

EXPLANATORY MEMORANDUM TO
THE TERRORISM PREVENTION AND INVESTIGATION MEASURES ACT 2011
(CONTINUATION) ORDER 2026

2026 No. [XXXX]

1. Introduction

- 1.1 This Explanatory Memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.

2. Declaration

- 2.1 Dan Jarvis MP, Minister for Security, at the Home Office confirms that this Explanatory Memorandum meets the required standard.
- 2.2 The Deputy Director for Counter-Terrorism Pursue Unit, at the Home Office confirms that this Explanatory Memorandum meets the required standard.

3. Contact

- 3.1 The Terrorism Prevention and Investigation Measures (TPIMs) Contact Officer at the Home Office can be contacted by email at the following address with any queries regarding the instrument: Contact.Officer2@homeoffice.gov.uk.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

- 4.1 Under section 21 of the Terrorism Prevention and Investigation Measures Act 2011 (“the Act”), this Order provides for the continuation of the “Secretary of State’s TPIM powers” (as defined in that section) for a period of a further five years, until the end of 13 December 2031. A Terrorism Prevention and Investigation Measure is referred to in this Explanatory Memorandum as a “TPIM”.

Where does the legislation extend to, and apply?

- 4.2 The territorial extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is the United Kingdom.
- 4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is the United Kingdom.

5. Policy Context

What is being done and why?

- 5.1 TPIMs are civil preventative measures which allow the Secretary of State to impose specified restrictions and requirements on an individual involved in terrorism-related activity in order to protect the public from a risk of terrorism.
- 5.2 The Act provides the Secretary of State with powers to impose a TPIM notice on an individual if the five conditions set out in section 3 of the Act are met.
- 5.3 These conditions include that the Secretary of State reasonably believes the individual is, or has been, involved in terrorism-related activity; that some or all of the relevant

activity is new terrorism-related activity; and that the Secretary of State reasonably considers it is necessary, for purposes connected with protecting members of the public from a risk of terrorism and preventing or restricting the individual's involvement in terrorism related-activity, for the specified measures to be imposed.

- 5.4 The Act specifies the types of measures that can be imposed and in what circumstances. Measures include restrictions on an overnight place of residence, travel, access to financial services, electronic communication devices and association or communication with other persons. All restrictions and requirements must be assessed as necessary and proportionate.
- 5.5 As well as the power to impose a TPIM, the Secretary of State also has powers to extend, vary and revive a TPIM notice. Section 21(8) of the Act defines these as the "Secretary of State's TPIM powers".
- 5.6 The continued necessity of the TPIM regime is subject to periodic parliamentary scrutiny through the statutory requirement in section 21 for the TPIM powers to expire unless continued by order approved by both Houses of Parliament. This Order provides for a further five years, until the end of 13 December 2031.
- 5.7 As of the last published set of figures (1 June 2026 to 31 August 2026), four TPIMs were in force.¹ Since the introduction of the Act in 2011 to 31 December 2024, 33 TPIMs have been imposed.²
- 5.8 As the most restrictive civil measure available to the Secretary of State, TPIMs are used sparingly and only in exceptional cases involving individuals assessed to present the highest levels of terrorism-related risk, where prosecution, deportation or other disruptive measures would be insufficient to protect the public. Due to the continuing threat to the UK from terrorist-related activity, the Secretary of State has concluded that the Secretary of State's TPIM powers remain a necessary and proportionate tool to allow the authorities to adequately address and mitigate terrorist threats.
- 5.9 Allowing the Secretary of State's TPIM powers to expire would remove an important counter-terrorism capability used to manage individuals who present a significant national security risk. This would reduce the range of measures available to the authorities to mitigate risks posed by such individuals and could diminish their ability to protect the public from terrorism-related activity.

What was the previous policy, how is this different?

- 5.10 This instrument makes no changes to the TPIM regime itself and merely extends the existing powers. Any person who has a TPIM notice imposed will continue to be able to apply to the courts to challenge the imposition of the TPIM notice (under section 9 of the Act), may apply to vary any of the measures (under section 12) and undertake further appeals (under section 16).

6. Legislative and Legal Context

How has the law changed?

- 6.1 Section 21(1) of the Act provides for the expiry of the Secretary of State's TPIM powers. Those powers include the powers to impose, extend, vary and revive a TPIM

¹ Terrorism Prevention and Investigation Measures (1 June 2026 to 31 August 2026), statement made on 11 September 2026 (<https://questions-statements.parliament.uk/written-statements/detail/2026-09-11/hcws333>).

² Counter-terrorism disruptive powers report 2024, published on 15 December 2025 (<https://www.gov.uk/government/publications/counter-terrorism-disruptive-powers-report-2024>).

notice. Section 21(2)(c) allows the Secretary of State, by order, to continue those powers for a period not exceeding five years.

- 6.2 The Secretary of State's TPIM powers were previously continued by the Terrorism Prevention and Investigation Measures Act 2011 (Continuation) Order 2016 and the Terrorism Prevention and Investigation Measures Act 2011 (Continuation) Order 2021. The 2021 Order continues the powers until the end of 13 December 2026.
- 6.3 This Order provides that the Secretary of State's TPIM powers will not expire at that time but will continue in force until the end of 13 December 2031. It does not otherwise amend the TPIM regime or the powers available under the Act.

Why was this approach taken to change the law?

- 6.4 This is the only possible approach to make the necessary changes.

7. Consultation

Summary of consultation outcome and methodology

- 7.1 As required by the Act, the Secretary of State has consulted with the Independent Reviewer of Terrorism Legislation, the Investigatory Powers Commissioner and the Director General of the Security Service. These persons have all agreed that the Secretary of State's TPIM powers should be continued for a further five years.
- 7.2 No further public consultation took place.

8. Applicable Guidance

- 8.1 No guidance is necessary in connection with this instrument.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

- 9.1 A full Impact Assessment has not been prepared for this instrument because no impact on business is foreseen.

Impact on businesses, charities and voluntary bodies

- 9.2 There is no, or no significant, impact on business, charities or voluntary bodies.
- 9.3 The legislation does not impact small or micro businesses.
- 9.4 There is no, or no significant, impact on the public sector.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

- 10.1 Under section 19 of the Act, the Secretary of State must prepare quarterly reports on the exercise of key TPIM powers, including the imposition, extension, variation, revocation and revival of TPIM notices. These reports are laid before Parliament.³
- 10.2 In addition, section 20 of the Act requires the Secretary of State to appoint an Independent Reviewer to review the operation of the Act. The Independent Reviewer must provide reports to the Secretary of State, who must lay those reports before

³ Terrorism Prevention and Investigation Measures (1 June 2026 to 31 August 2026), statement made on 11 September 2026 (<https://questions-statements.parliament.uk/written-statements/detail/2026-09-11/hcws333>).

Parliament. The Independent Reviewer of Terrorism Legislation's most recent annual report, the Terrorism Acts in 2024, was published on 29 April 2026.⁴

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 The Minister for Security has made the following statement regarding Human Rights: "In my view the provisions of the Terrorism Prevention and Investigation Measures Act 2011 (Continuation) Order 2026 are compatible with the Convention rights."

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").

⁴ The Terrorism Acts in 2024, Independent Reviewer of Terrorism Legislation, published 29 April 2026 <https://www.gov.uk/government/publications/the-terrorism-acts-in-2024>.