
STATUTORY INSTRUMENTS

2002 No. 111

The Al-Qa'ida and Taliban (United Nations Measures) Order 2002

Interpretation

2.—(1) In this Order the following expressions have, except where otherwise expressly provided, the meanings hereby respectively assigned to them, that is to say—

“body corporate” includes a Scottish partnership and, in relation to such a partnership, any reference to a director or other officer of a body corporate is a reference to a partner;

“commander”, in relation to an aircraft, means the member of the flight crew designated as commander of the aircraft by the operator thereof, or, failing such a person, the person who is for the time being the pilot in command of the aircraft;

“document” includes information recorded in any form, and in relation to information recorded otherwise than in legible form, references to its production include references to producing a copy of the information in legible form;

“export” includes shipment as stores;

“exportation” in relation to any vessel, submersible vehicle or aircraft, includes the taking out of the United Kingdom of the vessel, submersible vehicle or aircraft notwithstanding that it is conveying goods or passengers and whether or not it is moving under its own power; and cognate expressions shall be construed accordingly;

“funds” means financial assets, economic benefits and economic resources of any kind, including (but not limited to) gold coin, gold bullion, cash, cheques, claims on money, drafts, money orders and other payment instruments; deposits with financial institutions or other entities, balances on accounts, debts and debt obligations; securities and debt instruments (including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures, debenture stock and derivatives contracts); interest, dividends or other income on or value accruing from or generated by assets; credit, rights of set-off, guarantees, performance bonds or other financial commitments, letters of credit, bills of lading, bills of sale; documents evidencing an interest in funds or financial resources, and any other instrument of financing;

“master”, in relation to a ship, includes any person (other than a pilot) for the time being in charge of the ship;

“operator”, in relation to an aircraft or vehicle, means the person for the time being having the management of the aircraft, or the vehicle;

“owner”, in relation to a ship, where the owner of a ship is not the operator, means the operator and any person to whom it is chartered;

“listed person” means—

- (a) Usama bin Laden;
- (b) any person designated by the Sanctions Committee in the list maintained by that Committee in accordance with resolution 1390 adopted by the Security Council on 16th January 2002 as:
 - (i) a member of the Al-Qa'ida organisation;

- (ii) a member of the Taliban;
- (iii) an individual group, undertaking or entity associated with the persons covered by (a), (b)(i), or (b)(ii) above;

“relevant institution” means—

- (a) a person who has permission under Part IV of the Financial Services and Markets Act 2000⁽¹⁾;
- (b) an EEA firm of the kind mentioned in paragraph 5(b) of Schedule 3 to the Financial Services and Markets Act 2000 which has permission under paragraph 15 of that Schedule as a result of qualifying for authorisation under paragraph 12 of that Schedule to accept deposits.

“restricted goods” means the goods specified in Part III of Schedule 1 to the Export of Goods (Control) Order 1994⁽²⁾;

“the Sanctions Committee” means the Committee of the Security Council of the United Nations established by paragraph 6 of Resolution 1267 adopted on 15th October 1999;

“ship” has the meaning it bears in section 313 of the Merchant Shipping Act 1995⁽³⁾;

“shipment” (and cognate expressions) and “stores” shall have the meanings they bear in the Customs and Excise Management Act 1979⁽⁴⁾;

“the Taliban” means the Afghan political faction known as the Taliban;

“vehicle” means land transport vehicle.

(2) The definition of “relevant institution” in paragraph (1) shall be read with—

- (a) section 22 of the Financial Services and Markets Act;
- (b) any relevant order under that section; and
- (c) Schedule 2 to that Act.

(1) 2000 c. 8.

(2) S.I.1994/1191 as amended by S.I.s 1996/2663, 1997/1008, 1997/2758, 1999/63, 1997/1777, 2001/729, 2000/1239, 2000/2140 and 2000/2264.

(3) 1995 c. 21.

(4) 1979 c. 2.