

# **TERRORISM ACT 2006**

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## **EXPLANATORY NOTES**

### **COMMENTARY**

#### *Definitions*

#### **Section 8 – Attendance at a place used for terrorist training**

59. **Section 8** creates a new offence of attending a place used for terrorist training. This adds to offences relating to terrorist training contained in Section 54 of the TACT, and section 6 of this Act. The offence will apply whether the place is inside the United Kingdom, or abroad. Although section 8 refers to Convention offences (as defined in Schedule 1) it does not implement a provision in the Convention.

#### **Subsections (1) to (3)**

60. **Subsection (1)** creates an offence of attending any place in the UK or abroad at which terrorist training is taking place. Terrorist training for these purposes is defined by reference to the kind of training that may be given under the offence in section 6(1) of this Act, and those offences in section 54(1) of the TACT (which relates to weapons training). For an offence to have been committed, all or part of the training in such a place would need to have been provided for purposes connected with terrorism or Convention offences. It is also an element of the offence that the offender either knows or believes that training for those purposes is taking place or that a person attending the place throughout the period of that person's attendance could not have reasonably failed to understand this (**subsection (2)**). **Subsection (3)** provides that the person concerned need not have received training himself in order for the offence to have been committed. It also sets out that the offence occurs whether the training is for a specific act of terrorism or Convention offence, or such acts or offences in general.

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

61. **Subsection (5)** provides a transitional provision in respect of the period before the commencement of section 154(1) of the Criminal Justice Act 2003. At the moment a Magistrates' Court can only give a penalty of up to six months' imprisonment. Once section 154(1) is in force this will increase to 12 months' imprisonment. Subsection (4), which sets out the penalties for the offence, is drafted as if section 154 is in force but as it is not in force a provision is needed to make it clear that, until such time as it is in force, the Magistrates' Court only has its existing powers to give a penalty of imprisonment.