

2001 No. 127

HUMAN RIGHTS

**The Proscribed Organisations Appeal Commission
(Human Rights Act Proceedings) Rules 2001**

Made - - - - - *22nd January 2001*

Laid before Parliament *29th January 2001*

Coming into force - - *19th February 2001*

The Secretary of State, in exercise of the powers conferred on him by section 7(9)(a) and (b) of the Human Rights Act 1998(a), hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Proscribed Organisations Appeal Commission (Human Rights Act Proceedings) Rules 2001 and shall come into force on 19th February 2001.

Appropriate tribunal for Human Rights Act proceedings

2.—(1) The Proscribed Organisations Appeal Commission established by section 5 of the Terrorism Act 2000(b) shall be the appropriate tribunal for the purposes of section 7 of the Human Rights Act 1998 in relation to any proceedings under subsection (1)(a) of that section (proceedings for actions incompatible with Convention rights) which fall within paragraph (2) of this rule.

(2) Proceedings fall within this paragraph if they are proceedings against the Secretary of State in respect of a refusal by him to exercise his power under section 3(3)(b) of the Terrorism Act 2000 to remove an organisation from Schedule 2 to that Act.

Home Office
22nd January 2001

Jack Straw
One of Her Majesty's Principal Secretaries of State

(a) 1998 c. 42.
(b) 2000 c. 11.

EXPLANATORY NOTE

(This note is not part of the Rules)

The effect of these Rules is that the Proscribed Organisations Appeal Commission is the appropriate tribunal for the purposes of section 7 of the Human Rights Act 1998 in relation to proceedings under section 7(1)(a) of that Act, where such proceedings relate to a refusal by the Secretary of State to remove an organisation from Schedule 2 to the Terrorism Act 2000.

These Rules, to the extent made under section 7(9)(a) of the Human Rights Act 1998, apply for the purposes of any proceedings before the Proscribed Organisations Appeal Commission outside Scotland, including Northern Ireland.

These Rules, to the extent made under section 7(9)(b) of the Human Rights Act 1998, apply for the purposes of any proceedings before the Proscribed Organisations Appeal Commission in Scotland.

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