STATUTORY INSTRUMENTS

2006 No. 2958

The North Korea (United Nations Measures) Order 2006

PART 2

Designated persons and directions

Designated persons

3.—(1) For the purposes of this Order—

    (a) any person designated in accordance with the Security Council Resolution—

        (i) by the Security Council; or

        (ii) by the Sanctions Committee; and

    (b) any person identified in a direction,

is a designated person.

(2) In this Part "direction" (other than in article 4(2)(b)) means a direction given by the Treasury under article 4(1).

Treasury's power to designate persons

4.—(1) Where any condition in paragraph (2) is satisfied, the Treasury may give a direction that a person identified in the direction is designated for the purposes of this Order.

(2) The conditions are that the Treasury have reasonable grounds for suspecting that the person is or may be—

    (a) a person designated in accordance with the Security Council Resolution—

        (i) by the Security Council;

        (ii) by the Sanctions Committee; or

    (b) a person acting on behalf of or at the direction of a designated person.

(3) The Treasury may vary or revoke a direction at any time.

Directions: further provisions

5.—(1) Where the Treasury give a direction they must—

    (a) take such steps as they consider appropriate to publicise the direction;

    (b) give written notice to the person identified in the direction; and

    (c) if they vary or revoke the direction, take steps to publicise the variation or revocation and to bring it to the attention of the person identified in the direction.

(2) The High Court or, in Scotland, the Court of Session may set aside a direction on the application of—

    (a) the person identified in the direction, or

    (b) any other person affected by the direction.

(3) A person who makes an application under paragraph 2 must give a copy of the application and any witness statement or affidavit in support to the Treasury not later than seven days before the date fixed for the hearing of the application.