



Terrorism Prevention and Investigation Measures Act 2011

2011 CHAPTER 23

Other safeguards

21 Expiry and repeal of TPIM powers

- (1) Except so far as otherwise provided under this section, the Secretary of State's TPIM powers expire at the end of 5 years beginning with the day on which this Act is passed.
- (2) The Secretary of State may, by order made by statutory instrument—
 - (a) repeal the Secretary of State's TPIM powers;
 - (b) at any time revive the Secretary of State's TPIM powers for a period not exceeding 5 years;
 - (c) provide that the Secretary of State's TPIM powers—
 - (i) are not to expire at the time when they would otherwise expire under subsection (1) or in accordance with an order under this subsection; but
 - (ii) are to continue in force after that time for a period not exceeding 5 years.
- (3) Before making an order under this section the Secretary of State must consult—
 - (a) the independent reviewer appointed for the purposes of section 20;
 - (b) the Intelligence Services Commissioner; and
 - (c) the Director-General of the Security Service.
- (4) An order under this section may not be made unless a draft of it has been laid before Parliament and approved by a resolution of each House.
- (5) Subsection (4) does not apply to an order that contains a declaration by the Secretary of State that the order needs, by reason of urgency, to be made without the approval required by that subsection.
- (6) An order that contains such a declaration—

Status: This is the original version (as it was originally enacted).

- (a) must be laid before Parliament after being made; and
 - (b) if not approved by a resolution of each House before the end of 40 days beginning with the day on which the order was made, ceases to have effect at the end of that period.
- (7) Where an order ceases to have effect in accordance with subsection (6), that does not—
- (a) affect anything previously done in reliance on the order; or
 - (b) prevent the making of a new order to the same or similar effect.
- (8) In this section—
- “40 days” means 40 days computed as provided for in section 7(1) of the Statutory Instruments Act 1946;
 - “Secretary of State’s TPIM powers” means—
 - (a) the power to impose a TPIM notice under section 2;
 - (b) the power to extend a TPIM notice under section 5(2);
 - (c) the power to vary a TPIM notice under section 12(1)(c); and
 - (d) the power to revive a TPIM notice under section 13(6) to (9).