



# Terrorist Asset-Freezing (Temporary Provisions) Act 2010

## CHAPTER 2

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# Terrorist Asset-Freezing (Temporary Provisions) Act 2010

## 2010 CHAPTER 2

An Act to make provision for the temporary validity of certain Orders in Council imposing financial restrictions on, and in relation to, persons suspected of involvement in terrorist activity; and for connected purposes.  
[10th February 2010]

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### 1 Temporary validity of certain Orders in Council

- (1) The following provisions have effect for the period beginning when this Act comes into force and ending with 31 December 2010.
- (2) The following Orders—
  - (a) the Terrorism (United Nations Measures) Order 2001 (S.I. 2001/3365),
  - (b) the Terrorism (United Nations Measures) (Channel Islands) Order 2001 (S.I. 2001/3363), the Terrorism (United Nations Measures) (Isle of Man) Order 2001 (S.I. 2001/3364) and the Terrorism (United Nations Measures) (Overseas Territories) Order 2001 (S.I. 2001/3366),
  - (c) the Terrorism (United Nations Measures) Order 2006 (S.I. 2006/2657), and
  - (d) the Terrorism (United Nations Measures) Order 2009 (S.I. 2009/1747),are deemed to have been validly made under, and every provision of those Orders is deemed to be within the power conferred by, section 1 of the United Nations Act 1946.
- (3) Accordingly, without prejudice to the generality of subsection (2)—
  - (a) the directions made under those Orders have effect, and further directions may be made;

- (b) the licences granted under those Orders have effect, and further licences may be granted;
- (c) the prohibitions and obligations imposed by those Orders have legal force and criminal liability may be incurred by a person who fails to comply.

## **2 Protection of things done or omitted in interim period**

- (1) The following provisions have effect in relation to things done or omitted in the period beginning with 4 February 2010 and ending with the coming into force of this Act.
- (2) Anything done or omitted by a person other than the Treasury that would be valid, lawful or effectual if –
  - (a) the Terrorism (United Nations Measures) Order 2001 (S.I. 2001/3365),
  - (b) the Terrorism (United Nations Measures) Order 2006 (S.I. 2006/2657), and
  - (c) the Terrorism (United Nations Measures) Order 2009 (S.I. 2009/1747),had been validly made under, and every provision of those Orders had been within the power conferred by, section 1 of the United Nations Act 1946, is deemed to be valid, lawful or effectual as if those Orders had been so made and every provision of them had been within that power.
- (3) Subsection (2) applies to an act or omission notwithstanding that it is done or omitted in reliance on or in consequence of something done or omitted by the Treasury (whether during or before the period mentioned in subsection (1)).
- (4) Nothing in this section affects proceedings in respect of anything that is susceptible to legal challenge on a ground independent of the question whether any of those Orders was validly made under, or any of its provisions was within the power conferred by, section 1 of the United Nations Act 1946.
- (5) This section does not –
  - (a) affect any liability of the Treasury in respect of an act or omission that would be unlawful if this section had not been enacted; or
  - (b) give rise to any criminal liability.

## **3 Short title, commencement and extent**

- (1) This Act is the Terrorist Asset-Freezing (Temporary Provisions) Act 2010.
- (2) This Act comes into force immediately it is passed.
- (3) This Act extends to England and Wales, Scotland and Northern Ireland.
- (4) Section 1 and this section also extend –
  - (a) so far as relating to the Terrorism (United Nations Measures) (Channel Islands) Order 2001 (S.I. 2001/3363), to the Channel Islands, so as to be law respectively in Guernsey and Jersey;
  - (b) so far as relating to the Terrorism (United Nations Measures) (Isle of Man) Order 2001 (S.I. 2001/3364), to the Isle of Man, as part of its law;
  - (c) so far as relating to the Terrorism (United Nations Measures) (Overseas Territories) Order 2001 (S.I. 2001/3366), to the territories listed in Schedule 1 to that Order.