

# SCHEDULES

## SCHEDULE 4

Regulation 48

Treasury licences: purposes

### PART 1

Designated Persons

#### CHAPTER 1

General purposes

#### **Basic needs**

1.—(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;
- (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;

*Status: This is the original version (as it was originally made).*

- (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**

- 2. 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**

- 3. 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**

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

**Pre-existing judicial decisions etc.**

5. 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.

CHAPTER 2

Additional purposes: Libyan Investment Authority and Libyan Africa Investment Portfolio

**Humanitarian assistance activity**

6. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

**Provision of fuel etc. for civilian uses**

- 7. To enable the provision of fuel, electricity and water for strictly civilian uses.

**Hydrocarbons**

- 8. To enable the resumption of Libyan production and sale of hydrocarbons.

### **Civilian government and public infrastructure**

9. To enable the establishment, operation, or strengthening of institutions of civilian government and civilian public infrastructure.

### **Banking sector operations etc.**

10. To enable the resumption of banking sector operations, including for the support or facilitation of international trade with Libya.

## **PART 2**

### **Purposes relating only to UN designated persons**

#### **Prior obligations**

11. To enable by the use of a designated person's frozen funds or economic resources, the satisfaction of an obligation of that person arising under a contract, 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.

## **PART 3**

### **Purposes relating only to non-UN designated persons**

#### **Prior obligations**

12. 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.

#### **Humanitarian assistance activity**

13. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

#### **Diplomatic missions etc.**

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

#### **Extraordinary situation**

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

## PART 4

### Interpretation

**16.** 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” means a designated person within the meaning of regulation 11 or 17;

“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 12 or 18, 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;

“humanitarian assistance activity” includes the work of international and non-governmental organisations carrying out relief activities in Libya for the benefit of the civilian population there.

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

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