
STATUTORY INSTRUMENTS

2005 No. 1462

**The Sudan (United Nations Measures)
(Channel Islands) Order 2005**

INTRODUCTORY

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Sudan (United Nations Measures) (Channel Islands) 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 1591 (2005) adopted by it on 29th March 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 Channel Islands so as to be law, respectively in Guernsey and Jersey.

(4) Articles 3, 4 and 5 apply to any person within Guernsey or, as the case may be, Jersey and to any person elsewhere who—

- (a) is a British citizen, a British Dependent Territories citizen, a British Overseas citizen, a British National (Overseas), a British subject or a British protected person and is ordinarily resident in Guernsey or, as the case may be, Jersey; or
- (b) is a body incorporated or constituted under the law of any part of Guernsey or, as the case may be, Jersey.

Interpretation

2.—(1) In this Order unless the context otherwise requires —

“Attorney General” means—

- (a) in the application of this Order to Guernsey, the Attorney General or the Solicitor General for Guernsey; and
- (b) in the application of this Order to Jersey, the Attorney General for Jersey;

“States Revenue Officer”, in the application of this Order to Guernsey, has the meaning it bears in the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law 1972, as amended; and “States Revenue Officer” in the application of this Order to Jersey, means the Agent of the Impôts and any officer of the Impôts (and any person authorised by the Agent of the Impôts);

“designated person” means an individual designated by the Committee established by paragraph 3 (a) of resolution 1591 (2005) adopted by the Security Council of the United Nations on 29th March 2005;

“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 financial assets and economic benefits of any kind, including (but not limited to) gold coin, gold bullion, cash, cheques, claims on money, drafts, money orders and other payment instruments; deposits with financial institutions or other entities, balances on accounts, debts and debt obligations; securities and debt instruments (including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures, debenture stock and derivatives contracts); interest, dividends or other income on or value accruing from or generated by assets; credit, rights of set-off, guarantees, performance bonds or other financial commitments; letters of credit, bills of lading, bills of sale; documents evidencing an interest in funds or financial resources, and any other instrument of export financing;

“Guernsey” means the Bailiwick of Guernsey;

“Jersey” means the Bailiwick of Jersey; and

“licensing authority” means—

- (a) in the case of Guernsey, the Attorney General of Guernsey; and
- (b) in the case of Jersey, the Policy and Resources Committee of the States of Jersey;

“police officer” means—

- (a) in relation to Guernsey, Herm and Jethou a member of the salaried police force of the Island of Guernsey, and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey;
- (b) in relation to Alderney, a member of the said police force and a member of any police force which may be established by the States of Alderney;
- (c) in relation to Sark, the constable, the Vingtenier and a member of the said police force of the Island of Guernsey; and
- (d) in relation to Jersey, a member of the Honorary Police or a member of the States of Jersey Police Force;

“relevant institution” means—

- (a) in the application of this Order to Guernsey, a financial services business within the meaning of section 49 of and the Schedule to the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law 1999;
- (b) in the application of this Order to Jersey, a financial services business within the meaning of Article 36(1) and the Second Schedule to the Proceeds of Crime (Jersey) Law 1999;

“the standard scale” means—

- (a) in the application of this Order to Guernsey, the uniform scale of fines specified for the time being in section 1 of the Uniform Scale of Fines (Bailiwick of Guernsey) Law 1989, as amended, and
- (b) in the application of this Order to Jersey, the standard scale of fines specified for the time being in the Schedule to the Criminal Justice (Standard Scale of Fines) (Jersey) Law 1993, as amended;

(2) For the purposes of identifying a “designated person” referred to in paragraph (1) of this article, the licensing authority shall ensure that a list containing the names and other particulars of such designated persons be maintained and circulated in Guernsey or as the case may be Jersey as necessary from time to time.

(3) Any reference to an Act of Parliament of the United Kingdom shall, in the case of a provision which has been extended to the Channel Islands or otherwise applies to the Channel Islands, be construed as a reference to that provision as it has effect there