
STATUTORY INSTRUMENTS

2005 No. 468

The Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) (Amendment) Order 2005

5. In article 21 at the end there shall be added the following—

“(8) Section 138 of the Customs and Excise Management Act 1979(1) (provision as to arrest of persons) shall apply to any person who has committed, or in respect of whom there are reasonable grounds to suspect of having committed, an offence for which he is liable to be arrested under article 16(4) or (5) of this Order as that section applies to the arrest of any person for offences for which he is liable to be arrested under the customs and excise Acts.

(9) Section 77A of the Customs and Excise Management Act 1979(2) (provision as to information powers) shall apply to any person concerned (in whatever capacity) in an activity requiring a licence under this Order for the transfer of software or technology or the provision of technical assistance as it applies to any person who is concerned (in whatever capacity) in the exportation of goods for which an entry is required by or under that Act, and accordingly references in section 77A of the Customs and Excise Management Act 1979 to goods shall, as the context requires, be read as including software, technology and technical assistance and references to exportation shall, as the context requires, be read as including the transfer of technology or software or the provision of technical assistance.”

(1) 1979 c. 2. Section 138(1) was amended by the Police and Criminal Evidence Act 1984 (c. 60), sections 114 and 119 and Schedule 7, Part 1, and the Finance Act 1988 (c. 39), section 11; section 138(2) was amended by the Police and Criminal Evidence Act 1984 (c. 60), section 114(1) and Schedule 7, Part 1; section 138(3) was amended by the Police and Criminal Evidence Act 1984 (c. 60), section 114(1); section 138(4) was substituted by the Police and Criminal Evidence Act 1984 (c. 60) and amended by S.I. 1989/1341.

(2) Section 77A inserted by section 10 of the Finance Act 1987 (c. 16) and amended by S.I. 1992/3095.