EXPLANATORY MEMORANDUM TO

THE AL-QAIDA AND TALIBAN (ASSET-FREEZING) REGULATIONS

2010 No. [Draft]

1. This explanatory memorandum has been prepared by the Treasury and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Purpose of the instrument

2.1 These Regulations provide criminal penalties for breach of the financial restrictions imposed by EC Regulation 881/2002 as amended (OJ No. L 139, 29.5.2002, p. 9) on persons listed in Annex I to that Regulation. The Regulations also make provision for the Treasury to grant licences to exempt actions from the financial restrictions and they provide a system for obtaining information to maintain the restrictions and deal with breaches of them.

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

3.1 The Regulations are being made following the Supreme Court's Order of 4 February 2010, in the case of HM Treasury v Ahmed and others [2010] UKSC 2, quashing the Al-Qaida and Taliban (United Nations Measures) Order 2006 (S.I. 2006/2952) ("the 2006 Order").

4. Legislative Context

4.1 On 15 October 1999 the United Nations Security Council adopted resolution 1267(1999) which, amongst other matters, required Member States to freeze the assets of those identified by the Committee established under that resolution as being members of the Taliban or owned or controlled by the Taliban. It also prohibited anyone from making funds or economic resources available to designated persons.

4.2 UNSCR 1267(1999) was reaffirmed and extended in further Security Council resolutions, most recently in resolution 1904(2009) which requires Member States to freeze the assets of persons identified by the Committee established under resolution 1267(1999) as being Usama bin Laden, or members of Al-Qaida or the Taliban or associated with any of these. Member States are also required to ensure that no financial assets or economic resources are made available directly or indirectly for the benefit of designated persons.

4.3 Council Regulation (EC) 881/2002 of 27 May 2002, as amended, implements the requirements of the United Nations Security Council Resolutions in the European Union. The Regulation requires Member States of the European Union to determine the sanctions to be imposed where the provisions of the Regulation are infringed.

4.4 On 27 January 2010 the Supreme Court held that section 1(1) of the United Nations Act 1946 did not provide sufficient powers to implement United Nations Security Council Resolution 1267 (1999) as reaffirmed and extended. The Supreme Court therefore ordered on 4 February 2010 that the 2006 Order be quashed.

4.5 The effect of these Regulations is to provide for the enforcement of financial restrictions imposed on persons included in Annex I to the Council Regulation. Provision is made for references to Annex I to the Council Regulation to be construed as references to that Annex as amended from time to time.

5. Territorial Extent and Application

5.1 This instrument applies to all of the United Kingdom and, outside the United Kingdom, to British citizens and those with a UK connection.

6. European Convention on Human Rights

The Exchequer Secretary to the Treasury has made the following statement regarding Human Rights:

In my view the provisions of the Al-Qaida and Taliban (Asset-Freezing) Regulations 2010 are compatible with the Convention rights

7. Policy background

- ***What is being done and why***

7.1 The UK is required by UNSCR 1267, as reaffirmed and extended, and EC Regulation 881/2002 to implement financial restrictions against those associated with Al-Qaida and the Taliban. Counter-terrorist financial restrictions aim to prevent terrorist acts by stopping funds or economic resources from being used for terrorist purposes. It is a preventative measure that works by denying terrorists the ability to raise and move funds; containing funds already in the financial system; and disrupting the activities of those designated. They are an important and valuable tool in the fight against international terrorism that also help prevent the UK financial sector from being unknowingly used for terrorist-related activities.

7.2 The Regulations provide a mechanism for implementing and administering counter-terrorist financial restrictions against those persons associated with Al-Qaida and Taliban, consistent with UNSCR 1267, and subsequent resolutions, and the provisions of the EC Regulation. They establish penalties for breaching the prohibitions of the EC Regulation or failing to comply with the requirements of the Regulations. The EC Regulation is directly applicable in UK law but penalties for its breach require UK secondary legislation.

7.3 The Regulations:

- define a designated person as being a person listed in Annex I to the Council Regulation;

- define the scope of the prohibitions that apply to the freezing of funds and economic resources and also to the making available of funds and economic resources to, or for the benefit of, a designated person;

- provide penalties for breach of the prohibitions;

- provide a mechanism for granting licences and create an offence where a person knowingly or recklessly provides false information or documents to obtain a licence or fails to comply with the conditions of a licence;

- include provisions for the gathering and sharing of information and create an offence for failing to comply with or obstructing the Treasury's exercise of these powers; and

- amend the Counter-Terrorism Act 2008 so that a person affected by a decision made by the Treasury in connection with the exercise of their functions under the Regulations may apply to the court to have the decision set aside.

7.4 The Regulations provide that references to Annex I of the Council Regulation should be construed as a reference to Annex I as amended from time to time. The purpose of this is to allow for amendments to Annex I, which contains the list of designated persons, to take immediate effect in the United Kingdom. A person who is included in Annex I may challenge their inclusion at the General Court of the European Union.

- ***Consolidation***

7.5 It is not expected that there will be any consolidation of this instrument.

8. Consultation outcome

8.1 There has been no consultation on this instrument.

9. Guidance

9.1 General guidance with regard to financial sanctions and the relevant legislation is available on Her Majesty's Treasury website (www.hm-treasury.gov.uk). In addition, the Treasury release financial sanctions notifications at any time when there is a substantive change.

10. Impact

10.1 The impact on business, charities or voluntary bodies is expected to be minimal.

10.2 The impact on the public sector is minimal.

10.3 An Impact Assessment is attached to this memorandum.

11. Regulating small business

11.1 The legislation applies to small business.

11.2 The basis for the final decision on what action to take to assist small business was not subject to consultation.

12. Monitoring & review

12.1 This instrument will be monitored and reviewed at any point when the UNSCR or the EC Regulation is amended.

13. Contact

The Asset Freezing Unit at Her Majesty's Treasury, Tel: 020 7270 5454 or email: AFU@hmtreasury.x.gsi.gov.uk can answer any queries regarding the instrument.

Summary: Intervention & Options

Department /Agency:	Title:	
HM Treasury	**The Al-Qaida and Taliban (Asset-Freezing) Regulations 2010**	
Stage: Final/Implementation	**Version:** 1	**Date:** 18 February 2010
Related Publications: Al-Qaida and Taliban (United Nations Measures) Order 2006; Counter-Terrorism Act 2008,		

Available to view or download at:

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

Contact for enquiries: Asset Freezing Unit **Telephone:** 0207 270 5454

What is the problem under consideration? Why is government intervention necessary?

United Nations Security Council Resolution 1267 (1999), as amended and extended by subsequent resolutions, requires states to apply asset freezing measures against certain persons and entities associated with Usama bin Laden, Al-Qaida and the Taliban (AQ&T). The UK gave effect to these requirements by Orders in Council. The Al-Qaida and Taliban (United Nations Measures) Orders 2002 and 2006 implemented the financial restrictions in the UK in accordance with UN requirements.

On 27 January 2010 the Supreme Court decided that section 1(1) of the United Nations Act 1946 did not provide sufficient powers to implement these resolutions of the United Nations Security Council. The Supreme Court ordered on 4 February 2010 that the 2006 Order be quashed. The Al-Qaida and Taliban (Asset-Freezing) Regulations replace the 2006 Order.

Assets frozen under the 2006 Order remain frozen under Council Regulation (EC) 881/2002 of 27 May 2002. The EC Regulation is directly applicable in the UK but UK secondary legislation is required to provide for penalties for failing to comply with the Regulation. Government intervention is also necessary to provide a national framework for gathering and sharing information and granting licences, including establishing penalties for providing false information, obstructing the Treasury's exercise of its information-gathering powers, or failing to comply with licensing conditions.

What are the policy objectives and the intended effects?

The UK is mandated by UNSCR 1267, as amended, to freeze the assets of persons associated with Al-Qaida or the Taliban and to prevent UK nationals and persons in the UK from making funds or financial resources available to or for them. The UK is also required by Council Regulation 881/2002 to provide effective, dissuasive and proportionate sanctions for breaches of these prohibitions. The primary purpose of the asset freezing regime is to help stop terrorist acts by preventing funds and economic resources from being used or diverted for terrorism.

The Al-Qaida and Taliban (Asset Freezing) Regulations replace the 2006 AQ&T Order quashed by the Supreme Court and provides the UK with a framework for monitoring compliance with the prohibitions in the EU Regulation and establishes criminal penalties for breaching them.

What policy options have been considered? Please justify any preferred option.

1. Do not legislate. Although the assets of persons listed by the EU will be frozen under the EU Regulation, if these Regulations are not made, the UK will be in breach of its international obligations because we would not be able to enforce the EU Regulation.

2. Make these Regulations replacing the quashed 2006 AQ&T Order and providing criminal penalties for breaching the EU Regulation and a UK framework for compliance and enforcement. Our preferred option.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects? HMT will keep the asset freezing regime under review and will continue to report quarterly to Parliament on use of powers.

Ministerial Sign-off For final proposal/implementation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) the benefits justify the costs.

Signed by the responsible Minister: Date: Wednesday 24 February



Summary: Analysis & Evidence

Policy Option:	Description:

COSTS

ANNUAL COSTS	
One-off (Transition) **Yrs**	Description and scale of **key monetised costs** by 'main affected groups' The Regulations provide a UK framework for monitoring compliance and enforcing existing asset freezes under EC Regulation 881/2002. The financial sector already implements these measures and has the necessary systems and controls in place.
£ N/A	
Average Annual Cost (excluding one-off)	
£ N/A	**Total Cost** (PV) **£ N/A**

Other **key non-monetised costs** by 'main affected groups' There may be some marginal costs to HMG in investigating and prosecuting breaches of the EU regulation and from persons appealing to the courts against licensing decisions. A framework for doing so was in place under the AQ&T Order until it was quashed. The additional cost is expected to be minimal.

BENEFITS

ANNUAL BENEFITS	
One-off **Yrs**	Description and scale of **key monetised benefits** by 'main affected groups'
£ N/A	
Average Annual Benefit (excluding one-off)	
£ N/A	**Total Benefit** (PV) **£ N/A**

Other **key non-monetised benefits** by 'main affected groups' Unquantifiable benefit of preventing frozen funds from being used to finance terorrism, reducing the risk to the UK's national interest and protecting the financial system from the risk of terrorist abuse, as well as furthering national security and foreign policy goals.

Key Assumptions/Sensitivities/Risks

UK persons are required by the EU Regulation to implement the financial restrictions of the EU Regulation and provide information that facilitates compliance. Until 4/2/10 the AT&T Order provided penalties for breaching the prohibitions. These Regulations replace the AQ&T Order and fulfil international obligations

Price Base Year	Time Period Years	**Net Benefit Range** (NPV) **£**	**NET BENEFIT** (NPV Best estimate) **£**

What is the geographic coverage of the policy/option?				UK
On what date will the policy be implemented?				Already in effect
Which organisation(s) will enforce the policy?				HMT, police
What is the total annual cost of enforcement for these organisations?				£ N/A
Does enforcement comply with Hampton principles?				Yes
Will implementation go beyond minimum EU requirements?				No
What is the value of the proposed offsetting measure per year?				£ N/A
What is the value of changes in greenhouse gas emissions?				£ N/A
Will the proposal have a significant impact on competition?				No
Annual cost (£-£) per organisation (excluding one-off)	Micro **N/A**	Small **N/A**	Medium **N/A**	Large **N/A**
Are any of these organisations exempt?	No	No	N/A	N/A

Impact on Admin Burdens Baseline (2005 Prices) (Increase - Decrease)

Increase of £ Decrease of £ **Net Impact** £

Key: **Annual costs and benefits: Constant Prices** **(Net) Present Value**

Evidence Base (for summary sheets)

[Use this space (with a recommended maximum of 30 pages) to set out the evidence, analysis and detailed narrative from which you have generated your policy options or proposal. Ensure that the information is organised in such a way as to explain clearly the summary information on the preceding pages of this form.]

International and Domestic Policy Context

On 15 October 1999 the United Nations Security Council adopted resolution 1267(1999) which, amongst other matters, required Member States to freeze the assets of those identified by the Committee established under that resolution as being members of the Taliban or owned or controlled by the Taliban. It also prohibited anyone from making funds or economic resources available to designated persons.

UNSCR 1267(1999) was reaffirmed and extended in further Security Council resolutions, most recently in resolution 1904(2009) which requires Member States to freeze the assets of persons identified by the Committee established under resolution 1267(1999) as being Usama bin Laden, or members of Al-Qaida or the Taliban or associated with any of these. Member States are also required to ensure that no financial assets or economic resources are made available directly or indirectly for the benefit of designated persons.

Council Regulation (EC) 881/2002 of 27 May 2002, as amended, implements the requirements of the United Nations Security Council resolutions in the European Union. Any person who is directly concerned by an EU measure has a right to challenge that measure in the General Court of the European Union, by virtue of article 263 of the Treaty on the Functioning of the European Union.

The Al-Qa'ida and Taliban (United Nations Measures) Order 2002 (SI 2002/111) implemented the requirements of UNSCR 1267 in the UK. This was succeeded by the Al-Qaida and Taliban (United Nations Measures) Order 2006 (SI 2006/2952).

These Orders in Council were made under section 1 of the United Nations Act 1946, which authorises the Government to make an Order in Council to give effect to any decision of the UN Security Council where such provision appears to be "necessary or expedient for enabling those measures to be effectively applied."

In its judgment in the case of HM Treasury v Ahmed and Others, the Supreme Court ruled that the general words of the UN Act did not delegate sufficient authority to make an Order that interfered with fundamental human rights – enjoyment of property and access to a Court – in the way the 2006 Order did and that the Order should therefore be quashed.

Government intervention is necessary because although the EC Regulation is directly applicable in the UK, penalties for breach of the Regulation require UK secondary legislation. Article 10 of EU Regulation 881 requires all EU Member States to determine the sanctions to be imposed where the provisions of the Regulation are infringed. It also requires those sanctions to be "effective, proportionate and dissuasive".

The threat from international terrorism remains significant. This is reflected in the recent decision to raise the UK terror threat level to "severe". The Government is committed to ensuring that we retain effective tools to deal with the terrorist threat and that these are used in a fair and proportionate way, striking the right balance between protecting national security and protecting human rights.

In addition to providing penalties for breaching the EU Regulation, in order to be able to meet our international obligations fully and administer effectively the asset freeze against persons listed by the EU as being associated with Al-Qaida or the Taliban, secondary legislation is required to provide a robust UK framework for monitoring and enforcing compliance, including information gathering and sharing powers and creating offences for failing to comply with requests for information made under these Regulations (or to knowingly provide false information). Government intervention is necessary to provide the Treasury and other arms of the Government with the relevant powers to administer and enforce the

financial restrictions, consistent with other financial sanctions regimes and in line with the UK's international obligations.

Policy objectives

The counter-terrorist asset freezing regime helps stop terrorist acts by preventing funds, economic resources or financial services from being used or diverted for terrorist purposes. It is a preventative, not punitive, measure that works by denying terrorists the ability to raise and move funds; containing funds already in the financial system; and disrupting the activities of those designated. It is an important and valuable tool in the fight against international terrorism that also helps prevent the UK financial sector from being unknowingly used for terrorist-related activities. The Al-Qaida and Taliban regime has been in place, in one form or other, since October 1999.

In order to to comply with our UN and EU obligations and ensure that the UK has an effective regime in place for administering financial restrictions against those associated with Al Qaida and the Taliban, with appropriate penalties for breaching the prohibitions of the EC Regulation, we need to legislate. Accordingly, these Regulations:

- define a designated person as someone listed in Annex I to the Council Regulation;
- define the scope of the prohibitions that apply to the freezing of funds and economic resources and also to the making available of funds and economic resources to, or for the benefit of, a designated person;
- provide penalties for breaching the provisions of the Council Regulation;
- provide a mechanism for granting licences and create an offence where a person knowingly or recklessly provides false information or documents to obtain a licence or fails to comply with licensing conditions;
- include provisions for the gathering and sharing of information and create an offence for failing to comply with Treasury requests for information (including destroying documents or wilfully obstructing the Treasury in the exercise of its information gathering powers).
- amend the Counter-Terrorism Act 2008 so that a person affected by a decision made by the Treasury in connection with the exercise of their functions under the Regulations may apply to the court to have the decision set aside.

Policy options

The Treasury has considered 2 options:

1. Do not legislate

UNSCR 1267 requires all states to take measures to freeze the assets of those persons and entities identified as associated with Usama Bin Laden, Al-Qaida and the Taliban. Regulation (EC) 881/2002 implements the UN resolution at an EU level. The Regulation also requires Member States of the European Union to determine the sanctions to be imposed when provisions of the Regulation are infringed.

If no action is taken, although under the EU Regulation financial restrictions will be in effect against those listed by the EC, there will be no penalties in place for breaching the prohibitions in the EU Regulation and the UK will be in breach of Community law. Powers to gather and share information for compliance and enforcement of the EC Regulation would be inferior to those included in other UK financial sanctions regimes, with heightened risk of evasion of the financial restrictions by listed persons. Thus the UK will be unable to effectively administer and enforce the Regulation and will no longer fully meet its international obligations. As well as leaving a weakness in the UK's Al Qaida and Taliban asset freezing regime (undesirable in itself), this could be perceived as a lack of UK commitment to the UN's asset freezing regime and counter-terrorism more generally and could damage relations with key CT partners at a time of heightened risk.

2. Pursue a Statutory Instrument

Under this, our preferred option, we would seek to secure the passage of a Statutory Instrument which defines designated persons as those listed in Annex I to the Council Regulation and provides penalties for breaching the provisions of that Regulation. A mechanism for granting licences consistent with the provision in the Regulation and our approach to other financial sanctions regimes would be created, together with an offence for knowingly or recklessly providing false information or documents to obtain a licence or failing to comply with licence conditions. Provisions for the gathering and sharing of information would also be included, with offences for failing to comply with Treasury requests for information, and the Counter-Terrorism Act 2008 would be amended so that affected persons may apply to the court to have Treasury decisions made under these Regulations set aside.

The Regulations would facilitate compliance with and enforcement of the prohibitions in the EU Regulation and ensure that the UK continues to meet its international obligations in respect of the Al Qaida and Taliban sanctions regime.

Following the Supreme Court's quashing of the AQ&T Order 2006, it is necessary to pass secondary legislation swiftly in order to ensure that the UK can properly implement its international obligations and maintain robust and effective financial restrictions, underpinned by appropriate penalties, against those associated with Al-Qaida and the Taliban that balances the needs of national security with ensuring that the fundamental human rights of persons included in the EC's list are respected. Given the human rights implications of these measures, we intend to make this an affirmative statutory instrument, subject to proper Parliamentary debate.

Costs and Benefits

Costs

The Statutory Instrument imposes some specific requirements on relevant institutions. The EU Regulation already requires persons within the EU to freeze the assets of listed persons and not make funds or resources available to them. Relevant institutions already have systems in place in respect of obligations under the 2006 Order and the EU Regulation, as well as other financial sanctions regimes and to meet their obligations under money laundering legislation, notably the Money Laundering Regulations 2007 and the Proceeds of Crime Act 2002.

The Treasury recognises that effective implementation of these measures requires sufficient good quality identifying information. This enables the assets of the designated person to be identified quickly and ensures only the correct assets are frozen by the financial services industry and others.

The UK is committed to ensuring that at the point of designation, and thereafter, sufficient good quality identifiers are available to improve the effectiveness of asset freezing measures and avoid difficulties caused by acronyms or similar names (cases of 'mistaken identity'). This enables the assets of the target to be identified quickly and helps to ensure the correct assets are frozen. To this end both the UN and EU have introduced listing procedures that set out clearly that as many specific identifiers as possible should be published at the point of designation.

The Regulations formalize specific reporting requirements on Money Service Businesses (MSBs) in line with the existing requirements on other relevant institutions that were not included in the 2006 Order. These requirements are consistent with those placed on regulated firms under the Money Laundering Regulations 2007 and MSBs are already required to implement the financial restrictions imposed by the EU Regulation. For example, under the Terrorism Order 2009, all relevant institutions, including MSBs, must inform the Treasury if they know or suspect that a customer, past customer (with whom they have dealt in the last five years) or any other person with whom they have had dealings in the course of relevant business in the past five years is a restricted person etc (see paragraph 2 of schedule 1). This provision replicates that reporting requirement in relation to those listed in the EC under Regulation 881/2002. The additional cost to the financial sector and MSBs will therefore be minimal.

The Government has implemented financial restrictions against those persons listed by the EU since 2002. The Government already has machinery in place for administering financial sanctions, including

information gathering and sharing, licensing exemptions, and monitoring compliance and enforcement. This was done under the AQ&T Order until the Court quashed it. There is therefore no additional cost to HMG arising from these Regulations.

Benefits

The benefits are not quantifiable. Financial restrictions against individuals involved with Al-Qaida and the Taliban are intended to prevent those individuals from accessing and moving funds through the international financial system in order to prevent terrorist finance. The UN Security Council requires all Member States to implement the financial sanctions specified resolution 1267. The UK is also required by the EU Regulation to set penalties for breaches of the prohibitions in the EU Regulation. Consistent with these requirements and our obligations under international and Community law, these Regulations aim to ensure that the UK has an appropriate system in to allow us to properly implement financial restrictions against those associated with Al-Qaida and the Taliban, including having the necessary framework in place to monitor and enforce compliance with these obligations.

Offences and penalty provisions

Criminal offences and penalties apply in relation to non-compliance with the requirements of the Regulations. These relate to prohibitions on dealing with listed persons' funds, making funds or resources available to or for the benefit of persons listed by the EU, providing false information or obstructing the Treasury's exercise of its information-gathering powers, or failing to act within the terms of a licence. The penalties are consistent with those included in the 2006 Order except that the penalty for breaching the core prohibitions has been reduced from 7 years imprisonment and/or a fine to two years and/or a fine. This is because the latter is the maximum permissible under the European Communities Act 1972, under which these Regulations are made.

Conclusion

Following the Supreme Court's Order quashing the Al-Qaida and Taliban Order 2006, these Regulations allow the UK to properly implement our international obligations and maintain robust and effective financial restrictions against those associated with Al-Qaida and the Taliban that balances the needs of national security with ensuring that the fundamental human rights of affected persons are respected. Their passage is in the interests of national security, fulfils our international obligations, and furthers international counter-terrorism efforts.

Regarding the **specific impact tests** in the Checklist:

Competition assessment

The Order applies uniformly to all firms operating in the UK financial sector. There should be no adverse impact on competition among financial and credit institutions or money service businesses.

Small firms

As the Order effectively replaces the system until recently in place under 2006 Order, there should be no additional cost on small firms. There is no wider exemption for small firms generally. The costs of compliance could be proportionately higher for a smaller business to the extent that they are affected; however, as they are already regulated for the purposes of the Money Laundering Regulations 2007 and obliged to comply with financial sanctions regimes, such firms should already have compliance systems in place.

Human Rights

Financial restrictions made under the Al-Qaida and Taliban regime, as implemented via these Regulations, strike an appropriate balance between the requirements of the public interest and the requirements of the protection of an individual's rights, provision of a fair hearing and respect for privacy.

The Regulations are therefore compatible with Articles 6 and 8, and Article 1 of Protocol 1 of the ECHR, as set out below:

Article 1 Protocol 1

Imposing a freeze on dealing with a person's funds and economic resources interferes with the peaceful enjoyment of the person's possessions and engages Article 1 of Protocol 1 of the ECHR. We consider such interference is justified in the public interest, given the public interest in preventing funds or economic resources being used for terrorist purposes. The Treasury's power to grant licences to exempt certain acts from the restrictions potentially mitigates any interference, and enables the Treasury to ensure that a fair balance is struck in any particular case.

Article 6

Any person affected by decisions under these Regulations may apply to the High Court to set aside those decisions, thus satisfying the requirements of article 6. Additionally, designated persons, who are defined as those included in Annex I to the Council Regulation, may challenge their inclusion in that Annex through the European courts.

Article 8

The publicising of the fact of a person's designation will interfere with that person's right to respect for their private and family life. We consider such interference is justified because of the public interest in the financial restrictions being properly implemented. The Council Regulation is a public document and changes to it are published in the Official Journal of the European Union. Publication of the person's designation on the Treasury's Consolidated List of Financial Sanctions Targets (as well as via UN and EU websites) is necessary so that the prohibitions in the order can be given the fullest effect.

The reporting conditions, collection of personal information and the ability of the Treasury to disclose such information under these Regulations will also interfere with a person's right to respect for their private and family life. The powers to require disclosure of information are set out in the Regulations. The powers are all targeted at ensuring the effectiveness of a designation and compliance with the Regulations and are necessary to meet these two objectives. We consider any interference is proportionate and justified given the public safety reasons for obtaining the information, and because the powers are limited to information required for these reasons.

Other impacts

The following issues have also been considered in this assessment and the Government has decided that these measures have no impact on them.

- Legal aid
- Sustainable development
- Carbon assessment and other environment
- Health
- Race, Disability, Gender equality
- Rural proofing

Consultation

No formal consultation has taken place outside of Government.

Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	*Results in Evidence Base?*	*Results annexed?*
Competition Assessment	No	No
Small Firms Impact Test	No	No
Legal Aid	No	No
Sustainable Development	No	No
Carbon Assessment	No	No
Other Environment	No	No
Health Impact Assessment	No	No
Race Equality	No	No
Disability Equality	No	No
Gender Equality	No	No
Human Rights	Yes	No
Rural Proofing	No	No