STATUTORY INSTRUMENTS

2015 No. 928

PREVENTION AND SUPPRESSION OF TERRORISM

The Counter-Terrorism and Security Act 2015 (Risk of Being Drawn into Terrorism) (Amendment and Guidance) Regulations 2015

Made - - - - 24th March 2015

Coming into force in accordance with regulation 2

These Regulations are made in exercise of the powers conferred by sections 27(1) and (3), 29(5) and 39(1) and (4) of the Counter-Terrorism and Security Act 2015 ("the Act")(**1**).

The Secretary of State has consulted in accordance with sections 28(2), 29(4) and 39(3)(a) and (b) of the Act.

In accordance with sections 27(4), 29(5) and 39(5) of the Act, a draft of these Regulations was laid before Parliament and approved by a resolution of each House of Parliament.

Accordingly, the Secretary of State makes the following Regulations:

PART 1

GENERAL

Citation and commencement

1. These Regulations may be cited as the Counter-Terrorism and Security Act 2015 (Risk of Being Drawn into Terrorism) (Amendment and Guidance) Regulations 2015.

2. These Regulations come into force on the day after the day on which they are made, other than regulation 8 which comes into force on 12thApril 2015.

(**1**) 2015 c.6.

PART 2

GUIDANCE UNDER SECTION 29(1) OF THE ACT

3. The "Prevent duty guidance (England and Wales)" and the "Prevent duty guidance (Scotland)" issued by the Secretary of State on 12th March 2015 under section 29(1) and (3)(b) of the Act take effect on the day on which this regulation comes into force.

PART 3

AMENDMENTS TO PART 5 OF THE ACT

Enforcement of directions under section 30 in Scotland

4. In section 30 of the Act, for subsection (2) substitute—

"(2) A direction given under this section may be enforced—

(a) in England and Wales, on an application made on behalf of the Secretary of State, by a mandatory order,

(b) in Scotland, on an application made on behalf of the Secretary of State to the Court of Session, by an order of specific implement."

Freedom of expression in Scottish universities etc

5.—(1) Section 31 of the Act is amended in accordance with this regulation.

(2) In subsection (1), omit "or" at the end of paragraph (a) and after "(higher education courses)" in paragraph (b) add—

", or

(c) a post-16 education body within the meaning of the Further and Higher Education (Scotland) Act 2005(**2**)

(3) In subsection (2), after paragraph (a) add—

"(aa) must have particular regard to the need to ensure freedom of speech, if it is the proprietor or governing body of an institution mentioned in subsection (1)(c);".

(4) In subsection (3), after paragraph (a) add—

"(aa) must have particular regard to the need to ensure freedom of speech, in the case of authorities that are proprietors or governing bodies of institutions mentioned in subsection (1)(c);".

(5) In subsection (4), after paragraph (a) add—

"(aa) must have particular regard to the need to ensure freedom of speech, in the case of an authority that is the proprietor or governing body of an institution mentioned in subsection (1)(c);".

(6) In subsection (5), after the definition of "the duty to ensure freedom of speech" add—

""the need to ensure freedom of speech" means the need to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the institution in question and for visiting speakers;".

(**2**) 2005 asp 6, amended by the Post-16 Education (Scotland) Act 2013, asp 12.

Application of Chapter 2 of Part 5 to Scotland

6.—(1) Section 41 of the Act is amended in accordance with this regulation.

(2) In subsection (1), in the definition of "local authority", after paragraph (f) add—

"(g) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(**3**);".

(3) After subsection (3) add—

"(4) References in this Chapter to a chief officer of police are to be read as including references to the chief constable of the Police Service of Scotland.".

PART 4

AMENDMENTS TO SCHEDULES 6 AND 7 TO THE ACT

Amendments to Schedule 6 to the Act (specified authorities)

7. Schedule 1 amends Schedule 6 to the Act (specified authorities).

Amendments to Schedule 7 to the Act (partners of local panels)

8. Schedule 2 amends Schedule 7 to the Act (partners of local panels).

Home Office
24th March 2015

James Brokenshire
Minister of State

(**3**) 1994 c. 39, amended by the Environment Act 1995, c. 25; there are other amending enactments but none is relevant.