

TERRORISM ACT 2000

EXPLANATORY NOTES

COMMENTARY

Part Vi: Miscellaneous

Sections 54–55: Weapons training

50. These sections correspond to the offence at section 34 of the EPA. Whereas that offence applied only in Northern Ireland, the new version applies throughout the UK. It has also been extended to cover chemical, biological and nuclear weapons and materials as well as conventional firearms and explosives; and to cover recruitment for training (*subsection (3)*) as well as the training itself. *Subsection (5)* of section 54 provides a defence for persons who are acting for non-terrorist purposes, such as the armed forces. This defence is listed in section 118(5) and therefore imposes an evidential burden only on the defendant.
51. A further modification concerns the need for a recipient of the training. Under *subsection (1)* of section 54, by contrast with its predecessor in the EPA, no recipient is needed for the offence to be committed. This means that the offence could cover someone who makes weapons instruction for terrorist purposes generally available, for example via the Internet.
52. The definitions of chemical, biological and nuclear weapons and materials are based on other statutes.
- Under section 1 of the [Chemical Weapons Act 1996 \(c. 6\)](#), “chemical weapons” are toxic chemicals and their precursors; munitions and other devices designed to cause death or harm through the toxic properties of toxic chemicals released by them; and equipment designed for use in connection with such munitions and devices.
 - Section 1(1)(b) of the [Biological Weapons Act 1974 \(c. 6\)](#) applies to any weapon, equipment or means of delivery designed to use biological agents or toxins for hostile purposes or in armed conflict.
 - The meaning of “nuclear material” set out in the Schedule to the [Nuclear Material \(Offences\) Act 1983 \(c. 18\)](#), is “plutonium except that with isotopic concentration exceeding 80% in plutonium-238; uranium-233; uranium enriched in the isotopes 235 or 233; uranium containing the mixture of isotopes as occurring in nature other than in the form of ore or ore-residue; any material containing one or more of the foregoing”. The Schedule also further defines “uranium enriched in the isotopes 235 or 233”.