Status: *Point in time view as at 01/11/2002. This version of this provision has been superseded.*
Changes to legislation: *Terrorism Act 2000, Paragraph 5 is up to date with all changes known to be in force on or before 07 October 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)*

SCHEDULES

SCHEDULE 3

THE PROSCRIBED ORGANISATIONS APPEAL COMMISSION

Procedure

5 (1) The Lord Chancellor may make rules—

(a) regulating the exercise of the right of appeal to the Commission;

(b) prescribing practice and procedure to be followed in relation to proceedings before the Commission;

(c) providing for proceedings before the Commission to be determined without an oral hearing in specified circumstances;

(d) making provision about evidence in proceedings before the Commission (including provision about the burden of proof and admissibility of evidence);

(e) making provision about proof of the Commission's decisions.

(2) In making the rules the Lord Chancellor shall, in particular, have regard to the need to secure—

(a) that decisions which are the subject of appeals are properly reviewed, and

(b) that information is not disclosed contrary to the public interest.

(3) The rules shall make provision permitting organisations to be legally represented in proceedings before the Commission.

(4) The rules may, in particular—

(a) provide for full particulars of the reasons for proscription or refusal to deproscribe to be withheld from the organisation or applicant concerned and from any person representing it or him;

(b) enable the Commission to exclude persons (including representatives) from all or part of proceedings;

(c) enable the Commission to provide a summary of evidence taken in the absence of a person excluded by virtue of paragraph (b);

(d) permit preliminary or incidental functions to be discharged by a single member;

(e) permit proceedings for permission to appeal under section 6 to be determined by a single member;

(f) make provision about the functions of persons appointed under paragraph 7;

(g) make different provision for different parties or descriptions of party.

(5) Rules under this paragraph—

(a) shall be made by statutory instrument, and

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(b) shall not be made unless a draft has been laid before and approved by resolution of each House of Parliament.

(6) In this paragraph a reference to proceedings before the Commission includes a reference to proceedings arising out of proceedings before the Commission.

Status:
Point in time view as at 01/11/2002. This version of this provision has been superseded.

Changes to legislation:
Terrorism Act 2000, Paragraph 5 is up to date with all changes known to be in force on or before 07 October 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.