



### **Terrorism (United Nations Measures) Order 2006 Al-Qaida and Taliban (United Nations Measures) Order 2006**

1. This Notice is issued further to the Notices issued on 27 and 28 January regarding the Supreme Court judgment in the case of HM Treasury v Ahmed and Others.
2. The Supreme Court has decided not to grant a stay of its judgment as requested by the Treasury and has today handed down its order quashing the Terrorism (United Nations Measures) Order 2006 (the "Terrorism Order 2006") and article 3(1)(b) of the Al-Qaida and Taliban (United Nations Measures) Order 2006 (the "Al-Qaida Order 2006"). The 2001 and 2009 Terrorism Orders remain in effect until further notice.

#### **Terrorism Order 2006**

3. As referred to in the Written Ministerial Statement of 27 January, the Government believes that fresh legislation should be introduced to restore the UK's terrorist asset freezing regime. In order to provide proper time for Parliamentary scrutiny of such legislation, the Government is introducing immediately legislation which validates on a temporary basis the Terrorism Order 2006, the Terrorism (United Nations Measures) Order 2001 and the Terrorism (United Nations Measures) Order 2009. This legislation will ensure a continued freeze on the assets of those persons designated under these Orders. Once enacted, it will also have the effect of validating retrospectively any actions taken by persons (other than the Treasury) under or in reliance on those Orders. Financial institutions and others will be protected from challenges if they maintain asset freezes in accordance with the Orders in the interim period until this Act comes into force. It is intended that the Bill will pass through all its Parliamentary stages early next week. We expect financial institutions to maintain all asset freezes under the 2001, 2006 and 2009 Terrorism Orders.
4. Those persons designated by the Treasury under the Terrorism Orders remain on the Consolidated List.
5. Furthermore, European Union Council Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism

includes a list of persons to whom Regulation 2580/2001 applies. The measures include a freeze on funds and economic resources. Regulation 2580/2001 as amended is directly applicable in the UK and therefore those persons subject to the Regulation are included in the Consolidated List.

### **Al-Qaida Order 2006**

6. The judgment has immediate effect in respect of article 3(1)(b) of the Al-Qaida Order 2006, the result of which is that the legal basis for automatically designating persons under that Order if they are persons listed by the UN Sanctions Committee no longer exists.
7. However, European Union Council Regulation (EC) No 881/2002, as amended, freezes the funds and economic resources of persons listed by the UN Al-Qaida and Taliban Sanctions Committee, and is directly applicable in the UK. Therefore funds and economic resources of persons previously designated under the Al-Qaida Order 2006 as a result of being designated by the Sanctions Committee remain frozen as those persons remain subject to the asset freeze imposed by Regulation 881/2002.
8. Media enquiries should be addressed to the Treasury Press Office on 020 7270 5238.
9. Non-media enquiries should be addressed by post to the Asset Freezing Unit, HM Treasury, 1 Horse Guards Road, London, SW1A 2HQ, or by phone 020 7270 5454, by fax 020 7451 7677 or by e-mail to [AFU@hmtreasury.x.gsi.gov.uk](mailto:AFU@hmtreasury.x.gsi.gov.uk).

H M Treasury  
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