**EXPLANATORY MEMORANDUM TO**

**THE AL-QAIDA (UNITED NATIONS MEASURES) (OVERSEAS TERRITORIES) (AMENDMENT) ORDER 2012**

**2012 No. 3064**

**1**. This Explanatory Memorandum has been prepared by the Foreign and Commonwealth Office and is laid before Parliament by Command of Her Majesty.

## 2. Purpose of the instrument

This Order amends the Al-Qaida (United Nations Measures) (Overseas Territories) Order 2012 (S.I. 2012 No.1757) to correct a minor error in that Order.

## 3. Matters of special interest to the Joint Committee on Statutory Instruments

None.

## 4. Legislative Context

4.1 This Order is made in exercise of statutory powers under the United Nations Act 1946, the Saint Helena Act 1833, the British Settlements Acts 1887 and 1945 and the legislative power of the Royal Prerogative.

4.2 The statutory and prerogative powers to legislate for the Overseas Territories, to implement sanctions measures, are applicable to the Overseas Territories as follows:

(i) The United Nations Act applies to all Overseas Territories.

(ii) The Saint Helena Act 1833 applies to St Helena.

(iii) The British Settlements Acts 1887 and 1945 are applicable to Ascension and Tristan da Cunha, British Antarctic Territory, the Falkland Islands, Pitcairn (including Henderson, Ducie and Oeno Islands), and South Georgia and the South Sandwich islands);

(iv) The prerogative legislative power is applicable to Anguilla, British Indian Ocean Territory, Cayman Islands, Montserrat, the Sovereign Base Areas of Akrotiri and Dhekelia, Turks and Caicos Islands, and the Virgin Islands.

## 5. Territorial Extent and Application

This Order applies to the following territories: Anguilla, British Antarctic Territory, British Indian Ocean Territory, Cayman Islands, the Falkland Islands, Montserrat, Pitcairn (including Henderson, Ducie and Oeno Islands), St Helena, Ascension and Tristan da Cunha, South Georgia and the South Sandwich Islands, the Sovereign Base Areas of Akrotiri and Dhekelia, the Turks and Caicos Islands and the Virgin Islands.

## 6. European Convention on Human Rights

As this Order is not subject to Parliamentary procedure and does not amend primary legislation, no statement is required.

## 7. Policy background

This Order corrects a minor error in the Al-Qaida (United Nations Measures) (Overseas Territories) Order 2012.

## 8. Consultation outcome

The Overseas Territories to which the Order applies were informed about the Order.

## 9. Guidance

Guidance may be sought from the contact below.

## 10. Impact

10.1 There is no impact on business, charities or the voluntary sector in the United Kingdom.

10.2 There is no impact on the public sector in the United Kingdom.

10.3 An Impact Assessment has therefore not been prepared for this instrument.

## 11. Regulating small business

The legislation does not apply to small business in the United Kingdom.

## 12. Monitoring and Review

Not applicable for this Order.

## 13. Contact

Nigel Parker at the Foreign and Commonwealth Office can answer any queries regarding the instrument. Telephone: 020 7008 6267. E-mail: nigel.parker@fco.gov.uk.