



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 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) and (5),
 - (b) section 6,
 - (c) section 7, and
 - (d) paragraphs 4 to 8 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, 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.