



Northern Ireland (Emergency Provisions) Act 1991

1991 CHAPTER 24

PART III

OFFENCES AGAINST PUBLIC SECURITY AND PUBLIC ORDER

28 Proscribed organisations

- (1) Subject to subsection (6) below, any person who—
- (a) belongs or professes to belong to a proscribed organisation; or
 - (b) solicits or invites support for a proscribed organisation other than support with money or other property; or
 - (c) solicits or invites any person to become a member of a proscribed organisation or to carry out on behalf of a proscribed organisation orders or directions given, or requests made, by a member of that organisation; or
 - (d) 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—
 - (i) is to support a proscribed organisation;
 - (ii) is to further the activities of such an organisation; or
 - (iii) is to be addressed by a person belonging or professing to belong to such an organisation,

is guilty of an offence and liable on conviction on indictment to imprisonment for a term not exceeding ten years or a fine or both and on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.

- (2) The organisations specified in Schedule 2 to this Act are proscribed organisations 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.

Status: This is the original version (as it was originally enacted).

- (3) The Secretary of State may by order add to Schedule 2 to this Act any organisation that appears to him to be concerned in terrorism or in promoting or encouraging it.
- (4) The Secretary of State may also by order remove an organisation from Schedule 2 to this Act.
- (5) The possession by a person of a document—
- (a) addressed to him as a member of a proscribed organisation; or
 - (b) relating or purporting to relate to the affairs of a proscribed organisation; or
 - (c) emanating or purporting to emanate from a proscribed organisation or officer of a proscribed organisation,
- shall be evidence of that person belonging to the organisation at the time when he had the document in his possession.
- (6) A person belonging to a proscribed organisation shall—
- (a) if the organisation is a proscribed organisation by virtue of an order under subsection (3) above; or
 - (b) if this section has ceased to be in force but has been subsequently brought into force by an order under section 69(3) below,
- not be guilty of an offence under this section by reason of belonging to the organisation if he has not after the coming into force of the order under subsection (3) above or the coming into force again of this section, as the case may be, taken part in any activities of the organisation.
- (7) Subsection (6) above shall apply in relation to a person belonging to the Red Hand Commando, the Ulster Freedom Fighters, the Ulster Volunteer Force, the Irish National Liberation Army or the Irish People's Liberation Organisation as if the organisation were proscribed by virtue of an order under subsection (3) above with the substitution in subsection (6) for the reference to the coming into force of such an order of a reference—
- (a) as respects a person belonging to the Red Hand Commando or the Ulster Freedom Fighters, to 12th November 1973;
 - (b) as respects a person belonging to the Ulster Volunteer Force, to 4th October 1975;
 - (c) as respects a person belonging to the Irish National Liberation Army, to 3rd July 1979;
 - (d) as respects a person belonging to the Irish People's Liberation Organisation, to 29th March 1990.