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DRAFT STATUTORY INSTRUMENTS

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**2011 No.**

**The Al-Qaida (Asset-Freezing) Regulations 2011**

**Interpretation**

2.—(1) In these Regulations—

“the 2000 Act” means the Financial Services and Markets Act 2000(1);

“the Council Regulation” means Council Regulation (EC) No. 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaida network, and a reference to Annex I to that Regulation is to be construed as a reference to that Annex as amended from time to time;

“designated person” means a person, entity, body or group listed in Annex I to the Council Regulation;

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

“relevant institution” means—

- (a) a person who has permission under Part 4 of the 2000 Act (permission to carry on regulated activities);
- (b) an EEA firm of the kind mentioned in paragraph 5(b) of Schedule 3 to the 2000 Act (EEA passport rights)(2) which has permission under paragraph 15 of that Schedule(3) as a result of qualifying for authorisation under paragraph 12 of that Schedule(4) to accept deposits; or
- (c) an undertaking which by way of business operates a currency exchange office, transmits money (or any representations of monetary value) by any means or cashes cheques which are made payable to customers.

(2) The definition of “relevant institution” in paragraph (1) must be read with—

- (a) section 22 of the 2000 Act (the classes of activity and categories of investment),
- (b) any relevant order under that section(5), and
- (c) Schedule 2 to that Act (regulated activities).

(3) Any expression used both in these Regulations and in the Council Regulation has the meaning that it bears in the Council Regulation.

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(1) 2000 c.8.

(2) As amended by S.I. 2006/3221.

(3) As amended by the Enterprise Act 2002 (c.40), section 278(1), Schedule 25, paragraphs 40(1) and (19)(a), the Consumer Credit Act 2006 (c.14), section 33(9), and by S.I. 2003/2066 and S.I. 2007/3253.

(4) As amended by S.I. 2007/126 and S.I. 2007/3253.

(5) S.I. 2001/544 as amended, most recently by S.I. 2011/1613.