

2009 No. 1911

PREVENTION AND SUPPRESSION OF TERRORISM

**The Financial Restrictions Proceedings (UN Terrorism Orders)
Order 2009**

Made - - - - - *16th July 2009*

Laid before Parliament *17th July 2009*

Coming into force in accordance with article 1

The Treasury make the following Order in exercise of the powers conferred by section 64(2) of the Counter-Terrorism Act 2008(a):

Citation and commencement

1.—(1) This Order may be cited as the Financial Restrictions Proceedings (UN Terrorism Orders) Order 2009.

(2) This Order, except article 2(2), comes into force on 10th August 2009.

(3) Article 2(2) comes into force on 31st August 2010.

Amendment to the Counter-Terrorism Act 2008

2.—(1) Section 64(1) of the Counter-Terrorism Act 2008 (UN terrorism orders) is amended as follows.

(2) Omit paragraphs (a) and (c).

(3) After paragraph (d) insert—

“(e) the Terrorism (United Nations Measures) Order 2009 (S.I. 2009/1747).”

16th July 2009

Frank Roy
Tony Cunningham
Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends section 64(1) of the Counter-Terrorism Act 2008 (c.28) so as to add the Terrorism (United Nations Measures) Order 2009 (S.I. 2009/1747) (“the 2009 Order”) to, and remove the Terrorism (United Nations Measures) Order 2001 (S.I. 2001/3365) (“the 2001 Order”) and the Terrorism (United Nations Measures) Order 2006 (S.I. 2006/2657) (“the 2006 Order”)

(a) 2008 c.28.

from, the definition of “UN terrorism orders” for the purposes of section 63 of that Act. Section 63 enables a person affected by a decision made by the Treasury in connection with the exercise of their functions under a UN terrorism order to apply to the court to have the decision set aside.

The 2009 Order gives the Treasury power to freeze funds and economic resources and take other measures to give effect in the United Kingdom to resolution 1373 (2001) adopted by the Security Council of the United Nations on 28th September 2001 relating to terrorism and resolution 1452(2002) adopted on 20th December 2002 relating to humanitarian exemptions. The 2009 Order revokes the 2006 Order save that where a direction made under or given continued effect by the 2006 Order has effect immediately before the 2009 Order comes into force, the provisions of the 2006 Order or the 2001 Order continue to apply in respect of that direction until 31st August 2010 unless the direction is revoked sooner.

A regulatory impact assessment of the effect that this instrument will have on the costs of business is available from the Asset Freezing Unit, 1 Horse Guards Road, London SW1A 2HQ and is also available on the Treasury’s website (www.hm-treasury.gov.uk) and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website.

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