

1999 No. 284

UNITED NATIONS

The Federal Republic of Yugoslavia (United Nations Sanctions) (Channel Islands) (Amendment) Order 1999

Made - - - - - *10th February 1999*
Laid before Parliament *11th February 1999*
Coming into force *12th February 1999*

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 have, 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) (Channel Islands) (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) (Channel Islands) Order 1998(b).

(3) This Order shall extend to the Channel Islands so as to be law, respectively, in the Bailiwick of Guernsey and in the Bailiwick of Jersey only.

2. In article 2 of the Order, insert the following—

““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. After article 5 of the Order insert—

“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.”.

(a) 1946 c. 45.
(b) S.I. 1998/1072.

4. For article 6 of the Order substitute—

“Application of articles 3 and 5A

6.—(1) Articles 3 and 5A above shall apply to the conduct of any person within the Bailiwick of Guernsey or, as the case may be, the Bailiwick of Jersey and of any person elsewhere who is—

- (a) a British citizen, a British Dependent Territories citizen, a British Overseas citizen, a British subject, or a British protected person, and is ordinarily resident in the Bailiwick of Guernsey or, as the case may be, the Bailiwick of Jersey; or
- (b) a body incorporated or constituted under the law of any part of the Bailiwick of Guernsey or, as the case may be, the Bailiwick of Jersey.

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

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

(4) In the case of proceedings for an offence in contravention of article 3 above 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 above 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. After article 12(1) of the Order insert—

“(1A) Any person guilty of an offence under article 6(3) above shall be liable in the Bailiwick of Guernsey—

- (a) on conviction on indictment to imprisonment for a term not exceeding fourteen years or to a fine or to both; or
- (b) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both,

and in the Bailiwick of Jersey, on conviction to imprisonment for a term not exceeding fourteen years or to a fine or to 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 Federal Republic of Yugoslavia (United Nations Sanctions) (Channel Islands) Order 1998 (S.I. 1998/1072), 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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