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STATUTORY INSTRUMENTS

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**2002 No. 112**

**The Al-Qa'ida and Taliban (United Nations Measures) (Overseas Territories) Order 2002**

*GENERAL*

**Penalties and Proceedings**

- 19.**—(1) Any person guilty of an offence under article 3, 5, 6(3), 7, 8(9) or 9 shall be liable:
- (a) on conviction on indictment to imprisonment for a term not exceeding seven years or to a fine or to both; or
  - (b) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.
- (2) Any person guilty of an offence under article 17(3)(b)(ii) or paragraph 5(b) or (d) of Schedule 3 to this Order shall be liable—
- (a) on conviction on indictment to imprisonment for a term not exceeding seven years or to a fine or to both; or
  - (b) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.
- (3) Any person guilty of an offence under article 12(1) or (2) or article 13(3) shall be liable—
- (a) on conviction on indictment to imprisonment for a term not exceeding two years or to a fine or to both; or
  - (b) on summary conviction to a fine not exceeding £5,000 or its equivalent.
- (4) Any person guilty of an offence under article 17(3)(a), (b)(i) or (c), or paragraph 5(a) or (c) of Schedule 3 shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.
- (5) Any person guilty of an offence under article 8(10) or 10 shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.
- (6) Any person guilty of an offence under article 11 or 13(2) shall be liable on summary conviction to a fine not exceeding £5,000 or its equivalent.
- (7) Where any body corporate is guilty of an offence under this Order, and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (8) Summary proceedings for an offence under this Order, being an offence alleged to have been committed outside the Territory, may be instituted at any time not later than 12 months from the date on which the person charged first enters the Territory after committing the offence.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(9) Proceedings against any person for an offence under this Order may be taken before the appropriate court in the Territory having jurisdiction in the place where that person is for the time being.

(10) No proceedings for an offence under this Order shall be instituted in the Territory except by or with the consent of the principal public officer of the Territory having responsibility for criminal prosecutions:

Provided that this paragraph shall not prevent the arrest, or the issue or execution of a warrant for the arrest, of any person in respect of such an offence, or the remand in custody or on bail of any person charged with such an offence, notwithstanding that the necessary consent to the institution of proceedings for the offence has not been obtained.