

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

# TERRORISM ACT 2006

---

## EXPLANATORY NOTES

### COMMENTARY

#### *Definitions*

#### *Schedule 2 – Seizure and forfeiture of terrorist publications*

#### *Section 31 – Amendment of the Intelligence Services Act 1994 (c.13)*

143. **Section 31** makes amendments to the ISA in relation to the powers of the security and intelligence services with respect to warrants to carry out acts both overseas and in the UK.

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

144. **Subsection (2)** grants the Secretary of State the power to nominate specified senior officials who will then be entitled in urgent cases to authorise warrants under section 5 of the ISA (warrants authorising actions of the security and intelligence services).

#### **Subsection (3)**

145. **Subsection (3)** provides that such warrants issued by the senior officials nominated by the Secretary of State may only authorise actions that would, if done outside the British Islands, be covered by a current authorisation issued by a Secretary of State under section 7 of the ISA (authorisations of acts outside the British Islands). It further provides that the person issuing any such warrant must inform the Secretary of State as soon as practicable after such a warrant is issued.

#### **Subsection (4)**

146. **Subsection (4)** amends the duration for which warrants issued by senior officials may last from two to five working days.

#### **Subsection (5)**

147. **Subsection (5)** amends the duration for which authorisations issued by senior officials under section 7 of the ISA may last from two to five working days. These warrants relate to the authorisation of actions outside the British Islands that would otherwise be contrary to UK law.

#### **Subsection (6)**

148. **Subsection (6)** adds a provision to section 7 of the ISA that actions carried out in relation to property overseas that have been authorised by the Secretary of State under that section, and that are capable of being authorised by a warrant under Section 5, may continue after a certain change of circumstances for up to five working days. These changes of circumstances are the discovery that the property to which the actions relate was actually in the British Islands, when it was previously believed that it was outside,

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

or the discovery that the target had been brought into the British Islands. The period of five working days is deemed to have begun at the point that it first appears to a member of the Intelligence Service, or to GCHQ, that a change of circumstances has occurred.