

立法會 *Legislative Council*

立法會LS119/01-02號文件

《聯合國(反恐怖主義措施)條例草案》委員會文件

分析就實施聯合國安全理事會第1373號決議而制定的海外法例 以及就海外反恐怖活動法例中有關制定恐怖分子名單 的程序所作的比較

補充資料摘要

此份資料摘要旨在就立法會LS52/01-02及LS98/01-02號文件作出補充。該兩份文件分別就實施聯合國安全理事會第1373號決議而制定的海外法例作出分析，以及比較海外反恐怖活動法例中有關制定恐怖分子名單的程序。法案委員會曾於2002年6月6日會議上討論該等文件。

2. 根據政府當局於會後提供的資料，英國《Terrorism Act 2000》的附表2(請參閱立法會LS98/01-02號文件第I部有關“英國”一列的“備註”欄)業經《The Terrorism Act 2000 (Proscribed Organisation) (Amendment) Order 2001》修訂，以便在被禁止組織名單內加入非本土組織。該命令的文本載於**附件**。

3. 一如立法會LS52/01-02號文件所載有關凍結資金的權力一列中“英國”一欄所綜述的情況，根據《The Terrorism (United Nations Measures) Order 2001》第4條，財政部如有合理理由懷疑持有若干資金的人、由他人為之或代表持有該等資金的人是或可能是下列其中一類人士，即可藉作出通知而指示不得將有關的資金提供予任何人，但根據特許獲得授權則除外 ——

- (a) 作出、試圖作出、協助或參與進行恐怖活動的人；
- (b) 受到(a)段所述的人所直接或間接控制或擁有的人；或
- (c) 代表(a)段所述的人或受該人指示而行事的人。

4. 根據政府當局提供的最新資料，英國實際上由英倫銀行根據財政部轉授的權力及以財政部代理人的身份，發出有關人士的名單(包括《Terrorism Act 2000》附表2所列的若干被禁止組織，以及由聯合國安全理事會的委員會列明的其他外國國民或實體)，並指示有關機構必須凍結其為名單所列人士持有或代表該等人士持有的任何資金。

5. 政府當局證實所提供的上述補充資料業經英國財政部核實。

連附件

立法會秘書處
助理法律顧問
黃思敏
2002年6月11日

Statutory Instrument 2001 No. 1261

The Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2001

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STATUTORY INSTRUMENTS

2001 No. 1261

PREVENTION AND SUPPRESSION OF TERRORISM

The Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2001

Made

28th March 2001

Coming into force

29th March 2001

Whereas the Secretary of State believes that the organisations set out in article 2 of the following Order are concerned in terrorism;

Now, therefore, the Secretary of State, in exercise of the power conferred upon him by section 3(3)(a) of the Terrorism Act 2000[1], hereby makes the following Order; a draft of which has been laid before and approved by resolution of each House of Parliament:

Citation and commencement

1. This Order may be cited as the Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2001 and shall come into force on the day after the day on which it is made.

Proscribed organisations

2. The following organisations are hereby added to Schedule 2 to the Terrorism Act 2000.

Al-Qa'ida

Egyptian Islamic Jihad

Al-Gama'at al-Islamiya

Armed Islamic Group (Groupe Islamique Armée) (GIA)

Salafist Group for Call and Combat (Groupe Salafiste pour la Prédication et le Combat) (GSPC)

Babbar Khalsa

International Sikh Youth Federation

Harakat Mujahideen

Jaish e Mohammed

Lashkar e Tayyaba

Liberation Tigers of Tamil Eelam (LTTE)

Hizballah External Security Organisation

Hamas-Izz al-Din al-Qassem Brigades

Palestinian Islamic Jihad - Shaqaqi

Abu Nidal Organisation

Islamic Army of Aden

Mujaheddin e Khalq

Kurdistan Workers' Party (Partiya Karkeren Kurdistan) (PKK)

Revolutionary Peoples' Liberation Party - Front (Devrimci Halk Kurtulus Partisi-Cephesi) (DHKP-C)

Basque Homeland and Liberty (Euskadi ta Askatasuna) (ETA)

17 November Revolutionary Organisation (N17)

Jack Straw

One of Her Majesty's Principal Secretaries of State

Home Office
28th March 2001

EXPLANATORY NOTE

(This note is not part of the Order)

This Order adds the organisations listed in article 2 of the Order to the list of proscribed organisations in Schedule 2 to the Terrorism Act 2000.

Notes:

[1] 2000 c. 11; by virtue of section 3(4), the power in section 3(3)(a) may be exercised only in respect of organisations that the Secretary of State believes to be concerned in terrorism.[back](#)

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Terrorism Act 2000

2000 Chapter 11 - *continued*

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SCHEDULE 2

PROSCRIBED ORGANISATIONS

The Irish Republican Army.

Cumann na mBan.

Fianna na hEireann.

The Red Hand Commando.

Saor Eire.

The Ulster Freedom Fighters.

The Ulster Volunteer Force.

The Irish National Liberation Army.

The Irish People's Liberation Organisation.

The Ulster Defence Association.

The Loyalist Volunteer Force.

The Continuity Army Council.

The Orange Volunteers.

The Red Hand Defenders.