

## SCHEDULES

### SCHEDULE 2

Regulation 20(2)

#### Treasury licences: purposes

#### Interpretation

**1.** In this Schedule—

“consular post” has the same meaning as in the Vienna Convention on Consular Relations done at Vienna on 24 April 1963<sup>(1)</sup>, and any reference to the functions of a consular post is to be read in accordance with that Convention;

“designated person” has the same meaning as it has in Part 3 (Finance);

“diplomatic mission” and any reference to the functions of a diplomatic mission is to be read in accordance with the Vienna Convention on Diplomatic Relations done at Vienna on 18 April 1961<sup>(2)</sup>;

“frozen funds or economic resources” means funds or economic resources frozen by virtue of regulation 11, and any reference to a person’s frozen funds or economic resources is to funds or economic resources frozen as a consequence of the designation of that person for the purpose of that regulation.

#### Basic needs

**2.—(1)** To enable the basic needs of a designated person, or (in the case of an individual) any dependent family member of such a person, to be met.

(2) In the case of an individual, in sub-paragraph (1), “basic needs” includes—

- (a) medical needs;
- (b) needs for—
  - (i) food;
  - (ii) payment of insurance premiums;
  - (iii) payment of tax;
  - (iv) rent or mortgage payments;
  - (v) utility payments.

(3) In the case of a person other than an individual, in sub-paragraph (1), “basic needs” includes needs for—

- (a) payment of insurance premiums;
- (b) payment of reasonable fees for the provision of property management services;
- (c) payment of remuneration, allowances or pensions of employees;
- (d) payment of tax;

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(1) United Nations Treaty Series, vol. 596, p.261.

(2) United Nations Treaty Series, vol. 500, p. 95.

*Status: This is the original version (as it was originally made).*

- (e) rent or mortgage payments;
- (f) utility payments.
- (4) In sub-paragraph (1)—
  - “dependent” means financially dependent;
  - “family member” includes—
    - (a) the wife or husband of the designated person;
    - (b) the civil partner of the designated person;
    - (c) any parent or other ascendant of the designated person;
    - (d) any child or other descendant of the designated person;
    - (e) any person who is a brother or sister of the designated person, or a child or other descendant of such a person.

**Legal services**

- 3. To enable the payment of—
  - (a) reasonable professional fees for the provision of legal services, or
  - (b) reasonable expenses associated with the provision of legal services.

**Maintenance of frozen funds and economic resources**

- 4. To enable the payment of—
  - (a) reasonable fees, or
  - (b) reasonable service charges,arising from the routine holding or maintenance of frozen funds or economic resources.

**Extraordinary expenses**

- 5. To enable an extraordinary expense of a designated person to be met.

**Pre-existing judicial decisions etc**

- 6. To enable, by the use of a designated person’s frozen funds or economic resources, the implementation or satisfaction (in whole or in part) of a judicial, administrative or arbitral decision or lien, provided that—
  - (a) the funds or economic resources so used are the subject of the decision or lien,
  - (b) the decision or lien—
    - (i) was made or established before the date on which the person became a designated person, and
    - (ii) is enforceable in the United Kingdom, and
  - (c) the use of the frozen funds or economic resources does not directly or indirectly benefit any other designated person.

**Diplomatic missions**

- 7. To enable anything to be done in order that the functions of a diplomatic mission or consular post in Guinea-Bissau or of an international organisation enjoying immunities in accordance with international law may be carried out.

**Extraordinary situation**

8. To enable anything to be done to deal with an extraordinary situation.

**Prior obligations**

9. To enable, by the use of a designated person's frozen funds or economic resources, the satisfaction of an obligation of that person (whether arising under a contract, other agreement or otherwise), provided that—

- (a) the obligation arose before the date on which the person became a designated person, and
- (b) no payments are made to another designated person, whether directly or indirectly.