



# Terrorism Act 2000

## 2000 CHAPTER 11

### PART II

#### PROSCRIBED ORGANISATIONS

##### *Procedure*

#### **9 Human Rights Act 1998.**

- (1) This section applies where rules (within the meaning of section 7 of the <sup>M1</sup>Human Rights Act 1998 (jurisdiction)) provide for proceedings under section 7(1) of that Act to be brought before the Proscribed Organisations Appeal Commission.
- (2) The following provisions of this Act shall apply in relation to proceedings under section 7(1) of that Act as they apply to appeals under section 5 of this Act—
  - (a) section 5(4) [<sup>F1</sup>, (5) and (5A)] ,
  - (b) section 6,
  - (c) section 7, and
  - (d) paragraphs 4 to [<sup>F2</sup>7] of Schedule 3.
- (3) The Commission shall decide proceedings in accordance with the principles applicable on an application for judicial review.
- (4) In the application of the provisions mentioned in subsection (2)—
  - (a) a reference to the Commission allowing an appeal shall be taken as a reference to the Commission determining that an action of the Secretary of State is incompatible with a Convention right, [<sup>F3</sup>and]
  - (b) a reference to the refusal to deproscribe against which an appeal was brought shall be taken as a reference to the action of the Secretary of State which is found to be incompatible with a Convention right [<sup>F4</sup>, and
  - (c) a reference to a refusal to provide for a name to cease to be treated as a name for an organisation shall be taken as a reference to the action of the Secretary of State which is found to be incompatible with a Convention right].

*Status: Point in time view as at 13/04/2006.*

*Changes to legislation: Terrorism Act 2000, Section 9 is up to date with all changes known to be in force on or before 14 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

#### Textual Amendments

- F1** Words in s. 9(2)(a) substituted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), [s. 22\(9\)\(a\)](#); S.I. 2006/1013, [art. 2](#)
- F2** Words in s. 9(2)(d) substituted (2.10.2000) by [2000 c. 23](#), s. 82, [Sch. 4 para. 12\(1\)](#) (with s. 82(3)); S.I. 2000/2543, [art. 3](#)
- F3** S. 9(4): it is provided that the word "and" at the end of para. (b) is repealed (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), s. 37(5), [Sch. 3](#); S.I. 2006/1013, [art. 2](#)
- F4** S. 9(4)(c) and preceding word inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), [s. 22\(9\)\(b\)](#); S.I. 2006/1013, [art. 2](#)

#### Marginal Citations

- M1** [1998 c. 42](#).

**Status:**

Point in time view as at 13/04/2006.

**Changes to legislation:**

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