



Prevention of Terrorism (Temporary Provisions) Act 1989

1989 CHAPTER 4

PART I

PROSCRIBED ORGANISATIONS

1 Proscribed organisations

- (1) Any organisation for the time being specified in Schedule 1 to this Act is a proscribed organisation for the purposes of this Act; and any organisation which passes under a name mentioned in that Schedule shall be treated as proscribed whatever relationship (if any) it has to any other organisation of the same name.
- (2) The Secretary of State may by order made by statutory instrument—
 - (a) add to Schedule 1 to this Act any organisation that appears to him to be concerned in, or in promoting or encouraging, terrorism occurring in the United Kingdom and connected with the affairs of Northern Ireland;
 - (b) remove an organisation from that Schedule.
- (3) No order shall be made under this section unless—
 - (a) a draft of the order has been laid before and approved by a resolution of each House of Parliament; or
 - (b) it is declared in the order that it appears to the Secretary of State that by reason of urgency it is necessary to make the order without a draft having been so approved.
- (4) An order under this section of which a draft has not been approved under subsection (3) above—
 - (a) shall be laid before Parliament; and
 - (b) shall cease to have effect at the end of the period of forty days beginning with the day on which it was made unless, before the end of that period, the order has been approved by a resolution of each House of Parliament, but without prejudice to anything previously done or to the making of a new order.

- (5) In reckoning for the purposes of subsection (4) above any period of forty days, no account shall be taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (6) In this section “organisation” includes any association or combination of persons.

2 Membership, support and meetings

- (1) Subject to subsection (3) below, a person is guilty of an offence if he—
- (a) belongs or professes to belong to a proscribed organisation;
 - (b) solicits or invites support for a proscribed organisation other than support with money or other property; or
 - (c) arranges or assists in the arrangement or management of, or addresses, any meeting of three or more persons (whether or not it is a meeting to which the public are admitted) knowing that the meeting is—
 - (i) to support a proscribed organisation;
 - (ii) to further the activities of such an organisation; or
 - (iii) to be addressed by a person belonging or professing to belong to such an organisation.
- (2) A person guilty of an offence under subsection (1) above is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding ten years or a fine or both;
 - (b) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.
- (3) A person belonging to a proscribed organisation is not guilty of an offence under this section by reason of belonging to the organisation if he shows—
- (a) that he became a member when it was not a proscribed organisation under the current legislation; and
 - (b) that he has not since he became a member taken part in any of its activities at any time while it was a proscribed organisation under that legislation.
- (4) In subsection (3) above “the current legislation”, in relation to any time, means whichever of the following was in force at that time—
- (a) the Prevention of Terrorism (Temporary Provisions) Act 1974;
 - (b) the Prevention of Terrorism (Temporary Provisions) Act 1976;
 - (c) the Prevention of Terrorism (Temporary Provisions) Act 1984; or
 - (d) this Act.
- (5) The reference in subsection (3) above to a person becoming a member of an organisation is a reference to the only or last occasion on which he became a member.

3 Display of support in public

- (1) Any person who in a public place—
- (a) wears any item of dress; or
 - (b) wears, carries or displays any article,
- in such a way or in such circumstances as to arouse reasonable apprehension that he is a member or supporter of a proscribed organisation, is guilty of an offence and liable

on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale or both.

- (2) In Scotland a constable may arrest without warrant anyone whom he has reasonable grounds to suspect of being a person guilty of an offence under this section.
- (3) In this section “public place” includes any highway or, in Scotland, any road within the meaning of the Roads (Scotland) Act 1984 and any premises to which at the material time the public have, or are permitted to have, access, whether on payment or otherwise.