

*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 19 – Consents to prosecutions*

##### **Subsection (1)**

89. **Subsection (1)** sets out that prosecutions for offences in Part 1 of this Act may only be carried out in England and Wales with the consent of the Director of Public Prosecutions or, in Northern Ireland, with the consent of the Director of Public Prosecutions for Northern Ireland. This is subject to a case falling into subsection (2).

##### **Subsections (2) and (3)**

90. **Subsection (2)** provides that, in a case where it appears to the Director of Public Prosecutions, or Director of Public Prosecutions for Northern Ireland, that the offence has been committed for a purpose wholly or partly connected with the affairs of a foreign country, a prosecution may only be brought if the Attorney General, or, in the case of Northern Ireland, the Advocate General for Northern Ireland, agrees with the DPP's, or the DPP for Northern Ireland's, decision to give consent. **Subsection (3)** provides a transitional in relation to the time before the commencement of Section 27(1) of the [Justice \(Northern Ireland\) Act 2002 \(c. 26\)](#). Prior to that time the Advocate General for Northern Ireland will not be in existence and so the Attorney General for Northern Ireland must agree with the DPP for Northern Ireland's decision to consent instead.