



# Counter-Terrorism and Sentencing Act 2021

## 2021 CHAPTER 11

### PART 3

#### PREVENTION AND INVESTIGATION OF TERRORISM

##### *Terrorism prevention and investigation measures*

#### **36 TPIMs: variation of measures**

(1) The Terrorism Prevention and Investigation Measures Act 2011 is amended as follows.

(2) In section 12 (variation of measures)—

(a) after subsection (1) insert—

“(1A) The Secretary of State may by variation notice vary a relocation measure so as to substitute a different specified residence if the Secretary of State reasonably considers that—

(a) the variation is necessary for reasons connected with the efficient and effective use of resources in relation to the individual; and

(b) the relocation measure (as varied) remains necessary for purposes connected with preventing or restricting the individual's involvement in terrorism-related activity.

(1B) A “relocation measure” is a measure under paragraph 1(2) of Schedule 1 which requires the individual to reside at a specified residence within paragraph 1(3)(b) of that Schedule (requirement to reside at premises specified by Secretary of State other than individual's own residence).”;

(b) in each of subsections (7), (8), (9) and (10), after “subsection (1)” insert “ or (1A) ”;

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*Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism and Sentencing Act 2021, Section 36. (See end of Document for details)*

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(c) at the end insert—

“(11) Subsection (1A) does not limit the power under subsection (1).”

(3) In section 16 (appeals)—

(a) in subsection (2), in the words before paragraph (a)—

- (i) after “varies” insert “ under section 12(1)(c) ”;
- (ii) omit “(see section 12(1)(c))”;

(b) after subsection (2) insert—

“(2A) If the Secretary of State varies a relocation measure specified in a TPIM notice under section 12(1A)—

- (a) the individual may appeal to the court against the variation;  
and
- (b) the function of the court on such an appeal is to review the Secretary of State's decisions that—
  - (i) the variation was necessary for reasons connected with the efficient and effective use of resources in relation to the individual, and
  - (ii) the relocation measure (as varied) remained, and continues to be, necessary for purposes connected with preventing or restricting involvement by the individual in terrorism-related activity.

(2B) In subsection (2A) “relocation measure” has the meaning given by section 12(1B).”

(4) In section 21 (expiry and repeal of TPIM powers), in subsection (8), in the definition of “Secretary of State's TPIM powers”, in paragraph (c) after “12(1)(c)” insert “ or (1A) ”.

(5) In Schedule 5 (powers of entry etc), in paragraph 5(2), for paragraph (c) (but not the final “or”) substitute—

“(c) a notice varying a TPIM notice under section 12(1) as mentioned in paragraph (c) of that subsection or under section 12(1A);”.

**Changes to legislation:**

There are currently no known outstanding effects for the Counter-Terrorism and Sentencing Act 2021, Section 36.