Click here for Explanatory Memorandum



Number 2 of 2005

CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005

ARRANGEMENT OF SECTIONS

PART 1

PRELIMINARY MATTERS

Section

- 1. Short title.
- 2. Commencement.
- 3. Interpretation.

PART 2

SUPPRESSION OF TERRORIST GROUPS AND TERRORIST OFFENCES

- 4. Definitions for *Part 2*.
- 5. Terrorist groups.
- 6. Terrorist offences.
- 7. Penalties for terrorist offences.

PART 3

Suppression of Hostage-Taking, Terrorist Bombing and Crimes Against Internationally Protected Persons.

- 8. Definitions for *Part 3*.
- 9. Offence of hostage-taking.
- 10. Offence of terrorist bombing.
- 11. Offences against internationally protected persons.

[No. 2.] Criminal Justice (Terrorist Offences) Act 2005.

PART 4

[2005.]

SUPPRESSION OF FINANCING OF TERRORISM

Section

- 12. Interpretation of Part 4.
- 13. Offence of financing terrorism.
- 14. Interim order freezing certain funds.
- 15. Interlocutory order.
- 16. Disposal order.
- 17. Ancillary orders and provision in relation to certain profits or gains, etc.
- 18. Evidence and proceedings relating to interim and other orders.
- 19. Compensation.

31.

32.

- 20. Application of certain provisions of Act of 1996.
- 21. Amendment of section 3 of Act of 1994.
- 22. Amendment of Part II of Act of 1994 new sections 8A to 8E.
- 23. Amendment of section 9 of Act of 1994.
- 24. Amendment of section 10 of Act of 1994.
- 25. Amendment of section 11 of Act of 1994.
- 26. Amendment of section 12 of Act of 1994.
- 27. Amendment of section 13 of Act of 1994.
- 28. Amendment of section 17 of Act of 1994.
- 29. Amendment of section 18 of Act of 1994.
- 30. Amendment of section 23 of Act of 1994.

Amendment of section 28 of Act of 1994.

Amendment of section 32 of Act of 1994.

- 33. Amendment of section 46 of Act of 1994.
- 34. Amendment of section 47 of Act of 1994.
- 35. Amendment of section 55 of Act of 1994.
- 36. Amendment of section 57 of Act of 1994.
- 37. Amendment of section 58 of Act of 1994.
- 38. Amendment of section 61 of Act of 1994.
- 39. Amendment of section 63 of Act of 1994.

[2005.] Criminal Justice (Terrorist [No. 2.] Offences) Act 2005.

Section

- 40. Amendment of section 64 of Act of 1994.
- 41. Amendment of section 65 of Act of 1994.
- 42. Power to make regulations.

PART 5

MISCELLANEOUS MATTERS

- 43. Proceedings relating to offences committed outside the State.
- 44. Evidence in proceedings under the Act.
- 45. Liability for offences by bodies corporate.
- 46. Double jeopardy.
- 47. Expenses.

PART 6

AMENDMENT OF OTHER ACTS

- 48. Amendment of section 21 of Act of 1939.
- 49. Amendment of Act of 1939 new section 21A.
- 50. Amendment of section 22 of Act of 1939.
- 51. Amendment of Act of 1939 new sections 22A to 22I.
- 52. Amendment of section 38 of Act of 1939.
- 53. Amendment of section 49 of Act of 1939.
- 54. Amendment and commencement of section 2 of Act of 1985.
- 55. Amendment of section 8 of Act of 1985.
- 56. Amendment of Defence Act 1954.
- 57. Amendment of Extradition Act 1965.
- 58. Amendment of Extradition (Amendment) Act 1994.
- 59. Amendment of Criminal Procedure Act 1967.
- 60. Amendment of Bail Act 1997.

PART 7

COMMUNICATIONS DATA

- 61. Interpretation of this Part.
- 62. Application of this Part.

[No. 2.] Criminal Justice (Terrorist Offences) Act 2005.

[2005.]

Section

- 63. Retention of traffic and location data relating to communications by phone.
- 64. Access to data retained for law enforcement and security purposes.
- 65. Complaints procedure.
- 66. Amendment of section 8 of Act of 1993.
- 67. Duties of designated judge in relation to this Part.

PART 8

EUROPEAN ARREST WARRANT.

- 68. Application of this Part.
- 69. Issuing state presumed to comply with Framework Decision.
- 70. Corresponding offences.
- 71. Obligation to surrender.
- 72. European arrest warrant.
- 73. Amendment of section 12 of Act of 2003.
- 74. Amendment of section 14 of Act of 2003.
- 75. Amendment of section 15 of Act of 2003.
- 76. Date of hearing in relation to European arrest warrant.
- 77. Amendment of section 18 of Act of 2003.
- 78. Amendment of section 20 of Act of 2003.
- 79. Refusal of surrender where no decision to prosecute.
- 80. Rule of specialty.
- 81. Surrender of person by issuing state to other Member State.
- 82. Extradition of person by issuing state to third state.
- 83. Proceedings in the State.

SCHEDULE 1

Council Framework Decision of 13 June 2002 on Combating Terrorism

PART 1

PART 2

SCHEDULE 2

Offences for Purposes of Definitions of "Terrorist Activity" and "Terrorist-Linked Activity"

PART 1

PART 2

PART 3

SCHEDULE 3

International Convention Against the Taking of Hostages

SCHEDULE 4

Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents

SCHEDULE 5

International Convention for the Suppression of Terrorist Bombings

SCHEDULE 6

Offences Against Internationally Protected Persons

PART 1

PART 2

SCHEDULE 7

International Convention for the Suppression of the Financing of Terrorism

5