

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

**THE TERRORIST ASSET-FREEZING (BAILIWICK OF GUERNSEY) (AMENDMENT)
ORDINANCE, 2018**

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Terrorist Asset-Freezing (Bailiwick of Guernsey) (Amendment) Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

This proposition has been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

EXPLANATORY MEMORANDUM

This Ordinance makes a technical amendment to the definition of designated persons, that is, persons who are subject to an asset freeze and other financial restrictions under the Terrorist Asset-Freezing (Bailiwick of Guernsey) Law, 2011. The definition currently includes persons listed in Council Regulation (EC) No 2580/2001 ("the EU Regulation") that implements a United Nations Security Council Resolution in respect of persons suspected of involvement in terrorism. As currently worded, the ambulatory reference (i.e. the wording which ensures that a reference to a list is a reference to that list as it is from time to time amended) only covers lists included as part of the EU Regulation itself, not lists made for the purposes of the EU Regulation but enacted under a separate EU legal instrument. The amendment widens the ambulatory reference to include changes to any list made for the purposes of the EU Regulation, irrespective of how it is enacted.

The Terrorist Asset-Freezing (Bailiwick of Guernsey) (Amendment) Ordinance, 2018

THE STATES, in pursuance of their Resolution of the 8th February, 2018^a, and in exercise of the powers conferred on them by sections 37 and 38 of the Terrorist Asset-Freezing (Bailiwick of Guernsey) Law, 2011^b, and all other powers enabling them in that behalf, hereby order:-

Amendment of the Law.

1. In section 1(c) of the Terrorist Asset-Freezing (Bailiwick of Guernsey) Law, 2011, after the words “that Regulation”, insert “, or any list provided for by it or to which it otherwise relates,”.

Extent.

2. This Ordinance has effect throughout the Bailiwick of Guernsey.

Citation.

3. This Ordinance may be cited as the Terrorist Asset-Freezing (Bailiwick of Guernsey) (Amendment) Ordinance, 2018.

Commencement.

4. This Ordinance shall come into force on the 14th December, 2018.

^a Article XI of Billet d'État No. V of 2018.

^b No. XI of 2011; as amended by Ordinance No. IX of 2016.