

## **TERRORISM ACT 2006**

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### **EXPLANATORY NOTES**

#### **COMMENTARY**

##### *Definitions*

##### *Section 9 – Making and possession of devices or materials*

##### **Subsections (4) and (5)**

64. The definitions in **subsections (4) and (5)** and other definitions in sections 10 and 11 are based on Article 1 of the UN Convention that these sections are intended to implement. “Radioactive device” is defined in **subsection (4)** as either a nuclear weapon or nuclear explosive device; a radioactive material dispersal device; or any other radiation emitting device. This definition can include (under “radioactive material dispersal device”) a “dirty bomb” in which an explosive causes radioactive material to disperse, with the effect that the radiation causes danger.
65. **Subsection (4)** defines “radioactive material” as nuclear material, or any other radioactive substance which contains nuclides that undergo spontaneous disintegration in a process accompanied by the emission of one or more types of ionising radiation and, due to its radiological or fissile properties, it is capable of causing serious bodily injury or damage to property, endangering life or creating a serious risk to public health and safety. Nuclear material is defined in **subsection (5)** as having the same meaning as in the [Nuclear Material \(Offences\) Act 1983 \(c.18\)](#). Section 6 of that Act defines such material as nuclear material, within the meaning of the Convention on Physical Protection of Nuclear Material, which is used for peaceful purposes. The definition of nuclear material in Article 1(A) and (B) of that Convention is set out in the Schedule to the 1983 Act. It covers particular types of plutonium and uranium, such as uranium-233 and any material containing such uranium or plutonium. “Device” is defined in **subsection (5)** to include machinery, equipment, appliances, tanks, containers, pipes and conduits, whether or not these are fixed to the land.