Arms Control and Disarmament (Inspections) Act 2003

2003 CHAPTER 34

PROSPECTIVE

An Act to make further provision relating to the Treaty on Conventional Armed Forces in Europe signed in Paris on 19th November 1990. [13th November 2003]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PROSPECTIVE

1 Further implementation of CFE Treaty

(1) Schedule 1 amends the Arms Control and Disarmament (Inspections) Act 1991 (c. 41) in pursuance of the Treaty on Conventional Armed Forces in Europe signed in Paris on 19th November 1990, as amended by the Agreement signed in Istanbul on 19th November 1999 on Adaptation of that Treaty.

(2) The repeals set out in Schedule 2 have effect.

2 Implementation of future revisions to CFE Treaty

(1) Her Majesty may by Order in Council make such provision modifying the Arms Control and Disarmament (Inspections) Act 1991 as appears to Her Majesty necessary or expedient for giving effect to further amendments relating to inspections made to the Treaty on Conventional Armed Forces in Europe signed in Paris on 19th November 1990.

Status: *This version of this Act contains provisions that are prospective.*
Changes to legislation: *There are currently no known outstanding effects for the Arms Control and Disarmament (Inspections) Act 2003. (See end of Document for details)*

(2) An Order in Council may not be made under this section unless a draft of the Order has been laid before, and approved by resolution of, each House of Parliament.

3 Short title, commencement and extent

(1) This Act may be cited as the Arms Control and Disarmament (Inspections) Act 2003.

(2) This Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint.

(3) This Act extends to Northern Ireland.

(4) The power in section 6(4) of the Arms Control and Disarmament (Inspections) Act 1991 (c. 41) (power to extend that Act to certain overseas territories) applies to modifications to that Act made by or under this Act as it applies to the provisions of that Act.

Status: *This version of this Act contains provisions that are prospective.*
Changes to legislation: *There are currently no known outstanding effects for the Arms Control and Disarmament (Inspections) Act 2003. (See end of Document for details)*

PROSPECTIVE

SCHEDULES

SCHEDULE 1

Section 1(1)

FURTHER IMPLEMENTATION OF CFE TREATY

1 The Arms Control and Disarmament (Inspections) Act 1991 (c. 41) has effect subject to the following amendments.

2 (1) Section 1 (interpretation etc) is amended as follows.

(2) For subsection (1) (definition of "the Protocol") substitute—

"(1) In this Act—

"the Treaty" means the Treaty on Conventional Armed Forces in Europe signed in Paris on 19th November 1990 (as amended by the Agreement adapting that Treaty signed in Istanbul on 19th November 1999);

"the Protocol" means the Protocol on Inspection incorporated in the Treaty (as substituted by article 27 of that Agreement)."

(3) In subsection (2) (definitions)—

(a) omit paragraph (a), and

(b) in paragraph (c), for the words from " "inspection team"" to "challenge inspection" substitute " and "inspection team" shall be construed, in relation to any inspection ".

(4) In subsection (3)(b) (definitions), omit "paragraph 1 of".

(5) Omit subsection (4) (introduction of Schedule).

3 For the cross-heading preceding section 2, substitute " *Inspections* ".

4 (1) Section 2 (rights of entry etc) is amended as follows.

(2) In the sidenote, for "challenge inspections under" substitute " inspections pursuant to Sections VII, VIII and IX of ".

(3) In subsection (1) (authorisation of challenge inspections), for "a challenge inspection within any specified area" substitute " an inspection pursuant to Section VIII of the Protocol (challenge inspections within a specified area) ".

(4) After subsection (1) insert—

"(1A) The Secretary of State may also issue an authorisation under this section in respect of an inspection which it is proposed to conduct pursuant to—

(a) Section VII of the Protocol (declared site inspections), or

(b) Section IX of the Protocol (inspections in a designated area)."

Status: *This version of this Act contains provisions that are prospective.*
Changes to legislation: *There are currently no known outstanding effects for the Arms Control and Disarmament (Inspections) Act 2003. (See end of Document for details)*

(5) In subsection (2) (authorisation to contain a description of the specified area), for "specified area" substitute " area to be inspected pursuant to the relevant Section of the Protocol ".

(6) In subsection (3)(a) (powers of inspection team within the specified area), for "specified area" substitute " area in respect of which the authorisation is issued ".

(7) In subsection (5) (division into sub-teams etc), for "paragraph 2" substitute " paragraph 4 or 5 ".

(8) In subsection (8) (validity of authorisation for challenge inspection), omit "challenge" in both places.

(9) In subsection (9) (evidence of membership of inspection team etc for challenge inspection), omit "challenge".

5 In section 3 (offences), in subsection (1) (obstruction etc of challenge inspection), omit "challenge".

6 Omit the Schedule (excerpt from Treaty).

SCHEDULE 2

Section 1(2)

REPEALS

Enactment	*Extent of repeal*
Arms Control and Disarmament (Inspections) Act 1991 (c. 41)	In section 1— subsection (2)(a); in subsection (3)(b), "paragraph 1 of"; subsection (4). In section 2— in subsection (8), "challenge", in both places; in subsection (9), "challenge". In section 3(1), "challenge". The Schedule.

Status:
This version of this Act contains provisions that are prospective.

Changes to legislation:
There are currently no known outstanding effects for the Arms Control and Disarmament (Inspections) Act 2003.