

*These notes refer to the Terrorism Act 2006 (c.11)
which received Royal Assent on 30 March 2006*

TERRORISM ACT 2006

EXPLANATORY NOTES

COMMENTARY

Definitions

Part 2

Section 22 – Name changes by proscribed organisations

Subsections (3) to (7)

104. These subsections apply the existing provisions in the TACT for review of and appeal against proscription to an order that a name be treated as another name for a listed organisation. Section 4 of the TACT allows those who have an interest in an organisation being proscribed to apply to the Secretary of State to have an organisation de-proscribed. **Subsections (3) and (4)** of this section amend section 4 to allow similar applications in respect of an order that a name be treated as another name for a listed organisation. **Subsection (5)** includes orders to treat a name as another name for a listed organisation in section 5 of the TACT, which allows an appeal to the Proscribed Organisations Appeal Commission (POAC), if the Secretary of State refuses to revoke an order following an application under section 4. An appeal is also possible against POAC's decision under section 6 of the TACT although this does not require specific amendment by the section.
105. If an appeal is successful under section 5 then the Secretary of State is obliged to revoke his order as provided for in new section 5(5A) of the TACT to be inserted by **subsection (6)** of the section. **Subsection (7)** includes the new orders into section 7 of the TACT. Section 7 sets out the effect of a successful appeal on a conviction that was dependent on an organisation being proscribed.