

*These notes refer to the Terrorism Act 2006 (c.11)  
which received Royal Assent on 30 March 2006*

# **TERRORISM ACT 2006**

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## **EXPLANATORY NOTES**

### **COMMENTARY**

#### *Definitions*

#### *Section 16 – Preparatory hearings in terrorism cases*

#### **Subsection (2)**

79. Section 29(1) of the CPIA provides a power to order a preparatory hearing in cases of suitable complexity, seriousness or which are likely to have a long trial if holding a hearing for a particular purpose, such as assisting the judge in the management of the trial, would result in substantial benefit. Section 29(1A) provides a power to hold a preparatory hearing in a case in which the trial may proceed without a jury under section 45 of the Criminal Justice Act 2003 (this provision is yet to be commenced). Section 16 of the Act amends section 29 of the CPIA to place an obligation on the judge to order a preparatory hearing in two particular circumstances concerning terrorism. The first, set out in new subsection (1B), is where at least one person in the case is charged with a terrorism offence. The second, set out in new subsection (1C), is where at least one person in the case is charged with an offence that carries a penalty of a maximum of at least 10 years' imprisonment and it appears to the judge that the conduct in respect of that offence has a terrorist connection.