



# Counter-Terrorism Act 2008

## 2008 CHAPTER 28

### PART 3

#### PROSECUTION AND PUNISHMENT OF TERRORIST OFFENCES

##### *Jurisdiction*

#### **28 Jurisdiction to try offences committed in the UK**

- (1) Where an offence to which this section applies is committed in the United Kingdom—
- (a) proceedings for the offence may be taken at any place in the United Kingdom, and
  - (b) the offence may for all incidental purposes be treated as having been committed at any such place.
- (2) The section applies to—
- (a) an offence under any of the following provisions of the Terrorism Act 2000 (c. 11)—
    - sections 11 to 13 (offences relating to proscribed organisations),
    - sections 15 to 19, 21A and 21D (offences relating to terrorist property),
    - sections 38B and 39 (disclosure of and failure to disclose information about terrorism),
    - section 47 (offences relating to stop and search powers),
    - section 51 (parking a vehicle in contravention of an authorisation or restriction),
    - section 54 (weapons training),
    - sections 56 to 58A (directing terrorism and possessing things or collecting information for the purposes of terrorism),
    - section 116 (failure to stop a vehicle when required to do so),
    - paragraph 1 of Schedule 6 (failure to provide customer information in connection with a terrorist investigation),

*Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Cross Heading: Jurisdiction. (See end of Document for details)*

paragraph 18 of Schedule 7 (offences in connection with port and border controls);

- (b) an offence under section 113 of the Anti-terrorism, Crime and Security Act 2001 (c. 24) (use of noxious substances or things to cause harm and intimidate);
- (c) an offence under any of the following provisions of the Terrorism Act 2006 (c. 11)—
  - sections 1 and 2 (encouragement of terrorism),
  - sections 5, 6 and 8 (preparation and training for terrorism),
  - sections 9, 10 and 11 (offences relating to radioactive devices etc).

<sup>F1</sup>(d) .....

- (3) The Secretary of State may by order amend subsection (2).
- (4) Any such order is subject to affirmative resolution procedure.
- (5) The power conferred by subsection (3) may be exercised so as to add offences to subsection (2) only if it appears to the Secretary of State necessary to do so for the purpose of dealing with terrorism.
- (6) In section 1 of the Justice and Security (Northern Ireland) Act 2007 (c. 6) (issue of certificate for trial without a jury), after subsection (6) insert—
  - “(6A) The Director of Public Prosecutions for Northern Ireland may not issue a certificate under subsection (2) if—
    - (a) the proceedings are taken in Northern Ireland only by virtue of section 28 of the Counter-Terrorism Act 2008, and
    - (b) it appears to the Director that the only condition that is met is condition 4.”.

<p><b>Textual Amendments</b></p> <p><b>F1</b> S. 28(2)(d) repealed (31.12.2020) by <a href="#">Sanctions and Anti-Money Laundering Act 2018 (c. 13)</a>, s. 64(2), <a href="#">Sch. 3 para. 9</a> (with <a href="#">ss. 52(3), 53, 58</a>); S.I. 2020/1535, reg. 3(e)</p>
<p><b>Commencement Information</b></p> <p><b>I1</b> S. 28 in force at 18.6.2009 by <a href="#">S.I. 2009/1256</a>, <a href="#">art. 2(a)</a></p>

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