
STATUTORY INSTRUMENTS

2001 No. 392

**The Afghanistan (United Nations Sanctions)
(Overseas Territories) Order 2001**

RESTRICTED GOODS, TECHNICAL ASSISTANCE AND TRAINING

Supply of restricted goods

3.—(1) Any person who, except under the authority of a licence granted by the Governor under this article or article 4:

- (a) supplies or delivers; or
- (b) agrees to supply or deliver; or
- (c) does any act calculated to promote the supply or delivery of,

restricted goods to any person in Afghanistan shall be guilty of an offence under this Order unless he proves that he did not know and had no reason to suppose that the goods in question were to be supplied or delivered to a person in Afghanistan.

(2) Nothing in paragraph (1)(b) or (c) of this article shall apply where the supply or delivery of the goods to the person concerned is authorised by a licence granted by the Governor under this article.

Exportation of restricted goods to Afghanistan

4. Except under the authority of a licence granted by the Governor under this article, restricted goods are prohibited to be exported from the Territory to any destination in Afghanistan or to any destination for the purpose of delivery, directly or indirectly, to or to the order of any person in Afghanistan.

Provision of certain technical assistance or training

5. Any person who, except under the authority of a licence granted by the Governor under this article, directly or indirectly provides to a person in Afghanistan any technical assistance or training related to:

- (a) the supply, delivery, manufacture, maintenance or use of any goods specified in paragraph (1) of Schedule 3 to this Order, or
- (b) the military activities of the Taliban,

shall be guilty of an offence under this Order.

Use of ships, aircraft and vehicles: restricted goods, technical assistance and training

6.—(1) Without prejudice to the generality of article 3, and except under the authority of a licence granted by the Governor under this article, no ship or aircraft to which this article applies, and no vehicle within the Territory, shall be used for the carriage of restricted goods if the carriage is, or forms part of, carriage from any place outside Afghanistan to any destination therein.

(2) This article applies to ships registered in the Territory, to aircraft so registered and to any other ship or aircraft that is for the time being chartered to any person who is:

- (a) a British citizen, a British Dependent Territories citizen, a British Overseas citizen, a British subject, a British National (Overseas), or a British protected person, and is ordinarily resident in the Territory; or
 - (b) a body incorporated or constituted under the law of the Territory.
- (3) If any ship, aircraft or vehicle is used in contravention of paragraph (1) of this article then:
- (a) in the case of a ship registered in the Territory or any aircraft so registered, the owner and the master of the ship or, as the case may be, the operator and the commander of the aircraft; or
 - (b) in the case of any other ship or aircraft, the person to whom the ship or aircraft is for the time being chartered and, if he is such a person as is referred to in sub-paragraph (a) or sub-paragraph (b) of paragraph (2) of this article, the master of the ship or, as the case may be, the operator and the commander of the aircraft; or
 - (c) in the case of a vehicle, the operator of the vehicle,

shall be guilty of an offence under this Order, unless he proves that he did not know and had no reason to suppose that the carriage of the goods in question was, or formed part of, carriage from any place outside Afghanistan to any destination therein.

(4) Nothing in paragraph (1) of this article shall apply where the supply or delivery or exportation from the Territory of the goods concerned to Afghanistan was authorised by a licence granted by the Governor under article 3 or 4.

(5) Nothing in this article shall be construed so as to prejudice any other provision of law prohibiting or restricting the use of ships, aircraft or vehicles.