

Sanctions and Anti-Money Laundering Bill [HL]

AMENDMENTS
TO BE MOVED
ON REPORT

Clause 1

LORD JUDGE
LORD PANNICK
BARONESS NORTHOVER
LORD COLLINS OF HIGHBURY

Page 1, line 8, leave out “it is appropriate” and insert “there is a reasonable need”

LORD COLLINS OF HIGHBURY

Page 2, line 8, at end insert –

- “() promote the resolution of armed conflicts or the protection of civilians in conflict zones,
- () promote compliance with international humanitarian and human rights law,
- () contribute to multilateral efforts to prevent the spread and use of weapons and materials of mass destruction, or
- () promote respect for human rights, democracy, the rule of law and good governance.”

Clause 2

LORD JUDGE
LORD PANNICK
BARONESS NORTHOVER

Page 3, line 11, leave out sub-paragraph (ii)

Page 3, line 12, leave out sub-paragraph (iii)

Page 3, line 17, leave out sub-paragraph (ii)

Page 3, line 18, leave out sub-paragraph (iii)

Clause 2 - continued

Page 3, line 23, leave out sub-paragraph (ii)

Page 3, line 24, leave out sub-paragraph (iii)

Page 3, line 28, leave out sub-paragraph (ii)

Page 3, line 29, leave out sub-paragraph (iii)

Page 3, line 37, leave out sub-paragraph (ii)

Page 3, line 38, leave out sub-paragraph (iii)

Page 3, line 46, leave out paragraph (b)

Page 3, line 47, leave out paragraph (c)

Page 4, line 18, leave out paragraph (c)

Clause 9

LORD PANNICK
LORD JUDGE
BARONESS NORTHOVER

Page 9, line 32, leave out paragraph (b)

LORD PANNICK
LORD JUDGE
LORD COLLINS OF HIGHBURY
BARONESS NORTHOVER

Page 9, line 36, leave out “may” and insert “must”

LORD COLLINS OF HIGHBURY

Page 9, leave out lines 42 and 43 and insert –

- “() Notification under subsection (3) means that a person designated under regulations must be informed of their designation, once the relevant regulations have been made, and such notification must include –
- (a) the fullest possible account consistent with the purpose of the regulations of the reasons for the designation of the relevant person or persons, and
 - (b) the requisite steps such persons are expected to take in order to address the concerns which led to their designation.”

Clause 9 - continued

LORD PANNICK
LORD JUDGE
BARONESS NORTHOVER
LORD COLLINS OF HIGHBURY

Page 9, line 43, at end insert –

- “() The Regulations under subsection (3) must, in particular, provide that –
- (a) the designated person is told, as soon as reasonably practicable after designation, why he or she has been so designated and the evidence on which such designation is based;
 - (b) the designated person must be told, as soon as reasonably practicable, if the reason for designation, or the evidence on which it is based, thereafter changes;
 - (c) the Minister may exclude from disclosure under subsections (1) and (2) any information which, in his or her opinion, would be damaging to national security if so disclosed, save that the Minister must, in any event, disclose to the designated person the gist of the case against him or her if the Minister wishes to maintain the designation of that person.”

Clause 11

LORD PANNICK
LORD JUDGE
BARONESS NORTHOVER

Leave out Clause 11

After Clause 12

LORD PANNICK
LORD JUDGE
BARONESS NORTHOVER
LORD COLLINS OF HIGHBURY

Insert the following new Clause –

“Proportionality

The appropriate Minister may exercise the power to designate only to the extent that it is proportionate to do so, having regard to the purpose of the designation and the impact of the designation on the person concerned.”

Clause 16

LORD JUDGE
LORD PANNICK
BARONESS NORTHOVER
LORD COLLINS OF HIGHBURY

Page 14, line 13, leave out paragraph (a)

Clause 16 - continued

LORD JUDGE
LORD PANNICK
BARONESS NORTHOVER

Page 14, line 17, leave out subsection (4)

Clause 19

LORD PANNICK
LORD JUDGE
BARONESS NORTHOVER
LORD COLLINS OF HIGHBURY

Page 16, line 15, after “decide” insert “as soon as reasonably practicable”

Clause 20

LORD PANNICK
LORD JUDGE
BARONESS NORTHOVER
LORD COLLINS OF HIGHBURY

Page 16, line 43, leave out “3 years” and insert “1 year”

Clause 32

LORD PANNICK
LORD JUDGE
BARONESS NORTHOVER

Page 23, line 16, at end insert –

- “() In relation to a decision under subsection (1)(c) concerned with the designation of a person by reason of an obligation of the United Kingdom under a UN Security Council Resolution, the court shall proceed in the following manner –
- (a) if the court concludes that it would otherwise be appropriate to set aside the decision of the Minister, it shall give judgement explaining its reasons and make a declaration to that effect but grant no other relief at that stage;
 - (b) on the making of such a declaration, the Minister shall use his or her best endeavours to secure that the person’s name is removed from the relevant UN list as soon as reasonably practicable;
 - (c) if the Minister’s best endeavours under paragraph (b) fail to succeed within a reasonable time, the court shall then have power to set aside the decision of the Minister.”

Clause 39

LORD JUDGE
LORD PANNICK
BARONESS NORTHOVER

Leave out Clause 39

Clause 44

LORD JUDGE
LORD PANNICK
BARONESS NORTHOVER

Page 29, line 31, leave out paragraph (a)

Clause 50

LORD JUDGE
LORD PANNICK
BARONESS NORTHOVER

Page 35, line 15, leave out subsection (4)

After Clause 52

LORD COLLINS OF HIGHBURY

Insert the following new Clause—

“Expiry of Act

This Act expires at the end of five years beginning with the date on which this Act is passed.”

Schedule 2

LORD JUDGE
LORD PANNICK
BARONESS NORTHOVER
LORD COLLINS OF HIGHBURY

Page 47, line 14, leave out paragraph 15

LORD JUDGE
LORD PANNICK
BARONESS NORTHOVER

Page 47, line 23, leave out paragraph 18

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18 December 2017
