



# Terrorism Act 2000

## 2000 CHAPTER 11

### PART II

#### PROSCRIBED ORGANISATIONS

##### *Procedure*

#### **5 Deproscription: appeal.**

- (1) There shall be a commission, to be known as the Proscribed Organisations Appeal Commission.
- (2) Where an application under section 4 has been refused, the applicant may appeal to the Commission.
- (3) The Commission shall allow an appeal against a refusal to deproscribe an organisation [<sup>F1</sup>or to provide for a name to cease to be treated as a name for an organisation] if it considers that the decision to refuse was flawed when considered in the light of the principles applicable on an application for judicial review.
- (4) Where the Commission allows an appeal under this section <sup>F2</sup>. . . , it may make an order under this subsection.
- (5) Where an order is made under subsection (4) [<sup>F3</sup>in respect of an appeal against a refusal to deproscribe an organisation,] the Secretary of State shall as soon as is reasonably practicable—
  - (a) lay before Parliament, in accordance with section 123(4), the draft of an order under section 3(3)(b) removing the organisation from the list in Schedule 2, or
  - (b) make an order removing the organisation from the list in Schedule 2 in pursuance of section 123(5).

[<sup>F4</sup>(5A) Where an order is made under subsection (4) in respect of an appeal against a refusal to provide for a name to cease to be treated as a name for an organisation, the Secretary of State shall, as soon as is reasonably practicable, make an order under section 3(8)

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*Changes to legislation: Terrorism Act 2000, Section 5 is up to date with all changes known to be in force on or before 17 April 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) View outstanding changes*

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providing that the name in question is to cease to be so treated in relation to that organisation.]

(6) Schedule 3 (constitution of the Commission and procedure) shall have effect.

#### Textual Amendments

- F1** Words in s. 5(3) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), [s. 22\(5\)\(a\)](#); [S.I. 2006/1013](#), [art. 2](#)
- F2** Words in s. 5(4) repealed (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), ss. {22(5)(b)}, 37(5), {Sch. 3}; [S.I. 2006/1013](#), [art. 2](#)
- F3** Words in s. 5(5) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), [s. 22\(5\)\(c\)](#); [S.I. 2006/1013](#), [art. 2](#)
- F4** S. 5(5A) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), [s. 22\(6\)](#); [S.I. 2006/1013](#), [art. 2](#)

#### Commencement Information

- I1** S. 5 wholly in force at 19.2.2001; s. 5 not in force at Royal Assent see s. 128; s. 5(1) wholly in force and s. 5(6) in force for certain purposes at 31.10.2000 by [S.I. 2000/2944](#), [art. 2\(b\)](#); s. 5 in force at 19.2.2001 in so far as not already in force by [S.I. 2001/421](#), [art. 2](#)

**Changes to legislation:**

Terrorism Act 2000, Section 5 is up to date with all changes known to be in force on or before 17 April 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.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 4 para. 11(1)(aa) inserted by [2003 c. 44 Sch. 36 para. 14\(2\)](#)
- Sch. 4 para. 11(2A) inserted by [2003 c. 44 Sch. 36 para. 14\(3\)](#)
- Sch. 4 para. 11(1)(aa) words substituted by [2015 c. 2 Sch. 11 para. 17\(2\)](#)
- Sch. 4 para. 11(2A) words substituted by [2015 c. 2 Sch. 11 para. 17\(3\)](#)
- Sch. 8 para. 14(2A) inserted by [2008 c. 28 s. 16\(3\)](#) (This amendment not applied to legislation.gov.uk. S. 16 repealed (31.10.2013) by 2012 c. 9, Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(d))
- Sch. 8 para. 14(4)(ba) inserted by [2008 c. 28 s. 16\(5\)](#) (This amendment not applied to legislation.gov.uk. S. 16 repealed (31.10.2013) by 2012 c. 9, Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(d))
- Sch. 8 para. 15(1)(aa)(ab) inserted by [2010 c. 17 s. 17\(4\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-19 repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))
- Sch. 8 para. 15(2A) inserted by [2010 c. 17 s. 17\(7\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-19 repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))
- Sch. 8 para. 15(4) inserted by [2010 c. 17 s. 17\(8\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-19 repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))
- Sch. 8 para. 14F(3)(b) and word omitted by [2012 c. 10 Sch. 24 para. 22](#) (This amendment not applied to legislation.gov.uk. The substitution of Sch. 8 para. 14F was repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))
- Sch. 8 para. 14-14I substituted for Sch. 8 para. 14 by [2010 c. 17 s. 17\(2\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-19 repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))
- Sch. 8 para. 20(3)-(3C) substituted for Sch. 8 para. 20(3) by [2010 c. 17 s. 18\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-19 repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))
- Sch. 8 para. 20F(3) words omitted by [2012 c. 10 Sch. 24 para. 23](#) (This amendment not applied to legislation.gov.uk. The insertion of Sch. 8 para. 20F was repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))