



Terrorism Act 2000

2000 CHAPTER 11

PART II

PROSCRIBED ORGANISATIONS

Procedure

7 Appeal: effect on conviction, &c.

(1) This section applies where—

- (a) an appeal under section 5 has been allowed in respect of an organisation,
- (b) an order has been made under section 3(3)(b) in respect of the organisation in accordance with an order of the Commission under section 5(4) (and, if the order was made in reliance on section 123(5), a resolution has been passed by each House of Parliament under section 123(5)(b)),
- (c) a person has been convicted of an offence in respect of the organisation under any of sections 11 to 13, 15 to 19 and 56, and
- (d) the activity to which the charge referred took place on or after the date of the refusal to deproscribe against which the appeal under section 5 was brought.

[^{F1}(1A) This section also applies where—

- (a) an appeal under section 5 has been allowed in respect of a name treated as the name for an organisation,
- (b) an order has been made under section 3(8) in respect of the name in accordance with an order of the Commission under section 5(4),
- (c) a person has been convicted of an offence in respect of the organisation under any of sections 11 to 13, 15 to 19 and 56, and
- (d) the activity to which the charge referred took place on or after the date of the refusal, against which the appeal under section 5 was brought, to provide for a name to cease to be treated as a name for the organisation.]

(2) If the person mentioned in subsection (1)(c) [^{F2}or (1A)(c)] was convicted on indictment—

Status: Point in time view as at 13/04/2006.

Changes to legislation: Terrorism Act 2000, Section 7 is up to date with all changes known to be in force on or before 22 June 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)

- (a) he may appeal against the conviction to the Court of Appeal, and
 - (b) the Court of Appeal shall allow the appeal.
- (3) A person may appeal against a conviction by virtue of subsection (2) whether or not he has already appealed against the conviction.
- (4) An appeal by virtue of subsection (2)—
- (a) must be brought within the period of 28 days beginning with the date on which the order mentioned in subsection (1)(b) [^{F3}or (1A)(b)] comes into force, and
 - (b) shall be treated as an appeal under section 1 of the ^{M1}Criminal Appeal Act 1968 (but does not require leave).
- (5) If the person mentioned in subsection (1)(c) [^{F4}or (1A)(c)] was convicted by a magistrates' court—
- (a) he may appeal against the conviction to the Crown Court, and
 - (b) the Crown Court shall allow the appeal.
- (6) A person may appeal against a conviction by virtue of subsection (5)—
- (a) whether or not he pleaded guilty,
 - (b) whether or not he has already appealed against the conviction, and
 - (c) whether or not he has made an application in respect of the conviction under section 111 of the ^{M2}Magistrates' Courts Act 1980 (case stated).
- (7) An appeal by virtue of subsection (5)—
- (a) must be brought within the period of 21 days beginning with the date on which the order mentioned in subsection (1)(b) [^{F5}or (1A)(b)] comes into force, and
 - (b) shall be treated as an appeal under section 108(1)(b) of the ^{M3}Magistrates' Courts Act 1980.
- (8) In section 133(5) of the ^{M4}Criminal Justice Act 1988 (compensation for miscarriage of justice) after paragraph (b) there shall be inserted—
- “or
- (c) on an appeal under section 7 of the Terrorism Act 2000”.

Textual Amendments

- F1** S. 7(1A) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), s. 22(7); S.I. 2006/1013, art. 2
- F2** Words in s. 7(2) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), s. 22(8)(a); S.I. 2006/1013, art. 2
- F3** Words in s. 7(4)(a) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), s. 22(8)(b); S.I. 2006/1013, art. 2
- F4** Words in s. 7(5) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), s. 22(8)(c); S.I. 2006/1013, art. 2
- F5** Words in s. 7(7)(a) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), s. 22(8)(d); S.I. 2006/1013, art. 2

Marginal Citations

- M1** 1968 c. 19.
- M2** 1980 c. 43.
- M3** 1980 c. 43.
- M4** 1988 c. 33.

Status:

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