
STATUTORY INSTRUMENTS

2012 No. 356

OVERSEAS TERRITORIES

The Libya (Restrictive Measures) (Overseas Territories) (Amendment) Order 2012

Made - - - - - *15th February 2012*
Laid before Parliament *16th February 2012*
Coming into force - - - *17th February 2012*

At the Court at Buckingham Palace, the 15th day of February 2012

Present,

The Queen's Most Excellent Majesty in Council

Under article 41 of the Charter of the United Nations, the Security Council of the United Nations has, by resolution 2009 (2011)(1) adopted on 16th September 2011, called upon Her Majesty's Government in the United Kingdom and all other States to apply certain measures to give effect to decisions of that Council in relation to Libya.

Her Majesty, by virtue and in exercise of the powers vested in Her by section 1 of the United Nations Act 1946(2) and section 112 of the Saint Helena Act 1833(3), the British Settlements Acts 1887 and 1945(4) and of all other powers enabling Her to do so, is pleased, by and with the advice of Her Privy Council, to order as follows—

Citation, commencement and extent

1. This Order may be cited as the Libya (Restrictive Measures) (Overseas Territories) (Amendment) Order 2012 and shall come into force on 17th February 2012.

2. In this Order, “the principal Order” means the Libya (Restrictive Measures) (Overseas Territories) Order 2011(5).

3. This Order shall extend to the territories listed in Schedule 1 of the principal Order.

(1) S/RES/2009 (2011).
(2) 1946 c.45.
(3) 1833 c.85.
(4) 1887 c.54 and 1945 c.7.
(5) S.I. 2011/1080, amended by S.I. 2011/2717.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Amendments to the principal Order

4. Article 2(1) of the principal Order is amended as follows—
- (a) in the definition of “designated person”, for the words “and Zueitina Oil Company and excluding the persons referred to in paragraph 15 of Security Council resolution 2009 (2011)” substitute the words “, Zueitina Oil Company, the Central Bank of Libya, the Libyan Arab Foreign Bank, the Libyan Investment Authority and the Libyan Africa Investment Portfolio”; and
 - (b) for the definition of “person referred to in paragraph 15 of Security Council resolution 2009 (2011)” substitute—
 - ““person referred to in paragraph 15 of Security Council resolution 2009 (2011)” means the Libyan Investment Authority or the Libyan Africa Investment Portfolio or both;”.

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

The Order amends the Libya (Restrictive Measures) (Overseas Territories) Order 2011 (as amended previously by the Libya (Restrictive Measures) (Overseas Territories) (Amendment) Order 2011) to give effect to a decision of the UN Sanctions Committee of 16th December 2011 to remove the Central Bank of Libya and the Libyan Arab Foreign Bank from the scope of the partial asset freeze imposed in UNSCR 2009 (2011), and to reflect Council Regulation (EU) No 1360/2011 adopted by the Council of the European Union on 20th December 2011 giving effect to that decision in the EU.

Article 4 changes the definitions of “designated person” and “person referred to in paragraph 15 of Security Council resolution 2009 (2011)” in article 2(1) of the principal Order, in order to remove the Central Bank of Libya and the Libyan Arab Foreign Bank from the scope of the partial asset freeze.