
STATUTORY INSTRUMENTS

2001 No. 396

The Afghanistan (United Nations Sanctions) Order 2001

FLIGHTS

Prohibition of flights

12.—(1) Except under the authority of a licence granted by the Secretary of State under this article—

- (a) no aircraft, wherever registered, shall take off from, land in or fly over the territory of the United Kingdom if its destination is, or if it has taken off from, Afghanistan; and
- (b) no aircraft designated by the Sanctions Committee as owned, leased or operated by or on behalf of the Taliban, wherever registered, shall take off from or land in the territory of the United Kingdom.

(2) If any aircraft is used in contravention of the provisions of this article, the operator and the commander of the aircraft shall be guilty of an offence under this Order.

Powers of airport operator

13.—(1) For the purpose of enforcing the prohibitions contained in article 12, it shall be the duty of an airport operator to take all such steps as may be necessary to secure that any aircraft at his airport—

- (a) whose commander or operator has indicated an intention to fly the aircraft to a destination in Afghanistan or which the airport operator otherwise has reason to suspect will be flown to such a destination;
- (b) which the airport operator knows or has reason to suspect has, since 19th January 2001, taken off from Afghanistan; or
- (c) which the airport operator knows or has reason to suspect is designated by the Sanctions Committee as owned, leased or operated by or on behalf of the Taliban,

is prevented from taking off unless permission to do so has been granted under article 12.

(2) Without prejudice to the generality of paragraph (1) above, such steps may include—

- (a) the refusal of any refuelling service for the aircraft;
- (b) the placing of obstacles in the path of a parked aircraft to prevent it from leaving its parked position; and
- (c) requiring the commander or operator of the aircraft to move it, or to secure that it is moved, to another part of the airport.

(3) Any person who, without reasonable excuse, obstructs an airport operator, his servants or agents acting in accordance with the provisions of this article, or refuses or fails within a reasonable time to comply with a requirement by any such persons made in accordance with paragraph 2(c) of this article, shall be guilty of an offence under this Order.