STATUTORY INSTRUMENTS

2017 No. 157

TERRORISM

The Terrorist Asset-Freezing etc. Act 2010 (Overseas Territories) (Amendment) Order 2017

Made - - - - 15th February 2017

Coming into force - - 8th March 2017

At the Court at Buckingham Palace, the 15th day of February 2017

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by and with the advice of Her Privy Council, in exercise of the power conferred by section 54(1) of the Terrorist Asset-Freezing etc. Act 2010(**1**), makes the following Order:

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the Terrorist Asset-Freezing etc. Act 2010 (Overseas Territories) (Amendment) Order 2017 and comes into force on 8th March 2017.

(2) In this Order, "the principal Order" means the Terrorist Asset-Freezing etc. Act 2010 (Overseas Territories) Order 2011(**2**).

(3) This Order extends to the territories listed in Schedule 1 to the principal Order.

Amendments to the principal Order

2. The principal Order is amended in accordance with articles 3 to 5.

3. For article 3(2), substitute—

> "(2) In its application to the Sovereign Base Areas of Akrotiri and Dhekelia, the Falkland Islands, South Georgia and the South Sandwich Islands, and St Helena, Ascension and Tristan da Cunha, the Act is subject to the additional modifications set out in Schedule 3.".

4.—(1) Schedule 2 is amended as follows.

(2) In paragraph 1, after ""governor"", insert ", except where the word "Treasury" is introduced by any of the subsequent modifications".

(**1**) 2010 c.38.

(**2**) S.I. 2011/750, as amended by the Wales Act 2014 (c.29), section 4(4)(a) and S.I. 2013/534.

(3) For paragraph 4, substitute—

"**4.** For section 1, substitute—

"**1.** In this Part "designated person" means—

(a) a person designated by the Treasury in accordance with this Part as it applies in the United Kingdom;

(b) a person included in the list provided for by Article 2(3) of Council Regulation (EC) 2580/2001 of 27 December 2001(**3**) on specific restrictive measures directed against certain persons and entities with a view to combating terrorism; or

(c) a person designated by the Governor for the purposes of this Part.""

(4) In paragraph 5—

(a) renumber the existing text as subparagraph (2); and

(b) before subparagraph (2) (as renumbered), insert—

"(1) After section 2(1), insert—

"(1A) Before making a final designation under subsection (1), the Governor must consult the Secretary of State.".".

(5) After paragraph 5, insert—

"**5A.** In section 4, after subsection (2), insert—

"(2A) Before renewing (or further renewing) a final designation, the Governor must consult the Secretary of State.".

5B. In section 5(1), after "may" insert ", after consulting the Secretary of State,".".

(6) For paragraph 6, substitute—

"**6.** In section 6—

(a) after subsection (1), insert—

"(1A) Before making an interim designation under subsection (1), the Governor must consult the Secretary of State."; and

(b) in subsection (2), for "(4)" substitute "(8)".

6A. In section 9(1), after "may" insert ", after consulting the Secretary of State,".".

(7) After paragraph 7, insert—

"**7A.** In sections 11(3), 12(2) and 13(3), for "sections 16 and 17" substitute "sections 16, 17 and 17A".

7B. In sections 14(2) and 15(3), for "section 17" substitute "sections 17 and 17A".".

(8) For paragraph 9, substitute—

"**9.** In section 17—

(a) omit subsection (2); and

(b) after subsection (4), insert—

"(4A) Before granting, varying or revoking a licence, the Governor must—

(a) where the licence relates to a person referred to in section 1(a) or (b), consult the Treasury; and

(**3**) O.J. No. L. 344, 28.12.2001, p.70.