



Terrorism (United Nations Measures) Order 2009 (S.I. 2009/1747)

1. On 31 March 2009 the Treasury gave a direction (the "Direction") under The Terrorism (United Nations Measures) Order 2006 (SI 2006/2657) ("the 2006 Order") designating for the purposes of that Order the individual whose details are set out in the Annex to this Notice.
2. On 4 February 2010 the 2006 Order was quashed by the Supreme Court on the basis that the 2006 Order was outside the power to make Orders conferred by section 1 of the United Nations Act 1946. Consequently directions made under the 2006 Order were void. In addition, the Supreme Court indicated that the Terrorism (United Nations Measures) Order 2009 (SI 2009/1747) ('the 2009 Order') and the Terrorism (United Nations Measures) Order 2001 (SI 2001/3365) were, if an application was made to Court, vulnerable to being quashed on the same basis as the 2006 Order.
3. On 10 February 2010 the Terrorist Asset-Freezing (Temporary Provisions) Act 2010 was passed which, amongst other things, provides that, during the period beginning when the Act came into force and ending with 31 December 2010, the three Orders were deemed validly made under the United Nations Act 1946 and that directions under these Orders, including the Direction, have effect.
4. This Notice is to publicise generally the Treasury's revocation of the direction with effect from 29 April 2010 and the giving of a new direction ("the 2009 Order Direction") under article 4 of the 2009 Order. Under such article the Treasury may direct that a person is designated for the purposes of the 2009 Order if one or more of the conditions set out in article 4(2), and article 4(1)(b), are satisfied. The 2009 Order Direction designates the individual whose details are set out in the Annex to this Notice ("the designated person") for the purposes of the 2009 Order. An effect of the direction is that the funds and economic resources of the designated person must be frozen. The 2009 Order Direction also adds further identifying information.
5. By virtue of the 2009 Order Direction, which has effect until further notice, the prohibitions in articles 10 to 14 of the 2009 Order apply in respect of the designated person.

- Article 10 prohibits any dealing with the funds or economic resources owned held or controlled by a restricted person.
- Articles 11 and 13 prohibit the making available of funds, financial services or economic resources, directly or indirectly, to a restricted person.
- Articles 12 and 14 prohibit the making available of funds, financial services or economic resources to any person for the benefit of a restricted person.

“Restricted person” means:

- (a) a designated person;
- (b) a person owned or controlled, directly or indirectly, by a designated person; or
- (c) a person acting on behalf of or at the direction of a designated person.

6. “Funds”, “economic resources” and “financial services” have the meanings given to them by article 2 of the 2009 Order.

7. Contravention of a prohibition in the 2009 Order is a criminal offence.

8. Relevant institutions (as defined in article 2 of the 2009 Order) and other persons are requested to check whether they maintain any accounts or otherwise hold any funds or economic resources for, or provide financial services to, the designated person and, if so, they must freeze such accounts or other funds and, unless licensed by the Treasury, refrain from dealing with or making available such funds and/or economic resources and suspend the provision of any financial services. Relevant institutions must report their findings to the Treasury.

9. The Treasury have power to license certain transactions, payments or dealings which would otherwise breach the prohibitions in articles 10 to 14 of the 2009 Order. Any person who wishes to apply to the Treasury for a licence should apply in writing to the Asset Freezing Unit at the below address. The application should clearly set out the grounds on which the licence is sought and provide full details and evidence (e.g. utility bills) in support.

Asset Freezing Unit
HM Treasury
1 Horse Guards Road
London SW1A 2HQ
Fax: 020 7451 7677
Email: AFU@hmtreasury.gsi.gov.uk.
Phone: 020 7270 5454

10. A designated person or any other person affected by the 2009 Order Direction who wishes to challenge the 2009 Order Direction or any other decision made by the Treasury under the 2009 Order in respect of the 2009 Order Direction may under section 63(2) of the Counter Terrorism Act 2008 apply to the High Court or, in Scotland, the Court of Session, to have the

2009 Order Direction set aside. The address for service of legal correspondence for the Treasury is:

The Treasury Solicitor's Department, One Kemble Street, London WC2B 4TS
Phone: 020 7210 3000, DX number: 123242 Kingsway.

11. Previous releases related to all UK and EC financial sanctions regimes, the consolidated list of individuals and entities subject to these regimes and further information on each regime can be obtained from the Financial Sanctions pages of the Treasury website:

http://www.hm-treasury.gov.uk/fin_sanctions_index.htm.

12. Non-media enquiries should be addressed to the Asset Freezing Unit at the address provided above. Media enquiries should be addressed to the Treasury Press Office on 020 7270 5238.

HM Treasury
29/04/2010

ANNEX TO GENERAL NOTICE OF ARTICLE 4 DIRECTION

TERRORISM (UNITED NATIONS MEASURES) ORDER 2009 (S.I. 2009/1747)

Added information appears in italics and is underlined.

Individual

RAHIM, Zana, Abdul, Rahman

DOB: (1) 1 January 1983

(2) 22 November 1982

POB: Kirkuk, Iraq

a.k.a: (1) RAHIN, Zana, Abdul

(2) RAHINI, Zana, Abdul, Rahman

(3) RAHMAN, Zana, Abdul

Nationality: Iraqi Kurd

Address: (1) Carlton, Nottingham, United Kingdom, NG4

~~(2)~~ Huddersfield, West Yorkshire, United Kingdom, HD1 (previous address)

~~(3)~~ Huddersfield, West Yorkshire, United Kingdom, HD5 (previous address)

~~(34)~~ Camberwell, London, United Kingdom, SE5 (previous address)

Other Information: Male. Resident in the UK. Associated with Ansar Al-Islam.

HM Treasury

29/04/2009