



Anti-terrorism, Crime and Security Act 2001

2001 CHAPTER 24

PART 2

FREEZING ORDERS

Orders: procedure etc.

10 Procedure for making freezing orders

- (1) A power to make a freezing order is exercisable by statutory instrument.
- (2) A freezing order—
 - (a) must be laid before Parliament after being made;
 - (b) ceases to have effect at the end of the relevant period unless before the end of that period the order is approved by a resolution of each House of Parliament (but without that affecting anything done under the order or the power to make a new order).
- (3) The relevant period is a period of 28 days starting with the day on which the order is made.
- (4) In calculating the relevant period no account is to be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than 4 days.
- (5) If the Treasury propose to make a freezing order in the belief that the condition in section 4(2)(b) is satisfied, they must not make the order unless they consult the Secretary of State.

11 Procedure for making certain amending orders

- (1) This section applies if—

Changes to legislation: There are currently no known outstanding effects for the Anti-terrorism, Crime and Security Act 2001, Cross Heading: Orders: procedure etc.. (See end of Document for details)

- (a) a freezing order is made specifying by description (rather than by name) the person or persons to whom or for whose benefit funds are not to be made available,
 - (b) it is proposed to make a further order which amends the freezing order only so as to make it specify by name the person or persons (or any of the persons) to whom or for whose benefit funds are not to be made available, and
 - (c) the Treasury reasonably believe that the person or persons named fall within the description contained in the freezing order and the further order contains a statement of the Treasury's belief.
- (2) This section also applies if—
- (a) a freezing order is made specifying by name the person or persons to whom or for whose benefit funds are not to be made available,
 - (b) it is proposed to make a further order which amends the freezing order only so as to make it specify by name a further person or further persons to whom or for whose benefit funds are not to be made available, and
 - (c) the Treasury reasonably believe that the further person or persons fall within the same description as the person or persons specified in the freezing order and the further order contains a statement of the Treasury's belief.
- (3) This section also applies if—
- (a) a freezing order is made, and
 - (b) it is proposed to make a further order which amends the freezing order only so as to make it specify (whether by name or description) fewer persons to whom or for whose benefit funds are not to be made available.
- (4) If this section applies, a statutory instrument containing the further order is subject to annulment in pursuance of a resolution of either House of Parliament.

12 Procedure for revoking orders

A statutory instrument containing an order revoking a freezing order (without re-enacting it) is subject to annulment in pursuance of a resolution of either House of Parliament.

13 De-hybridisation

If apart from this section an order under this Part would be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not such an instrument.

14 Orders: supplementary

- (1) Where this Part confers a power to make provision, different provision may be made for different purposes.
- (2) An order under this Part may include supplementary, incidental, saving or transitional provisions.
- (3) Nothing in this Part affects the generality of subsection (2).

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