



# Terrorism Act 2000

## 2000 CHAPTER 11

### PART VI

#### MISCELLANEOUS

#### *Terrorist offences*

#### 54 Weapons training

- (1) A person commits an offence if he provides instruction or training in the making or use of—
  - (a) firearms,
  - (b) explosives, or
  - (c) chemical, biological or nuclear weapons.
- (2) A person commits an offence if he receives instruction or training in the making or use of—
  - (a) firearms,
  - (b) explosives, or
  - (c) chemical, biological or nuclear weapons.
- (3) A person commits an offence if he invites another to receive instruction or training and the receipt—
  - (a) would constitute an offence under subsection (2), or
  - (b) would constitute an offence under subsection (2) but for the fact that it is to take place outside the United Kingdom.
- (4) For the purpose of subsections (1) and (3)—
  - (a) a reference to the provision of instruction includes a reference to making it available either generally or to one or more specific persons, and
  - (b) an invitation to receive instruction or training may be either general or addressed to one or more specific persons.

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- (5) It is a defence for a person charged with an offence under this section in relation to instruction or training to prove that his action or involvement was wholly for a purpose other than assisting, preparing for or participating in terrorism.
- (6) A person guilty of an offence under this section shall be liable—
  - (a) on conviction on indictment, to imprisonment for a term not exceeding ten years, to a fine or to both, or
  - (b) on summary conviction, to imprisonment for a term not exceeding six months, to a fine not exceeding the statutory maximum or to both.
- (7) A court by or before which a person is convicted of an offence under this section may order the forfeiture of anything which the court considers to have been in the person's possession for purposes connected with the offence.
- (8) Before making an order under subsection (7) a court must give an opportunity to be heard to any person, other than the convicted person, who claims to be the owner of or otherwise interested in anything which can be forfeited under that subsection.
- (9) An order under subsection (7) shall not come into force until there is no further possibility of it being varied, or set aside, on appeal (disregarding any power of a court to grant leave to appeal out of time).

## **55 Weapons training: interpretation**

In section 54—

“biological weapon” means anything to which section 1(1)(b) of the Biological Weapons Act 1974 applies,

“chemical weapon” has the meaning given by section 1 of the Chemical Weapons Act 1996, and

“nuclear weapon” means a weapon which contains nuclear material within the meaning of Article 1(a) and (b) of the Convention on the Physical Protection of Nuclear Material opened for signature at Vienna and New York on 3rd March 1980 (set out in the Schedule to the Nuclear Material (Offences) Act 1983).

## **56 Directing terrorist organisation**

- (1) A person commits an offence if he directs, at any level, the activities of an organisation which is concerned in the commission of acts of terrorism.
- (2) A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for life.

## **57 Possession for terrorist purposes**

- (1) A person commits an offence if he possesses an article in circumstances which give rise to a reasonable suspicion that his possession is for a purpose connected with the commission, preparation or instigation of an act of terrorism.
- (2) It is a defence for a person charged with an offence under this section to prove that his possession of the article was not for a purpose connected with the commission, preparation or instigation of an act of terrorism.
- (3) In proceedings for an offence under this section, if it is proved that an article—

- (a) was on any premises at the same time as the accused, or
- (b) was on premises of which the accused was the occupier or which he habitually used otherwise than as a member of the public,

the court may assume that the accused possessed the article, unless he proves that he did not know of its presence on the premises or that he had no control over it.

- (4) A person guilty of an offence under this section shall be liable—
  - (a) on conviction on indictment, to imprisonment for a term not exceeding 10 years, to a fine or to both, or
  - (b) on summary conviction, to imprisonment for a term not exceeding six months, to a fine not exceeding the statutory maximum or to both.

## **58 Collection of information**

- (1) A person commits an offence if—
  - (a) he collects or makes a record of information of a kind likely to be useful to a person committing or preparing an act of terrorism, or
  - (b) he possesses a document or record containing information of that kind.
- (2) In this section “record” includes a photographic or electronic record.
- (3) It is a defence for a person charged with an offence under this section to prove that he had a reasonable excuse for his action or possession.
- (4) A person guilty of an offence under this section shall be liable—
  - (a) on conviction on indictment, to imprisonment for a term not exceeding 10 years, to a fine or to both, or
  - (b) on summary conviction, to imprisonment for a term not exceeding six months, to a fine not exceeding the statutory maximum or to both.
- (5) A court by or before which a person is convicted of an offence under this section may order the forfeiture of any document or record containing information of the kind mentioned in subsection (1)(a).
- (6) Before making an order under subsection (5) a court must give an opportunity to be heard to any person, other than the convicted person, who claims to be the owner of or otherwise interested in anything which can be forfeited under that subsection.
- (7) An order under subsection (5) shall not come into force until there is no further possibility of it being varied, or set aside, on appeal (disregarding any power of a court to grant leave to appeal out of time).

### *Inciting terrorism overseas*

## **59 England and Wales**

- (1) A person commits an offence if—
  - (a) he incites another person to commit an act of terrorism wholly or partly outside the United Kingdom, and
  - (b) the act would, if committed in England and Wales, constitute one of the offences listed in subsection (2).
- (2) Those offences are—

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- (a) murder,
  - (b) an offence under section 18 of the Offences against the Person Act 1861 (wounding with intent),
  - (c) an offence under section 23 or 24 of that Act (poison),
  - (d) an offence under section 28 or 29 of that Act (explosions), and
  - (e) an offence under section 1(2) of the Criminal Damage Act 1971 (endangering life by damaging property).
- (3) A person guilty of an offence under this section shall be liable to any penalty to which he would be liable on conviction of the offence listed in subsection (2) which corresponds to the act which he incites.
- (4) For the purposes of subsection (1) it is immaterial whether or not the person incited is in the United Kingdom at the time of the incitement.
- (5) Nothing in this section imposes criminal liability on any person acting on behalf of, or holding office under, the Crown.

## **60 Northern Ireland**

- (1) A person commits an offence if—
- (a) he incites another person to commit an act of terrorism wholly or partly outside the United Kingdom, and
  - (b) the act would, if committed in Northern Ireland, constitute one of the offences listed in subsection (2).
- (2) Those offences are—
- (a) murder,
  - (b) an offence under section 18 of the Offences against the Person Act 1861 (wounding with intent),
  - (c) an offence under section 23 or 24 of that Act (poison),
  - (d) an offence under section 28 or 29 of that Act (explosions), and
  - (e) an offence under Article 3(2) of the Criminal Damage (Northern Ireland) Order 1977 (endangering life by damaging property).
- (3) A person guilty of an offence under this section shall be liable to any penalty to which he would be liable on conviction of the offence listed in subsection (2) which corresponds to the act which he incites.
- (4) For the purposes of subsection (1) it is immaterial whether or not the person incited is in the United Kingdom at the time of the incitement.
- (5) Nothing in this section imposes criminal liability on any person acting on behalf of, or holding office under, the Crown.

## **61 Scotland**

- (1) A person commits an offence if—
- (a) he incites another person to commit an act of terrorism wholly or partly outside the United Kingdom, and
  - (b) the act would, if committed in Scotland, constitute one of the offences listed in subsection (2).

- (2) Those offences are—
  - (a) murder,
  - (b) assault to severe injury, and
  - (c) reckless conduct which causes actual injury.
- (3) A person guilty of an offence under this section shall be liable to any penalty to which he would be liable on conviction of the offence listed in subsection (2) which corresponds to the act which he incites.
- (4) For the purposes of subsection (1) it is immaterial whether or not the person incited is in the United Kingdom at the time of the incitement.
- (5) Nothing in this section imposes criminal liability on any person acting on behalf of, or holding office under, the Crown.

#### *Terrorist bombing and finance offences*

### **62 Terrorist bombing: jurisdiction**

- (1) If—
  - (a) a person does anything outside the United Kingdom as an act of terrorism or for the purposes of terrorism, and
  - (b) his action would have constituted the commission of one of the offences listed in subsection (2) if it had been done in the United Kingdom,he shall be guilty of the offence.
- (2) The offences referred to in subsection (1)(b) are—
  - (a) an offence under section 2, 3 or 5 of the Explosive Substances Act 1883 (causing explosions, &c.),
  - (b) an offence under section 1 of the Biological Weapons Act 1974 (biological weapons), and
  - (c) an offence under section 2 of the Chemical Weapons Act 1996 (chemical weapons).

### **63 Terrorist finance: jurisdiction**

- (1) If—
  - (a) a person does anything outside the United Kingdom, and
  - (b) his action would have constituted the commission of an offence under any of sections 15 to 18 if it had been done in the United Kingdom,he shall be guilty of the offence.
- (2) For the purposes of subsection (1)(b), section 18(1)(b) shall be read as if for “the jurisdiction” there were substituted “a jurisdiction”.

### **64 Extradition**

- (1) The Extradition Act 1989 shall be amended as follows.
- (2) In section 22(2) (international conventions) after paragraph (l) insert—

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- “(m) the Convention for the Suppression of Terrorist Bombings, which was opened for signature at New York on 12th January 1998 (“the Terrorist Bombings Convention”);
  - (n) the Convention for the Suppression of the Financing of Terrorism which was opened for signature at New York on 10th January 2000 (“the Terrorist Finance Convention”).”
- (3) In section 22(4) (relevant offences) after paragraph (l) insert—
- “(m) in relation to the Terrorist Bombings Convention, an offence, committed as an act of terrorism or for the purposes of terrorism, under—
    - (i) section 2, 3 or 5 of the Explosive Substances Act 1883 (causing explosions, &c.),
    - (ii) section 1 of the Biological Weapons Act 1974 (biological weapons), or
    - (iii) section 2 of the Chemical Weapons Act 1996 (chemical weapons);
  - (n) in relation to the Terrorist Finance Convention, an offence under any of sections 15 to 18 of the Terrorism Act 2000 (terrorist property: offences).”
- (4) After section 24(4) (suppression of terrorism) insert—
- “(5) Subsections (1) and (2) above shall have effect in relation to an offence to which section 22(4)(m) or (n) above applies as they have effect in relation to an offence to which section 1 of the Suppression of Terrorism Act 1978 applies.
  - (6) For that purpose subsection (2) applies to a country which is a party to—
    - (a) the Convention for the Suppression of Terrorist Bombings mentioned in section 22(2)(m) above, or
    - (b) the Convention for the Suppression of the Financing of Terrorism mentioned in section 22(2)(n) above.”
- (5) The offences to which an Order in Council under section 2 of the Extradition Act 1870 (arrangements with foreign states) can apply shall include—
- (a) offences under the provisions mentioned in sections 62(2) and 63(1)(b),
  - (b) conspiracy to commit any of those offences, and
  - (c) attempt to commit any of those offences.