

## SCHEDULES

### SCHEDULE 5

Section 19

#### TERRORISM OFFENCES ATTRACTING EXTENDED SENTENCE: SCOTLAND

This is the Schedule to be inserted as Schedule 5ZC to the Criminal Procedure (Scotland) Act 1995—

#### “SCHEDULE 5ZC

Section 210A

#### TERRORISM OFFENCES

#### PART 1

#### TERRORISM OFFENCES

#### **Terrorism Act 2000**

- 1 An offence under any of the following provisions of the Terrorism Act 2000—
  - (a) section 11 (membership of a proscribed organisation);
  - (b) section 12 (inviting or expressing support for a proscribed organisation);
  - (c) section 54 (weapons training);
  - (d) section 56 (directing a terrorist organisation);
  - (e) section 57 (possession of article for terrorist purposes);
  - (f) section 58 (collection of information likely to be of use to a terrorist);
  - (g) section 58A (publishing information about members of the armed forces etc);
  - (h) section 58B (entering or remaining in a designated area);
  - (i) section 61 (inciting terrorism overseas).

#### **Anti-Terrorism, Crime and Security Act 2001**

- 2 An offence under section 113 of the Anti-Terrorism, Crime and Security Act 2001 (use of noxious substances to harm or intimidate).

#### **Terrorism Act 2006**

- 3 An offence under any of the following provisions of the Terrorism Act 2006—
  - (a) section 1 (encouragement of terrorism);
  - (b) section 2 (dissemination of terrorist publications);
  - (c) section 5 (preparation of terrorist acts);
  - (d) section 6 (training for terrorism);
  - (e) section 8 (attendance at a place used for terrorist training);
  - (f) section 9 (making or possession of radioactive device or material);

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(g) section 10 (misuse of radioactive device or material for terrorist purposes etc);

(h) section 11 (terrorist threats relating to radioactive devices etc).

### **Ancillary offences**

4 (1) An attempt to commit an offence specified in the preceding paragraphs of this Part (“a listed offence”).

(2) Conspiracy to commit a listed offence.

(3) Incitement to commit a listed offence.

(4) Aiding, abetting, counselling or procuring the commission of a listed offence.

## **PART 2**

OTHER OFFENCES (IN CASE WHERE AGGRAVATED BY HAVING A TERRORIST CONNECTION UNDER SECTION 31 OF THE COUNTER-TERRORISM ACT 2008)

### **Common law offences**

5 Culpable homicide.

6 Abduction.

7 Assault by explosive device.

8 Assault to severe injury.

9 Assault and poisoning.

10 Poisoning.

11 Robbery.

12 Assault with intent to rob.

13 Wilful fire-raising.

14 Malicious mischief.

### **Explosive Substances Act 1883**

15 An offence under any of the following provisions of the Explosive Substances Act 1883—

(a) section 2 (causing explosion likely to endanger life or property);

(b) section 3 (attempt to cause explosion, or making or keeping explosive with intent to endanger life or property);

(c) section 4 (making or possession of explosive under suspicious circumstances);

(d) section 5 (punishment of accessories to offences of causing or attempting to cause explosions or making or possessing explosives).

### **Firearms Act 1968**

- 16 An offence under any of the following provisions of the Firearms Act 1968—
- (a) section 16 (possession of firearm with intent to endanger life);
  - (b) section 17(1) (use of firearm to resist arrest);
  - (c) section 17(2) (possession of firearm at time of committing or being arrested for offence specified in Schedule 1 to that Act);
  - (d) section 18 (carrying a firearm with criminal intent).

### **Biological Weapons Act 1974**

- 17 An offence under section 1 of the Biological Weapons Act 1974 (developing certain biological agents and toxins or biological weapons).

### **Taking of Hostages Act 1982**

- 18 An offence under section 1 of the Taking of Hostages Act 1982 (hostage-taking).

### **Aviation Security Act 1982**

- 19 An offence under any of the following provisions of the Aviation Security Act 1982—
- (a) section 1 (hijacking);
  - (b) section 2 (destroying, damaging or endangering safety of aircraft);
  - (c) section 3 (other acts endangering or likely to endanger safety of aircraft);
  - (d) section 6(2) (inducing or assisting the commission of offences relating to safety of aircraft).

### **Nuclear Material (Offences) Act 1983**

- 20 An offence under either of the following provisions of the Nuclear Material (Offences) Act 1983—
- (a) section 1B (offences relating to damage to the environment);
  - (b) section 2 (preparatory acts and threats).

### **Criminal Justice Act 1988**

- 21 An offence under section 134 of the Criminal Justice Act 1988 (torture).

### **Aviation and Maritime Security Act 1990**

- 22 An offence under any of the following provisions of the Aviation and Maritime Security Act 1990—
- (a) section 1 (endangering safety at aerodromes);
  - (b) section 9 (hijacking of ships);
  - (c) section 10 (seizing or exercising control of fixed platforms);
  - (d) section 11 (destroying ships or fixed platforms or endangering their safety);
  - (e) section 12 (other acts endangering or likely to endanger safe navigation);
  - (f) section 13 (offences involving threats);

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- (g) section 14(4) (inducing or assisting the commission of offences relating to hijacking of ships, or destroying ships or fixed platforms or endangering their safety).

#### **Channel Tunnel (Security) Order 1994**

- 23 An offence under Part 2 of the Channel Tunnel (Security) Order 1994 ([S.I. 1994/570](#)) (offences relating to Channel Tunnel trains and the tunnel system).

#### **Chemical Weapons Act 1996**

- 24 An offence under either of the following provisions of the Chemical Weapons Act 1996—
  - (a) section 2 (use etc of chemical weapons);
  - (b) section 11 (premises or equipment used for producing chemical weapons).

#### **Anti-terrorism, Crime and Security Act 2001**

- 25 An offence under either of the following provisions of the Anti-terrorism, Crime and Security Act 2001—
  - (a) section 47 (use etc of nuclear weapons);
  - (b) section 50 (assisting or inducing certain weapons-related acts overseas).

#### **International Criminal Court (Scotland) Act 2001 ([asp 13](#))**

- 26 An offence under section 1 or 2 of the International Criminal Court (Scotland) Act 2001 (genocide, crimes against humanity, war crimes and related offences), other than one involving murder.

#### **Human Trafficking and Exploitation (Scotland) Act 2015 ([asp 12](#))**

- 27 An offence under either of the following provisions of the Human Trafficking and Exploitation (Scotland) Act 2015—
  - (a) section 1 (human trafficking);
  - (b) section 4 (slavery, servitude and forced or compulsory labour).

#### **Space Industry Act 2018**

- 28 An offence under any of the following provisions of Schedule 4 to the Space Industry Act 2018—
  - (a) paragraph 1 (hijacking of spacecraft);
  - (b) paragraph 2 (destroying, damaging or endangering the safety of spacecraft);
  - (c) paragraph 3 (other acts endangering or likely to endanger safety of spacecraft);
  - (d) paragraph 4 (endangering safety at spaceports).

#### **Ancillary offences**

- 29 (1) An attempt to commit an offence specified in the preceding paragraphs of this Part (“a listed offence”).

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- (2) Conspiracy to commit a listed offence.
  - (3) Incitement to commit a listed offence.
  - (4) Aiding, abetting, counselling or procuring the commission of a listed offence.
- 30
- (1) An attempt to commit murder.
  - (2) Conspiracy to commit murder.
  - (3) Incitement to commit murder.”