

1999 No. 281

UNITED NATIONS

The Federal Republic of Yugoslavia (United Nations Sanctions) (Dependent Territories) (Amendment) Order 1999

<i>Made</i> - - - -	<i>10th February 1999</i>
<i>Laid before Parliament</i>	<i>11th February 1999</i>
<i>Coming into force</i>	<i>12th February 1999</i>

At the Court at Buckingham Palace, the 10th day of February 1999

Present,

The Queen's Most Excellent Majesty in Council

Whereas under Article 41 of the Charter of the United Nations the Security Council of the United Nations has, by a resolution adopted on 31st March 1998, called upon Her Majesty's Government in the United Kingdom and all other States to apply certain measures to give effect to a decision of that Council in relation to the Federal Republic of Yugoslavia:

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by section 1 of the United Nations Act 1946(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1.—(1) This Order may be cited as the Federal Republic of Yugoslavia (United Nations Sanctions) (Dependent Territories) (Amendment) Order 1999 and shall come into force on 12th February 1999.

(2) In this Order “the Order” means the Federal Republic of Yugoslavia (United Nations Sanctions) (Dependent Territories) Order 1998(b).

2. In article 2 of the Order, the following shall be inserted between the definition of “shipment” and the definition of “vehicle”–

““terrorism” means the use of violence for political ends, and includes any use of violence for the purpose of putting the public or any section of the public in fear;”.

3. The following article shall be inserted in the Order immediately after article 5–

“Training for terrorist activities

5A. No person shall provide to any other person training or training facilities likely to assist the carrying out of acts of terrorism in the Federal Republic of Yugoslavia.”.

4. Article 6 of the Order shall be replaced by the following article–

“Application of Articles 3 and 5A

6.—(1) The provisions of articles 3 and 5A of this Order shall apply to the conduct of any person within the Territory and of any person elsewhere who:

(a) 1946 c. 45.

(b) S.I. 1998/1064.

(a) is a British citizen, a British Dependent Territories citizen, a British Overseas citizen, a British subject, a British protected person, or a British National (Overseas), and is ordinarily resident in the Territory; or

(b) is a body incorporated or constituted under the law of any part of the Territory.

(2) Subject to the provisions of paragraph (4) of this article, any person specified in paragraph (1) of this article who contravenes the provisions of article 3 of this Order shall be guilty of an offence under this Order.

(3) Subject to the provisions of paragraph (5) of this article, any person specified in paragraph (1) of this article who contravenes the provisions of article 5A of this Order shall be guilty of an offence under this Order.

(4) In the case of proceedings for an offence in contravention of article 3 of this Order it shall be a defence for the accused person to prove that he did not know and had no reason to suppose that the goods in question were to be supplied or delivered to or to the order of a person connected with the Federal Republic of Yugoslavia.

(5) In the case of proceedings for an offence in contravention of article 5A of this Order it shall be a defence for the accused person to prove that he did not know and had no reason to suppose that the persons to whom he was providing training or training facilities were to carry out acts of terrorism in the Federal Republic of Yugoslavia.”.

5. The following paragraph shall be inserted in the Order immediately after article 12(1)–

“(1A) Any person guilty of an offence under article 6(3) of this Order shall be liable:

(a) on conviction on indictment to imprisonment for a term not exceeding fourteen years or to a fine or both; or

(b) on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.”.

A.K. Galloway
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, made under the United Nations Act 1946, amends the restrictions imposed by the Federal Republic of Yugoslavia (United Nations Sanctions) (Dependent Territories) Order 1998, pursuant to a decision of the Security Council of the United Nations in Resolution 1160 of 31st March 1998, by prohibiting the provision of training or training facilities likely to assist in the carrying out of acts of terrorism in the Federal Republic of Yugoslavia.

It also amends the defence in article 6(4) (formerly article 6(3)) in order to refer to the supply or delivery of goods to the order of a person connected with the Federal Republic of Yugoslavia.

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£1.50

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WO 4080 2/99 ON (MFK)