

*These notes refer to the Counter-Terrorism Act 2008
(c.28) which received Royal Assent on 26 November 2008*

COUNTER-TERRORISM ACT 2008

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6 – Financial Restrictions Proceedings

CHAPTER 1 – Application to set aside financial restrictions decision

Section 63 – Application to set aside financial restrictions decision

187. *Subsection (1)* applies this section to any decision of the Treasury in the exercise of their functions under:
- a) the UN Terrorism Orders (defined below),
 - b) Part 2 of the Anti-Terrorism, Crime and Security Act 2001, or
 - c) Schedule 7 to this Act.
188. *Subsection (2)* creates a statutory power for a person affected by such a decision to apply to have it set aside.
189. *Subsection (3)* provides that the court shall apply judicial review principles to any such application. *Subsections (4)* and *(5)* set the scope of the court's power to grant relief if it concludes that a decision should be set aside.
190. *Subsections (6)* and *(7)* apply the section to any application made after the commencement of the section including where the decision of the Treasury to which the application relates was taken before commencement.