

BANKING (FOREIGN EXCHANGE) REGULATIONS 1959
SANCTIONS AGAINST LIBYA

EXPLANATORY STATEMENT

The Australian Government has directed the Reserve Bank of Australia, under the *Banking (Foreign Exchange) Regulations 1959*, to implement autonomous targeted financial sanctions against certain key persons associated with the Qadhafi regime. Details of these persons are contained in Attachment A.

The following instruments have been used to implement these financial sanctions:

- (i) Direction relating to foreign currency transactions and to Libya (dated 4 March 2011), pursuant to regulation 5 of the *Banking (Foreign Exchange) Regulations 1959*.
- (ii) Variation of Exemption (dated 4 March 2011), which varies the Exemption (dated 29 June 1990) relating to sub-regulation 6(1) of the *Banking (Foreign Exchange) Regulations 1959*, pursuant to sub-regulation 38(2) of the *Banking (Foreign Exchange) Regulations 1959*.
- (iii) Variation of Exemption (dated 4 March 2011), which varies the Exemption (dated 29 June 1990) relating to sub-regulation 8(1)(a) of the *Banking (Foreign Exchange) Regulations 1959*, pursuant to sub-regulation 38(2) of the *Banking (Foreign Exchange) Regulations 1959*.

These instruments each come into operation on 9 March 2011.

The Reserve Bank has been advised by the Department of Foreign Affairs and Trade that these instruments are required as a matter of urgency. As such, in accordance with Section 18 of the *Legislative Instruments Act 2003*, the Reserve Bank is satisfied that consultation beyond that already undertaken by Treasury and the Department of Foreign Affairs and Trade is unnecessary.

ATTACHMENT A

This Attachment relates to the Direction pursuant to Regulation 5, and the Variations of Exemption pursuant to sub-regulations 6(1) and 8(1)(a) of the *Banking (Foreign Exchange) Regulations 1959*, each dated 4 March 2011.

PERSON	DESCRIPTION
Al-Baghdadi, Dr Abdulqader Mohammed	Passport number: B010574. Date of birth: 01/07/1950. Head of the Liaison Office of the Revolutionary Committees. Revolutionary Committees involved in violence against demonstrators.
Dibri, Abdulqader Yusef	Date of birth: 1946. Place of birth: Houn, Libya. Head of Muammar Qadhafi's personal security. Responsibility for regime security. History of directing violence against dissidents.
Dorda, Abu Zayd Umar	Director, External Security Organisation. Regime loyalist. Head of external intelligence agency.
Jabir, Major General Abu Bakr Yunis	Date of birth: 1952. Place of birth: Jalo, Libya. Defence Minister. Overall responsibility for actions of armed forces.
Matuq, Matuq Mohammed	Date of birth: 1956. Place of birth: Khoms. Secretary for Utilities. Senior member of regime. Involvement with Revolutionary Committees. Past history of involvement in suppression of dissent and violence.
Qadhaf Al-dam, Sayyid Mohammed	Date of birth: 1948. Place of birth: Sirte, Libya. Cousin of Muammar Qadhafi. In the 1980s, Sayyid was involved in the dissident assassination campaign and allegedly responsible for several deaths in Europe. He is also thought to have been involved in arms procurement.
Qadhafi, Mohammed Muammar	Date of birth: 1970. Place of birth: Tripoli, Libya. Son of Muammar Qadhafi. Closeness of association with regime.
Qadhafi, Saadi	Passport number: 014797. Date of birth: 25/05/1973. Place of birth: Tripoli, Libya. Commander Special Forces. Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.
Qadhafi, Saif al-Arab	Date of birth: 1982. Place of birth: Tripoli, Libya. Son of Muammar Qadhafi. Closeness of association with regime.
Al-Senussi, Colonel Abdullah	Date of birth: 1949. Place of birth: Sudan. Director Military Intelligence. Military Intelligence involvement in suppression of demonstrations. Past history includes suspicion of involvement in Abu Selim prison massacre. Convicted in absentia for bombing of UTA flight. Brother-

in-law of Muammar Qadhafi.

Abdulhafiz, Colonel Mas'ud

Armed Forces Commander. Third in command of Armed Forces. Significant role in Military Intelligence.

Abdussalam, Abdussalam Mohammed

Date of birth: c1952. Place of birth: Tripoli, Libya. Head of Counter-Terrorism, External Security Organisation. Prominent Revolutionary Committee member. Close associate of Muammar Qadhafi.

Abu, Shaariya

Deputy Head, External Security Organisation. Prominent member of regime. Brother-in-law of Muammar Qadhafi

Ashkal, Al-Barrani

Deputy Director, Military Intelligence. Senior member of regime.

Ashkal, Omar

Place of birth: Sirte, Libya. Head, Revolutionary Committees Movement. Revolutionary Committees involved in violence against demonstrators.

Qadhaf Al-Dam, Ahmed Mohammed

Date of birth: 1952. Place of birth: Egypt. Cousin of Muammar Qadhafi. Since 1995, he is believed to have had command of an elite army battalion in charge of Qadhafi's personal security and to have a key role in External Security Organisation. He has been involved in planning operations against Libyan dissidents abroad and was directly involved in terrorist activity.