
STATUTORY INSTRUMENTS

2020 No. 572

The Export Control (Somalia) (Amendment) Order 2020

Insertion of articles 2A to 2C

5. After article 2, insert—

“Offence relating to prohibition under Article 3c of the 2003 Regulation

2A.—(1) A person who contravenes Article 3c(1) of the 2003 Regulation (prohibition on sale, export, supply, or transfer, directly or indirectly, of improvised explosive devices components as listed in Annex III to the 2003 Regulation to Somalia) commits an offence.

(2) An offence under this article may be committed by a United Kingdom person⁽¹⁾ in relation to acts done by that person outside the United Kingdom.

Offences relating to authorisation under Article 3c of the 2003 Regulation

2B.—(1) A person commits an offence if, for the purpose of obtaining authorisation, the person knowingly or recklessly makes a statement or furnishes a document or information which is false in a material particular.

(2) A person commits an offence if the person—

(a) purports to act under authorisation; and

(b) fails to comply with any requirement or condition of that authorisation.

(3) Authorisation granted in the circumstances referred to in paragraph (1) is void from the time it was granted.

(4) An offence under this article may be committed by a United Kingdom person in relation to acts done by that person outside the United Kingdom.

(5) In this article, “authorisation” means authorisation granted under Article 3c of the 2003 Regulation⁽²⁾.

Offences under the 1979 Act in connection with the 2003 Regulation

2C.—(1) If a person is guilty of an offence under section 68(2) of the 1979 Act in connection with the attempted exportation of goods with intent to evade the prohibition, the reference to 7 years in section 68(3)(b) of the 1979 Act is to be read as a reference to 10 years.

(2) If a person is guilty of an offence under section 170(2) of the 1979 Act in connection with an attempt at evasion of the prohibition, the reference to 7 years in section 170(3)(b) of the 1979 Act is to be read as a reference to 10 years.

(3) This Order is to be treated as if it were the instrument imposing the prohibition for the purpose of section 68(6) and 170(5) of the 1979 Act.

⁽¹⁾ The term “United Kingdom person” is defined in section 11 of the Export Control Act 2002 (c. 28).

⁽²⁾ Authorisation may be obtained in the United Kingdom by application to the Export Control Joint Unit (a part of the Department for International Trade) using the SPIRE online export licensing system.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Export Control (Somalia) (Amendment) Order 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(4) In this article, “prohibition” means the prohibition imposed by Article 3c(1) of the 2003 Regulation insofar as it prohibits the exportation of goods listed in Annex III of that Regulation.”.

Commencement Information

II Art. 5 in force at 1.7.2020, see [art. 1](#)

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- [Order revoked by S.I. 2023/1143 Sch. 2 Pt. 1](#)