) by Crime (International Co-operation) Act 2003 (c. 32), ss. 91(1), 94, **Sch. 5 para. 4**; S.I. 2004/786, **art. 3(2)**
- **F10** Words in s. 4(4) repealed (12.4.2010) by Justice (Northern Ireland) Act 2002 (c. 26), ss. 86, 87, Sch. 13; S.R. 2010/113, art. 2, Sch. para. 21(j)
- F11 Words substituted by Civil Aviation Act 1982 (c. 16, SIF 9) s. 109, Sch. 15 para. 21

Marginal Citations

- M1 1978 c. 17.
- **M2** 1978 c. 17.

[F125 Power to apply section 4 to non-convention countries U.K.

- (1) The Secretary of State may by order direct that section 4 above shall apply in relation to a country falling within subsection (2) below as it applies in relation to a convention country, subject to the exceptions (if any) specified in the order.
- (2) A country falls within this subsection if—
 - (a) it is not a convention country; and
 - (b) it is a category 1 territory or a category 2 territory within the meaning of the Extradition Act 2003.]

Textual Amendments

F12 S. 5 substituted (1.1.2004) by Extradition Act 2003 (c. 41), ss. 219(1), 221, Sch. 3 para. 5; S.I. 2003/3103, art. 2 ((subject to savings in Order) (as amended by S.I. 2003/3258; S.I. 2003/3312))

Amendment of Criminal Jurisdiction Act 1975, Sch. 3. N.I.

- (1) For paragraph 2(2) of Schedule 3 to the M3Criminal Jurisdiction Act 1975 (postponement of operation of order for return to Republic of Ireland of person accused of extraterritorial offence where he is serving a sentence imposed for any offence) there shall be substituted—
 - "(2) If at the time when the order under this paragraph is made the accused stands charged with or convicted of an offence other than the extraterritorial offence, so much of the order as directs him to be delivered as aforesaid shall not take effect until the conclusion of the proceedings (including any appeal or retrial) in respect of that other offence and of any sentence of imprisonment or detention imposed in those proceedings.".
- (2) This section shall extend to Northern Ireland only.

Editorial Information

X1 The text of ss. 2(2), 6, 9(2), Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M3 1975 c. 59.

7 Extension to Channel Islands, Isle of Man and other countries. U.K.

- (1) Subject to subsection (2) below, this Act shall extend to the Channel Islands and the Isle of Man, and shall have effect as if each of them were part of the United Kingdom.
- (2) Her Majesty may by Order in Council direct that this Act shall, in its application to any of the said islands, have effect subject to such exceptions, adaptations or modifications as may be specified in the Order.
- (3) Her Majesty may by Order in Council make provision for extending any provisions of this Act, with such exceptions, adaptations or modifications as may be specified in the Order, to any colony, other than a colony for whose external relations a country other than the United Kingdom is responsible, or any country outside Her Majesty's dominions in which Her Majesty has jurisdiction in right of the government of the United Kingdom.
- (4) An Order in Council under subsection (3) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) An Order in Council under subsection (2) or (3) above may be varied or revoked by a subsequent Order in Council under that subsection.

Modifications etc. (not altering text)

C2 S. 7 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 3 and by Aviation and Maritime Security Act 1990 (c. 31, SIF 39:2), s. 51(2)

8 Provisions as to interpretation and orders. U.K.

(1) In this Act—

"act" includes omission;

"convention country" means a country for the time being designated in an order made by the Secretary of State as a party to the European Convention on the Supression of Terrorism signed at Strasbourg on the 27th January 1977;

"country" includes any territory;

"enactment" includes an enactment of the Parliament of Northern Ireland, a Measure of the Northern Ireland Assembly, and an Order in Council under the M4Northern Ireland (Temporary Provisions) Act 1972 or the M5Northern Ireland Act 1974.

- (2) Except so far as the context otherwise requires, any reference in this Act to an enactment is a reference to it as amended by or under any other enactment, including this Act.
- (3) For the purpose of construing references in this Act to other Acts, section 38(1) of the M6Interpretation Act 1889 shall apply in cases of repeal and re-enactment by a Measure of the Northern Ireland Assembly or by an Order in Council under the M7Northern Ireland Act 1974 as it applies in cases of repeal and re-enactment by an Act.
- (4) Any power to make an order conferred on the Secretary of State by any provision of this Act—
 - (a) shall be exercisable by statutory instrument; and
 - (b) shall include power to revoke or vary a previous order made under that provision.
- (5) No order shall be made—
 - (a) F13.....
 - (b) under section 5 above at any time,

unless a draft of the order has been laid before Parliament and approved by a resolution of each House of Parliament.

(6) Any statutory instrument containing ^{F14}... an order made under subsection (1) above shall be laid before Parliament after being made.

Textual Amendments

- **F13** S. 8(5)(a) repealed (1.1.2004) by Extradition Act 2003 (c. 41), ss. 220, 221, **Sch. 4**; S.I. 2003/3103, **art. 2** ((subject to savings in Order) (as amended by S.I. 2003/3258; S.I. 2003/3312))
- **F14** Words in s. 8(6) repealed (1.1.2004) by Extradition Act 2003 (c. 41), ss. 220, 221, **Sch. 4**; S.I. 2003/3103, **art. 2** ((subject to savings in Order) (as amended by S.I. 2003/3258; S.I. 2003/3312))

Modifications etc. (not altering text)

C3 S. 8 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 4

Marginal Citations

M4 1972 c. 22.

M5 1974 c. 28.

M6 1889 c. 63.

M7 1974 c. 28.

9 Short title, repeals and commencement. U.K.

- (1) This Act may be cited as the Suppression of Terrorism Act 1978.
- x2(2) The enactments specified in Schedule 2 to this Act (which contains provisions superseded by section 3 above) are hereby repealed to the extent specified in the third column of that Schedule.
 - (3) This Act shall come into force on such day as the Secretary of State may by order appoint, and different days may be so appointed for different purposes.

Editorial Information

X2 The text of ss. 2(2), 6, 9(2), Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Subordinate Legislation Made

P1 21.8.1978 appointed under s. 9(3) by S.I. 1978/1063

SCHEDULES



Sections 1 and 4.

LIST OF OFFENCES

Common law offences

1 Murder.

Modifications etc. (not altering text)

C4 Sch. 1 paras. 1, 2, 4, 5, 7 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

2 Manslaughter or culpable homicide.

Modifications etc. (not altering text)

C5 Sch. 1 paras. 1, 2, 4, 5, 7 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

Rape [F15under the law of Scotland or Northern Ireland].

Textual Amendments

F15 Words in Sch. 1 para. 3 inserted (1.5.2004) by Sexual Offences Act 2003 (c. 42), ss. 140, 141, Sch. 6 para. 23(2); S.I. 2004/874, art. 2

4 Kidnapping, abduction or plagium.

Modifications etc. (not altering text)

C6 Sch. 1 paras. 1, 2, 4, 5, 7 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

5 False imprisonment.

Modifications etc. (not altering text)

C7 Sch. 1 paras. 1, 2, 4, 5, 7 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

- 6 Assault occasioning actual bodily harm or causing injury.
- 7 Wilful fire-raising.

Modifications etc. (not altering text)

C8 Sch. 1 paras. 1, 2, 4, 5, 7 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

Offences against the person

An offence under any of the following provisions of the Offences against the M8Person Act 1861—

[F16(za) section 4 (soliciting etc. to commit murder);]

- (a) section 18 (wounding with intent to cause grievous bodily harm);
- (b) section 20 (causing grievous bodily harm);
- (c) section 21 (attempting to choke etc. in order to commit or assist in the committing of any indictable offence);
- (d) section 22 (using chloroform etc. to commit or assist in the committing of any indictable offence);
- (e) section 23 (maliciously administering poison etc. so as to endanger life or inflict grievous bodily harm);
- (f) section 24 (maliciously administering poison etc. with intent to injure etc.);
- (g) section 48 (rape).

Textual Amendments

F16 Sch. 1 para. 8(za) inserted by Criminal Justice Act 1988 (c. 33, SIF 39:1), ss. 22(2), 171

Modifications etc. (not altering text)

C9 Sch. 1 para. 8(a)(b) applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

Marginal Citations

M8 1861 c. 100.

- [F179] An offence under any of the following provisions of the Sexual Offences Act 2003—
 - (a) sections 1 or 2 (rape, assault by penetration);
 - (b) section 4 (causing a person to engage in sexual activity without consent), where the activity caused involved penetration within subsection (4)(a) to (d) of that section;
 - (c) section 5 or 6 (rape of a child under 13, assault of a child under 13 by penetration);
 - (d) section 8 (causing or inciting a child under 13 to engage in sexual activity), where an activity involving penetration within subsection (3)(a) to (d) of that section was caused;
 - (e) section 30 (sexual activity with a person with a mental disorder impeding choice), where the touching involved penetration within subsection (3)(a) to (d) of that section;
 - (f) section 31 (causing or inciting a person, with a mental disorder impeding choice, to engage in sexual activity), where an activity involving penetration within subsection (3)(a) to (d) of that section was caused.]

Textual Amendments

F17 Sch. 1 para. 9 substituted (1.5.2004) by Sexual Offences Act 2003 (c. 42), ss. 140, 141, Sch. 6 para. 23(3); S.I. 2004/874, art. 2

[F189A The offence of torture under section 134 of the Criminal Justice Act 1988.]

Textual Amendments

F18 Sch. 1 para. 9A inserted by Criminal Justice Act 1988 (c. 33, SIF 39:1), ss. 22(3), 171

Abduction

- An offence under any of the following provisions of the Offences against the M9Person Act 1861—
 - (a) section 55 (abduction of unmarried girl under 16);
 - (b) section 56 (child-stealing or receiving stolen child).

Modifications etc. (not altering text)

C10 Sch. 1 paras. 10, 11 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

Marginal Citations

M9 1861 c. 100.

11 F19

Textual Amendments

F19 Sch. 1 para. 11 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), ss. 140, 141, **Sch. 7**; S.I. 2004/874, **art. 2**

Modifications etc. (not altering text)

C11 Sch. 1 paras. 10, 11 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

I^{F20} Taking of hostages

Textual Amendments

F20 Sch. 1 para. 11A inserted by Taking of Hostages Act 1982 (c. 28, SIF 39:2), s. 3(2)

An offence under the Taking of Hostages Act 1982.

Modifications etc. (not altering text)

C12 Sch. 1 para. 11A applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

[F21] 11B An offence under section 2 of the Child Abduction Act 1984 (abduction of child by person other than parent etc.) or any corresponding provision in force in Northern Ireland.]

Textual Amendments

F21 Sch. 1 para. 11B inserted by Child Abduction Act 1984 (c. 37, SIF 39:4), s. 11(4)

Explosives

- An offence under any of the following provisions of the Offences against the M10 Person Act 1861—
 - (a) section 28 (causing bodily injury by gunpowder);
 - (b) section 29 (causing gunpowder to explode etc. with intent to do grievous bodily harm);
 - (c) section 30 (placing gunpowder near a building etc. with intent to cause bodily injury).

Modifications etc. (not altering text)

C13 Sch. 1 paras. 12(a)(b)(c), 13 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

Marginal Citations

M10 1861 c. 100.

An offence under any of the following provisions of the MIIExplosive Substances Act 1883—

Modifications etc. (not altering text)

C14 Sch. 1 paras. 12(a)(b)(c), 13 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

Marginal Citations

M11 1883 c. 3.

I^{F22} Nuclear material

Textual Amendments

F22 Sch. 1 para. 13A inserted by Criminal Justice Act 1988 (c. 33, SIF 39:1), ss. 22(4), 171

- An offence under any provision of the Nuclear Material (Offences) Act 1983.
 - (a) section 2 (causing explosion likely to endanger life or property);
 - (b) section 3 (doing any act with intent to cause such an explosion, conspiring to cause such an explosion, or making or possessing explosive with intent to endanger life or property).

Firearms

- 14 The following offences under the M12Firearms Act 1968—
 - (a) an offence under section 16 (possession of firearm with intent to injure);
 - (b) an offence under subsection (1) of section 17 (use of firearm or imitation firearm to resist arrest) involving the use or attempted use of a firearm within the meaning of that section.

Modifications etc. (not altering text)

C15 Sch. 1 paras. 14 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

Marginal Citations

M12 1968 c. 27.

I^{F23}15 The following offences under the Firearms (Northern Ireland) Order 2004—

- (a) an offence under Article 58(1) consisting of a person's having in his possession any firearm or ammunition within the meaning of that Article with intent by that means to endanger life, or to enable another person by that means to endanger life;
- (b) an offence under Article 59(1) (use of firearm or imitation firearm to resist arrest) involving the use or attempted use of a firearm within the meaning of that Article.]

Textual Amendments

F23 Sch. 1 para. 15 substituted (N.I.) (1.2.2005) by The Firearms (Northern Ireland) Order 2004 (S.I. 2004/702 (N.I. 3)), arts. 1, 82(1), Sch. 7 para. 2 (with art. 81); S.R. 2005/4, art. 3 (with transitional provisions in arts. 4-7)

Modifications etc. (not altering text)

C16 Sch. 1 paras. 15 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

Offences against property

An offence under section 1(2) of the M13Criminal Damage Act 1971 (destroying or damaging property intending to endanger life or being reckless as to danger to life).

Modifications etc. (not altering text)

C17 Sch. 1 paras. 16, 17 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

Marginal Citations

M13 1971 c. 48.

An offence under Article 3(2) of the M14Criminal Damage (Northern Ireland) Order 1977 (destroying or damaging property intending to endanger life or being reckless as to danger to life).

Modifications etc. (not altering text)

C18 Sch. 1 paras. 16, 17 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

Marginal Citations

M14 S.I. 1977/426 (N.I. 4)

Offences in relation to aircraft

[F24] 8 An offence under Part I of the Aviation Security Act 1982 (other than an offence under section 4 or 7 of that Act)]

Textual Amendments

F24 Sch. 1 paras. 18, 19 substituted by para. 18 by Aviation Security Act 1982 (c. 36, SIF 9), s. 40, Sch. 2 para. 7

Modifications etc. (not altering text)

C19 Sch. 1 paras. 18 applied by S.I. 1986/2146, art. 3, sch. 2 para. 5

[F25] 8A An offence under section 1 of the Aviation and Maritime Security Act 1990.]

Textual Amendments

F25 Sch. 1 paras. 18A, 18B inserted by Aviation and Maritime Security Act 1990 (c. 31, SIF 39:2), s. 53(1), Sch. 3 para. 6

Offences relating to ships and fixed platforms

An offence under Part II of the Aviation and Maritime Security Act 1990 (other than an offence under section 15 of that Act).

[F26 Offences relating to Channel Tunnel trains and the tunnel system]

Extent Information

E1 Sch. 1 para. 18C and crossheading apply outside the United Kingdom only where jurisdiction is conferred by art. 30 or 38 of the international articles as defined in S.I. 1994/570, art. 3(1)(3).

Textual Amendments

F26 Sch. 1 para. 18C and crossheading inserted (5.3.1994) by S.I. 1994/570, art. 38, Sch. 3 para.2.

[F27] 8C An offence under Part II of the Channel Tunnel (Security) Order 1994 No. 570.]

Extent Information

E2 Sch. 1 para. 18C and crossheading apply outside the United Kingdom only where jurisdiction is conferred by art. 30 or 38 of the international articles as defined in S.I. 1994/570, art. 3(1)(3).

Textual Amendments

F27 Sch. 1 para. 18C and crossheading inserted (5.3.1994) by S.I. 1994/570, art. 38, Sch. 3 para.2.

I^{F28} Financing terrorism

Textual Amendments

F28 Sch. 1 para. 19A and cross-heading substituted (19.2.2001) by 2000 c. 11, s. 125, **Sch. 15 para. 3(2)**; S.I. 2001/421, **art. 2(a)**

F29_{19A} An offence under any of sections 15 to 18 of the Terrorism Act 2000.]

Textual Amendments

F29 Sch. 1 para. 19A and cross-heading substituted (19.2.2001) by 2000 c. 11, s. 125, **Sch. 15 para. 3(2)**; S.I. 2001/421, **art. 2(a)**

Attempts

An offence of attempting to commit any offence mentioned in a preceding paragraph of this Schedule.

Modifications etc. (not altering text)

C20 Sch. 1 para. 20 applied by S.I. 1986/2146, art. 3, Sch. 2 para. 5

I^{F30} Conspiracy

Textual Amendments

F30 Sch. 1 para. 21 added by Criminal Justice Act 1988 (c. 33, SIF 39:1), ss. 22(5), 171

An offence of conspiring to commit any offence mentioned in a preceding paragraph of this Schedule.]

X3SCHEDULE 2 U.K.

Section 9.

REPEALS

Editorial Information

X3 The text of ss. 2(2), 6, 9(2), Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Suppression of Terrorism Act 1978 (c. 26)
SCHEDULE 2 – Repeals
Document Generated: 2024-05-11
Changes to legislation: There are currently no known outstanding effects
for the Suppression of Terrorism Act 1978. (See end of Document for details)

	KEPEALS	
Chapter	Short Title	Extent of Repeal
33 & 34 Vict. c. 52.	Extradition Act 1870.	In Schedule 1— (a) in the entry beginning "Murder", the words "and attempt"; (b) in the entry beginning "Sinking or destroying a vessel", the words "or attempting".
36 & 37 Vict. c. 60.	Extradition Act 1873.	In the Schedule, in the entry relating to the Sexual Offences Act 1956, the words from "and in" onwards.
22 & 23 Geo. 5. c. 39.	Extradition Act 1932.	In section 1, the words "and attempts to commit such offences".
25 & 26 Geo. 5. c. 25.	(Convention) Act 1935.	Section 4.
4 & 5 Eliz. 2. c. 69.	Sexual Offences Act 1956.	In Schedule 3, in the amend- ment of the Extradition Act 1873, the words from "and in" onwards.
1969 c. 12.	Genocide Act 1969.	In section 2(1), the words "attempt or".
1971 c. 70.	Hijacking Act 1971.	In section 3(1), the words from "and (so far" onwards.
1973 c. 47.	Protection of Aircraft Act 1973.	In section 5(1), the words from "and (so far" onwards.

Changes to legislation:

There are currently no known outstanding effects for the Suppression of Terrorism Act 1978.