



Home Office

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Presented to Parliament pursuant to section 240 of the
Crime and Policing Act 2026.

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Statement in relation to the Secretary of State's powers under section 3 of the Terrorism Act 2000 (power to amend list of proscribed organisations).

1. This statement is published and laid before Parliament in accordance with section 240 of the Crime and Policing Act 2026. The Act requires the Secretary of State to publish a statement setting out the general policies and procedures relating to the exercise of the Secretary of State's powers under section 3 of the Terrorism Act 2000 (TACT 2000).
2. Protecting national security is His Majesty's Government's first priority. The UK's proscription regime established in TACT 2000 provides a well-established statutory process for outlawing terrorist organisations. As set out in section 3 of the Act, an organisation is proscribed if it is listed in Schedule 2 to the Act.
3. An organisation may be added to Schedule 2 - i.e. proscribed - if the Secretary of State believes it is concerned in terrorism ("the statutory test").
4. "Terrorism" is defined in section 1 TACT 2000. It means the use, or threat, of action that involves serious violence against a person or serious damage to property; endangers a person's life (other than that of the person committing the act); creates a serious risk to the health or safety of the public or section of the public or is designed seriously to interfere with or seriously to disrupt an electronic system, where the use or threat:
 - a. is designed to influence the government or an international governmental organisation, or to intimidate the public; and
 - b. is made for the purpose of advancing a religious, racial, political or ideological cause.
5. Under section 3 TACT 2000, an organisation is concerned in terrorism if it:
 - a. commits or participates in acts of terrorism,
 - b. prepares for terrorism,
 - c. promotes or encourages terrorism (including the unlawful glorification of terrorism), or
 - d. is otherwise concerned in terrorism.
6. It is not necessary for the organisation to do more than one of these things to be concerned in terrorism for the purposes of section 3 TACT 2000.
7. The Secretary of State is not required by the Act to proscribe an organisation that is concerned in terrorism. Where the statutory test is

met, the Secretary of State will consider whether to exercise their discretion to lay a statutory instrument adding the organisation in question to Schedule 2 TACT 2000. In doing so, the Secretary of State is subject to their duty under section 6 of the Human Rights Act 1998 to act compatibly with Convention rights.

8. During passage of TACT 2000, five factors (“the discretionary factors”) were identified that would be taken into account when deciding whether to proscribe an organisation. The factors were:
 - a. the nature and scale of the organisation's activities,
 - b. the threat it poses to the United Kingdom,
 - c. the threat it poses to British nationals overseas,
 - d. the extent of its presence in the United Kingdom, and
 - e. the need to support international partners in the global fight against terrorism.
9. The discretionary factors are neither exhaustive nor to be given any particular weight. When deciding whether to proscribe an organisation, the Secretary of State will take into account all relevant considerations, not just these five factors. For example, they may consider the operational benefits of proscription.
10. The Home Secretary and the Security Minister have ministerial responsibility for counter-terrorism in His Majesty's Government. As such, decisions on proscription are taken by the Home Secretary unless they concern terrorism connected to the affairs of Northern Ireland. If so, the Secretary of State for Northern Ireland may take, or be involved in, a particular decision. In some cases, another Minister may make a decision relating to proscription matters as appropriate to the circumstances.
11. For the purposes of advising the Home Secretary on the proscription of an organisation, the Home Office convenes a Proscription Review Group (“PRG”). The PRG is a cross-government group chaired by the Home Office, which brings together expertise from across government, law enforcement, the intelligence community and any other relevant departments.
12. The PRG considers evidence relating to the organisation and provides expert input and advice to support the Home Secretary's decision-making on proscription matters. This includes expert assessment of whether the statutory test is met, and consideration of the discretionary factors and the potential impact of proscribing an organisation. Following the PRG, officials in the Home Office advise the Home Secretary. Having considered the advice, the Home Secretary will determine whether an organisation should be proscribed.
13. A statutory instrument to add an organisation to the list of proscribed organisations in Schedule 2 TACT 2000 is ordinarily laid under the draft

affirmative procedure. This means that, where the Secretary of State decides that an organisation should be proscribed, a draft order will be laid before Parliament and must be approved by both Houses of Parliament before it can be made. Exceptionally, the Act allows for a made affirmative procedure to be used in urgent circumstances.

14. By convention, an order adding an organisation to Schedule 2 TACT 2000 comes into force the day after it is made by the Secretary of State following parliamentary approval.

15. Once the order comes into force, it is a criminal offence to:

- belong, or profess to belong, to the proscribed organisation in the UK or overseas (section 11 of the Act);
- invite support for the proscribed organisation (the support invited need not be material support, such as the provision of money or other property, and can also include moral support or approval) (section 12(1));
- express an opinion or belief that is supportive of the proscribed organisation, reckless as to whether a person to whom the expression is directed will be encouraged to support a proscribed organisation (section 12(1A));
- arrange, manage or assist in arranging or managing a meeting in the knowledge that the meeting is to support or further the activities of the proscribed organisation, or is to be addressed by a person who belongs or professes to belong to the proscribed organisation (section 12(2)); or to address a meeting if the purpose of the address is to encourage support for, or further the activities of, the proscribed organisation (section 12(3));
- wear clothing, or carry or display articles, in public in such a way or in such circumstances as to arouse reasonable suspicion that the individual is a member or supporter of the proscribed organisation (section 13);
- publish an image of an item of clothing or other article, such as a flag or logo, in the same circumstances (section 13(1A)).

16. The penalties for proscription offences under sections 11 and 12 TACT 2000 are a maximum of 14 years in prison and/or a fine. The maximum penalty for a section 13 offence, which is a summary offence, is 6 months in prison and/or a fine not exceeding £5,000.

17. The list of proscribed organisations is kept under review. This includes reviewing whether proscribed organisations are operating under alternative names or aliases. Where the Secretary of State believes that a proscribed organisation is operating wholly or partly under a different name, section 3(6) TACT 2000 allows the Home Secretary to specify by order (“a name change order”) that an alternative name or alias is to be treated as another name for a proscribed organisation listed in Schedule 2 to the Act.

18. A name change order provides clarity where alternative names are used by proscribed organisations but is not necessary for the police and Crown Prosecution Service to take action against those suspected of committing proscription offences in relation to a proscribed organisation using a different name.
19. Where the Secretary of State considers that a name change order should be made, a statutory instrument is laid before Parliament. Such an instrument is subject to the made negative procedure and, if not prayed against, provides that the alternative name or alias is to be treated as another name for the proscribed organisation for the purposes of the Terrorism Act 2000.
20. It remains open to the Secretary of State to consider deproscribing an organisation at any time. Where they decide to deproscribe, an order must be laid before Parliament under the draft affirmative procedure to remove its entry from the list of proscribed organisations in Schedule 2 TACT 2000. There is, as with adding an entry, provision for an urgent procedure to be followed in the Act.
21. In addition, section 4 TACT 2000 provides that the organisation or any person affected by a proscription can apply to the Secretary of State for a proscribed organisation to be removed from Schedule 2.
22. Regulations set out the addresses to which deproscription applications should be sent, depending on whether the reason for the organisation being proscribed is connected to the affairs of Northern Ireland or not. If it is, applications are to be sent to the relevant team in the Northern Ireland Office and not the Home Office.
23. The Secretary of State is required to determine an application for deproscription within 90 days from the day after it is received. If the deproscription application is refused, the applicant may appeal to the Proscribed Organisations Appeals Commission (POAC).
24. The POAC may allow an appeal if it considers that the decision to refuse deproscription was flawed, applying judicial principles. Either party can seek leave to appeal the POAC's decision at the Court of Appeal.
25. If an appeal is allowed, POAC may order the Secretary of State to lay a statutory instrument before Parliament for the organisation to be removed from the list of proscribed organisations in Schedule 2 TACT 2000.

The National Security (State Threats) Act 2026

26. The National Security (State Threats) Act 2026 received Royal Assent on 8 July 2026, bringing into force a new power for the Secretary of State to designate bodies involved in state threat activity. The

legislation inserted section 33A into the National Security Act 2023, providing that the Home Secretary may designate a body if they (i) reasonably believe a body is, or has been, involved in foreign power threat activity and (ii) consider that designating the body is necessary to protect the safety or interests of the UK.

27. Three bodies were designated under section 33A in July 2026. These are the Islamic Revolutionary Guard Corps (IRGC), Islamic Movement of the Companions of the Right (Harakat Ashab al-Yamin al-Islamiyah) and GRU Volunteer Corps. The first two of these three organisations are linked to the Iranian state.

