

SCHEDULES

SCHEDULE 4

NOTIFICATION ORDERS

Corresponding foreign offences

- 2 (1) A “corresponding foreign offence” means an act that—
- (a) constituted an offence under the law in force in a country outside the United Kingdom, and
 - (b) corresponds to an offence to which this Part applies.
- (2) For this purpose an act punishable under the law in force in a country outside the United Kingdom is regarded as constituting an offence under that law however it is described in that law.
- (3) An act corresponds to an offence to which this Part applies if—
- (a) it would have constituted an offence to which this Part applies by virtue of section 41 if it had been done in any part of the United Kingdom, or
 - (b) it was, or took place in the course of, an act of terrorism or was done for the purposes of terrorism.
- (4) On an application for a notification order the condition in sub-paragraph (3)(a) or (b) is to be taken to be met unless—
- (a) the defendant serves on the applicant, not later than rules of court may provide, a notice—
 - (i) stating that, on the facts as alleged with respect to the act concerned, the condition is not in the defendant’s opinion met,
 - (ii) showing the defendant’s grounds for that opinion, and
 - (iii) requiring the applicant to prove that the condition is met; or
 - (b) the court permits the defendant to require the applicant to prove that the condition is met without service of such a notice.
- (5) In the application of this paragraph in Scotland, for “defendant” substitute “respondent”.