

2006 No. 2299

PREVENTION AND SUPPRESSION OF TERRORISM

**The Proscribed Organisations (Applications for Deproscription
etc.) Regulations 2006**

<i>Made</i>	- - - -	<i>22nd August 2006</i>
<i>Laid before Parliament</i>		<i>25th August 2006</i>
<i>Coming into force</i>	- -	<i>20th September 2006</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred on him by section 4(3) of the Terrorism Act 2000(a).

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Proscribed Organisations (Applications for Deproscription etc.) Regulations 2006 and shall come into force on 20th September 2006.

(2) The Proscribed Organisations (Applications for Deproscription) Regulations 2001(b) are revoked.

Interpretation

2. In these Regulations—

“the Act” means the Terrorism Act 2000;

“application” means an application under section 4(1) of the Act(c); and

“organisation” means an application listed in Schedule 2 to the Act(d).

Applications under section 4(1)(a) of the Act

3.—(1) An application under section 4(1)(a) of the Act must be made in writing and must state—

- (a) the name of the organisation to which the application relates;
- (b) whether the application is being made by the organisation or by a person affected by the organisation’s proscription; and
- (c) the grounds on which the application is made.

(2) In the case of an application made by an organisation, the application must also state—

- (a) the name and address of the person submitting the application; and

(a) 2000 c.11; section 4(4) specifies matters that must be included in regulations under section 4(3).

(b) S.I. 2001/107.

(c) Section 4(1) was substituted by section 22(3) of the Terrorism Act 2006 (c.11).

(d) Schedule 2 has been amended by S.I. 2001/1261, S.I. 2002/2724, S.I. 2005/2895 and S.I. 2006/2016.

(b) the position which he holds in the organisation or his authority to act on behalf of the organisation.

(3) In the case of an application made by a person affected by the organisation's proscription, the application must also state—

(a) the manner in which the applicant is so affected; and

(b) the applicant's name and address.

(4) An application must be signed by the person referred to in paragraph (2)(a) or (3), as the case may be.

Applications under section 4(1)(b) of the Act

4.—(1) An application under section 4(1)(b) of the Act must be made in writing and must state—

(a) the name which is to be treated by an order under section 3(6) of the Act^(a) as another name of an organisation listed in Schedule 2 to the Act and to which the application relates;

(b) the name of the organisation so listed;

(c) whether the application is being made by the organisation or by a person affected by the treatment of the name referred to in sub-paragraph (a) as a name for the organisation referred to in sub-paragraph (b); and

(d) the grounds on which the application is being made.

(2) In the case of an application made by an organisation, the application must also state—

(a) the name and address of the person submitting the application; and

(b) the position which he holds in the organisation or his authority to act on behalf of the organisation.

(3) In the case of an application made by a person affected by the treatment the name referred to in paragraph (1)(a) as a name for the organisation referred to in paragraph (1)(b), the application must also state—

(a) the manner in which the applicant is so affected; and

(b) the applicant's name and address.

(4) An application must be signed by the person referred to in paragraph (2)(a) or (3), as the case may be.

Address for sending or delivery

5. An application must be sent or delivered to the Head of Counter Terrorism Policy, Crime Reduction and Community Safety Group, Home Office, 2 Marsham Street, London SW1P 4DF.

Change of address

6. A person whose name and address are stated in the application in accordance with regulation 3(2)(a) or (3)(b) or 4(2)(a) or (3)(b), as the case may be, must inform the office-holder referred to in regulation 5 if his address changes.

Period of determination

7. The Secretary of State must determine an application within a period of 90 days beginning with the day after the day on which he receives the application.

(a) Section 3(6) was inserted by section 22(2) of the Terrorism Act 2006.

Refusal of application

8. Where the Secretary of State refuses an application, he must as soon as practicable—
- (a) inform the applicant of his refusal, and
 - (b) notify him of the procedures for appealing against the refusal to the Proscribed Organisations Appeal Commission.

Home Office
22nd August 2006

Tony McNulty
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations prescribe the procedure for applications to the Secretary of State to exercise his power by order either to remove an organisation from the list of proscribed organisations in Schedule 2 to the Terrorism Act 2000 or to provide for a name to cease to be treated as another name for an organisation so listed. These Regulations differ from the Regulations revoked by regulation 1(2) in providing for that second type of application. The power to list alternative names by order was inserted in section 3 of the 2000 Act by section 22(2) of the Terrorism Act 2006. These Regulations do not otherwise differ in substance from the Regulations they revoke.

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