
STATUTORY INSTRUMENTS

2005 No. 1469

The Democratic Republic of the Congo (United Nations Sanctions) (Isle of Man) Order 2005

INTRODUCTORY

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Democratic Republic of the Congo (United Nations Sanctions) (Isle of Man) Order 2005 and shall come into force on 9th June 2005.

(2) If the Security Council of the United Nations takes any decision which has the effect of cancelling, extending, or suspending the operation of resolution 1596 (2005) adopted by it on 18th April 2005, in whole or in part, this Order shall cease to have effect or its operation shall be suspended, in whole or in part, as the case may be, in accordance with that decision; and particulars of that decision shall be published by the Secretary of State in a notice in the London, Edinburgh and Belfast Gazettes.

(3) This Order shall extend to the Isle of Man as part of its law.

(4) Articles 3, 4 and 5 shall apply to any person within the Isle of Man and any person elsewhere who is —

- (a) a British citizen, a British overseas territories citizen, a British Overseas citizen, a British subject, a British National (Overseas) or a British protected person and is ordinarily resident in the Isle of Man; or
- (b) a body incorporated or constituted under the law of the Isle of Man.

Interpretation

2.—(1) In this Order the following expressions have the meanings hereby respectively assigned to them, that is to say—

“body corporate” includes a limited liability company constituted under the Limited Liability Companies Act 1996 (an Act of Tynwald) and, in relation to such a company, any reference to a director or other officer of a body corporate is a reference to a member and to a company’s manager and registered agent;

“custody” means custody within the meaning of the Custody Act 1995 (an Act of Tynwald);

“designated person” means an individual designated by the Committee established by paragraph 3(a) of resolution 1533 (2004) adopted by the Security Council of the United Nations on 12th March 2004;

“direction” means a direction under article 4(1);

“document” includes information recorded in any form, and in relation to information recorded otherwise than in legible form, references to its production include references to producing a copy of the information in legible form;

“funds, other financial assets or economic resources” means assets of every kind, whether tangible or intangible, movable or immovable, however acquired, and legal documents or instruments in any form, including electronic or digital, evidencing title to, or interest in, such

assets, including, but not limited to, bank credits, travellers' cheques, bank cheques, money orders, shares, securities, bonds, drafts and letters of credit;

“officer of Customs and Excise” means an officer authorised as such under the Customs and Excise Management Act 1986 (an Act of Tynwald);

“relevant institution” means—

- (a) a body corporate wherever incorporated;
- (b) a partnership or unincorporated association of two or more persons formed under the law of the Isle of Man or elsewhere; and
- (c) a building society within the meaning of section 7 of the Industrial and Building Societies Act 1892 (an Act of Tynwald); and

“the Treasury” means the Isle of Man Treasury, a department of the Government of the Isle of Man.

(2) For the purposes of identifying a “designated person” referred to in paragraph (1) of this article, the Treasury shall cause a notice containing the names and other particulars of such designated persons to be published in a newspaper published and circulating in the Isle of Man as necessary from time to time.