

**EXPLANATORY MEMORANDUM TO
THE EXPORT CONTROL (UZBEKISTAN) (AMENDMENT) ORDER 2009**

2009 No. 1174

1. This explanatory memorandum has been prepared by the Department for Business, Enterprise and Regulatory Reform and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1. The Export Control (Uzbekistan) (Amendment) Order 2009 (“the amendment Order”) implements certain European obligations of the UK in respect of trade with Uzbekistan. To this end it makes references to Council Regulation (EC) No 154/2009 of 23 February 2009 (“the 2009 amending Regulation”) amending Council Regulation (EC) No 1859/2005 (“the Regulation”) concerning restrictive measures against Uzbekistan.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1. The Department is today laying before Parliament the Export Control (Uzbekistan) (Amendment) Order 2009.

3.2. The Department considers that in order to give effect to our European obligations in respect of Uzbekistan, it is necessary for the amendment Order to come into force as soon as possible. This is because the 2009 amending Regulation, which is directly applicable, came into force on 27 February 2009, the third day following its publication in the Official Journal. It needs the adjustments made by the amendment Order to previous implementing legislation to make it fully effective in the UK.

4. Legislative Context

4.1. The 2009 amending Regulation replaces Annex I of the Regulation. Annex I is a list of equipment which might be used for internal repression.

5. Territorial Extent and Application

5.1. This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

6.1. As this instrument is subject to negative instrument resolution procedure and does not amend primary legislation, no statement is required.

7. Policy Background

- *What is being done and why*

7.1 The government's policy is to support EU legislation concerning restrictive measures against Uzbekistan.

7.2. The 2009 amending Regulation replaces the list of equipment which might be used for internal repression at Annex I.

7.3. The amendment Order is also in line with the general policy to implement EU Legislation in a timely and appropriate manner.

- *Consolidation*

7.4. No consolidation of the Uzbekistan Regulation is planned.

8. Consultation outcome

8.1. This is purely a technical implementation of a directly applicable EU Regulation no consultation was necessary.

9. Guidance

9.1. As this is a technical amendment no guidance is necessary although a Notice to exporters explaining the implementation of the amending Regulation will be published.

10. Impact

10.1. The impact on business, charities or voluntary bodies is minimal.

10.2. The impact on the public sector is minimal.

10.3. A Regulatory Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1. This legislation applies to small business.

12. Monitoring & Review

12.1. None.

13. Contact

13.1. Jim Bouttell at the Department for Business, Enterprise and Regulatory Reform, Tel: 020 7215 4648, or email: jim.bouttell@berr.gsi.gov.uk can answer any queries regarding this instrument.

**DEPARTMENT FOR BUSINESS, ENTERPRISE AND REGULATORY
REFORM**

6 May 2009