EXPLANATORY MEMORANDUM TO

THE PROSCRIBED ORGANISATIONS (NAME CHANGES) ORDER 2026

2026 No. 745

1. Introduction

1.1 This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.

1.2 This memorandum contains information for the Joint Committee on Statutory Instruments and the Secondary Legislation Scrutiny Committee.

2. Declaration

2.1 Dame Angela Eagle MP, Minister of State for Security, at the Home Office can confirm that this Explanatory Memorandum meets the required standard.

2.2 The Deputy Director for the Counter-Terrorism Pursue Unit at the Home Office confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 The Counter-Terrorism Pursue Unit at the Home Office can be contacted with any queries regarding the instrument at the following address: ctpursueenquiries@homeoffice.gov.uk.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This Order specifies that three aliases are to be treated as alternative names for organisations which have previously been proscribed. The aliases and their respective organisations are as follows:

4.1.1 The "Islamic Thinkers Society" is to be treated as an alternative name for Al-Ghurabaa and The Saved Sect, which were proscribed in 2006.

4.1.2 "The Resistance Front" is to be treated as an alternative name for Lashkar-e-Tayyaba, which was proscribed in 2001.

4.1.3 "Babbar Khalsa International" is to be treated as an alternative name for Babbar Khalsa, which was proscribed in 2001.

Where does the legislation extend to, and apply?

4.2 The territorial extent of this instrument (that is, the jurisdiction which this instrument forms part of the law of) is the United Kingdom.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is the United Kingdom.

5. Policy Context

What is being done and why?

5.1 Section 3(6) of the Terrorism Act 2000 (TACT) permits the Secretary of State, by Order, to provide that a name that is not specified in Schedule 2 to TACT is to be treated as another name for a terrorist organisation that is already proscribed. Article 2 of this Order provides that the three aliases - the Islamic Thinkers Society, The Resistance Front, and Babbar Khalsa International - are to be treated as alternative names for the proscribed organisations that are listed in Schedule 2 as Al-Ghurabaa, Lashkar-e-Tayyaba, and Babbar Khalsa.

5.2 The Islamic Thinkers Society is an alias of Al-Ghurabaa and The Saved Sect (for which Al-Muhajiroun is already provided as an alternative name). Al-Ghurabaa is an Islamist group which seeks to establish an Islamic Caliphate ruled by Shariah law. The group first emerged as Al-Muhajiroun led by Omar Bakri Mohamed. Anjem Choudary is a key member of the organisation. In June 2024, Choudary was convicted of directing and encouraging support for Al-Muhajiroun through the Islamic Thinkers Society, with the judge noting that Islamic Thinkers Society was a veil behind which Al-Muhajiroun operated. He was sentenced to life with a minimum term of 28 years in prison. This alias listing recognises that conclusion and may provide a future disruptive impact.

5.3 The Resistance Front is an alias of Lashkar-e-Tayyaba (also transliterated Lashkar-e-Taiba). Lashkar-e-Tayyaba is a Pakistani Islamist organisation seeking to end Indian control of the region of Jammu and Kashmir. Since the early 1990s, Lashkar-e-Tayyaba has conducted numerous attacks against Indian military, security forces, and civilian targets. The Resistance Front was established in August 2019 and has operated as an alias for Lashkar-e-Tayyaba, conducting high-profile attacks including the 2025 Pahalgam attack in which 26 civilians were killed. This alias listing recognises The Resistance Front's connection to Lashkar-e-Tayyaba, and this recognition bolsters our support for the Government of India in the fight against terrorism.

5.4 Babbar Khalsa International is an alias of Babbar Khalsa. Babbar Khalsa is a Sikh movement that aims to establish an independent Khalistan within the Punjab region of India. It was proscribed in March 2001 and has been linked to acts of terrorism including the bombing of the Air India flight 182 in 1985, and the 2005 New Delhi bombing. This alias listing recognises the inter-usability of the two names, noting various governments list the two interchangeably.

What was the previous policy, how is this different?

5.5 Al-Ghurabaa and The Saved Sect, Lashkar-e-Tayyaba, and Babbar Khalsa are listed in Schedule 2 to TACT 2000, but the Islamic Thinkers Society, The Resistance Front, and Babbar Khalsa International are not.

6. Legislative and Legal Context

How has the law changed?

6.1 Section 3(3) of TACT allows the Secretary of State, by Order, to add an organisation to the list of proscribed organisations in Schedule 2 to TACT, to remove an organisation from that list or to amend Schedule 2 in some other way.

6.2 An organisation is proscribed in the UK as soon as an Order adding it to Schedule 2 comes into force. It is a criminal offence for a person to belong to, or invite support

for, a proscribed organisation. It is also a criminal offence to arrange a meeting to support a proscribed organisation; or to wear clothing or carry articles in public which arouse reasonable suspicion that an individual is a member or supporter of a proscribed organisation.

6.3 Section 3(6) of TACT permits the Secretary of State, by Order, to provide that a name that is not specified in Schedule 2 is to be treated as another name for a proscribed organisation (i.e. an organisation listed for the time being in Schedule 2).

6.4 For an Order under section 3(6) of TACT to be made specifying an alternative for a proscribed organisation, the Secretary of State must believe that the organisation is either operating wholly or partly under a name that is not specified in Schedule 2 or is for all practical purposes the same as an organisation so listed.

6.5 In coming to this belief, the Secretary of State considers whether:

a. the ideology, aims and methods of each of the groups are essentially the same in all material respects;

b. the leaders or key individuals involved in each group are either the same people or are materially the same group of people; and

c. those who are members of each group are also members of the other group (or at the least, that generally speaking is the position).

Why was this approach taken to change the law?

6.6 This is the only possible approach to make the necessary changes.

7. Consultation

7.1 No public consultation has been undertaken in connection with this instrument. As the Court of Appeal confirmed in their judgment in Home Secretary v Ammori ([2026] EWCA Civ 721), TACT impliedly excludes a duty on the Home Secretary to consult the target organisation and for many organisations it would be impractical and unworkable for the Home Secretary to consult in advance of a proscription decision.

8. Applicable Guidance

8.1 No guidance is necessary in connection with this instrument.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 The impact of this instrument is expected to fall below the de minimis threshold, and the legislation does not apply to the activities that are undertaken by businesses. therefore a full Impact Assessment has not been prepared

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies.

9.3 The legislation does not impact small businesses.

9.4 There is no, or no significant, impact on the public sector.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 A proscribed organisation, or person affected by the proscription of an organisation, may apply to the Secretary of State for deproscription. An application may similarly be made for a name to cease to be treated as an alternative name for a proscribed organisation. If the Secretary of State refuses either application, the applicant may appeal to the Proscribed Organisations Appeal Commission.

10.2 The Independent Reviewer of Terrorism Legislation is responsible for scrutinising and reporting on the use of terrorism legislation including the proscription power under section 3 TACT 2000.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 This Order comes into force on the day after it is laid before Parliament and accordingly breaches the 21-day convention. Proscription orders are by long-standing convention subject to a fast-track procedure agreed with the House authorities. This arrangement mitigates the risk that any delay between the laying and coming into force of an instrument proscribing an organisation enables that organisation's members to take pre-emptive action designed to circumvent the provisions of TACT and/or the criminal law. Importantly, the effect of the Order is not to create or extend criminal liability but to recognise where alternative names are being used by already proscribed organisations. The lack of such an order does not affect potential criminal liability.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act.