



# Terrorism Prevention and Investigation Measures Act 2011

## 2011 CHAPTER 23

### *Other safeguards*

#### **22 Section 21: supplementary provision**

- (1) This section applies if the Secretary of State's TPIM powers expire or are repealed under section 21.
- (2) A TPIM notice which is in force immediately before expiry or repeal is to—
  - (a) continue in force for the period of 28 days beginning with expiry or repeal; and
  - (b) be treated as if revoked by the Secretary of State at the end of that period.
- (3) Subsection (2)(a) is subject to—
  - (a) any variation under section 12(1)(a) or (b), and
  - (b) any revocation or quashing.
- (4) Except as provided for in subsection (5) or (6), TPIM proceedings may neither continue nor be begun after expiry or repeal.
- (5) TPIM proceedings of a kind set out in subsection (7) may continue, or be begun, after expiry or repeal, but only for the purpose of determining one or more of the following matters—
  - (a) whether a TPIM notice should be quashed;
  - (b) whether measures imposed by a TPIM notice should be quashed;
  - (c) whether to make a declaration under paragraph 4(4) of Schedule 2.
- (6) Proceedings for an award of damages or other relief arising out of any TPIM proceedings of a kind set out in subsection (7)(a) to (c) may continue, or be begun, after expiry or repeal.
- (7) The TPIM proceedings referred to in subsections (5) and (6) are—
  - (a) a reference made under paragraph 3 of Schedule 2 before expiry or repeal;
  - (b) a hearing in pursuance of directions under section 8(2) or (4);

- (c) an appeal under section 16;
  - (d) an appeal, or further appeal, relating to a decision in any proceedings mentioned in any of paragraphs (a) to (c).
- (8) If, after expiry of the Secretary of State's TPIM powers, the powers are revived under section 21(2)(b)—
- (a) all TPIM notices, including any which were in force before expiry, are to be taken into account in determining whether there is new terrorism-related activity for the purposes of section 3(6);
  - (b) the expiry of those powers does not prevent them from being exercised after revival in relation to any TPIM notice which—
    - (i) expired or was revoked before the expiry of the powers or during the relevant 28 day period, or
    - (ii) is, in accordance with subsection (2)(b) of this section, treated as if revoked at the end of the relevant 28 day period;
- and for this purpose “relevant 28 day period” means the period of 28 days beginning with the expiry of the powers that is mentioned in subsection (2)(b).