



# Counter-Terrorism and Security Act 2015

## 2015 CHAPTER 6

### PART 6

#### AMENDMENTS OF OR RELATING TO THE TERRORISM ACT 2000

#### **42 Insurance against payments made in response to terrorist demands**

(1) After section 17 of the Terrorism Act 2000 insert—

##### **“17A Insurance against payments made in response to terrorist demands**

- (1) The insurer under an insurance contract commits an offence if—
- (a) the insurer makes a payment under the contract, or purportedly under it,
  - (b) the payment is made in respect of any money or other property that has been, or is to be, handed over in response to a demand made wholly or partly for the purposes of terrorism, and
  - (c) the insurer or the person authorising the payment on the insurer’s behalf knows or has reasonable cause to suspect that the money or other property has been, or is to be, handed over in response to such a demand.
- (2) If an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
- (a) a director, manager, secretary or other similar officer of the body corporate, or
  - (b) any person who was purporting to act in any such capacity,
- that person, as well as the body corporate, is guilty of the offence and liable to be proceeded against and punished accordingly.

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*Status: This is the original version (as it was originally enacted).*

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- (3) The reference in subsection (2) to a director, in relation to a body corporate whose affairs are managed by its members, is a reference to a member of the body corporate.
- (4) If an offence under this section is committed by a Scottish partnership and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
  - (a) a partner, or
  - (b) any person who was purporting to act in that capacity,
 that person, as well as the partnership, is guilty of the offence and liable to be proceeded against and punished accordingly.
- (5) In this section “insurance contract” means a contract under which one party accepts significant insurance risk from another party (“the policyholder”) by agreeing to compensate the policyholder if a specified uncertain future event adversely affects the policyholder.”
- (2) In section 23 of that Act (forfeiture: terrorist property offences), after subsection (5) insert—
 

“(5A) Where a person is convicted of an offence under section 17A the court may order the forfeiture of the amount paid under, or purportedly under, the insurance contract.”
- (3) The section inserted by subsection (1) applies to any payment made by an insurer on or after the day on which this Act is passed, even if made—
  - (a) under (or purportedly under) a contract entered into before that day, or
  - (b) (subject to subsection (4)) in respect of money or other property handed over before that day.
- (4) The section inserted by subsection (1) does not apply to a payment made in respect of money or other property handed over before 27 November 2014.

#### **43 Port and border controls: power to examine goods**

Schedule 8 amends paragraph 9 of Schedule 7 to the Terrorism Act 2000 (port and border controls: power to examine goods) and other enactments relating to the power in that paragraph.