Order made by the Secretary of State under section 6(1) of the Export Control Act 2002, laid before Parliament under section 13(2) of that Act, for approval by resolution of each House of Parliament within forty days beginning with the day on which the Order was made, subject to extension for periods of dissolution, prorogation or adjournment for more than four days.

STATUTORY INSTRUMENTS

2011 No. 1127

CUSTOMS

The Export Control (Amendment) (No. 3) Order 2011

Made - - - -	*14th April 2011*
Laid before Parliament	*15th April 2011*
Coming into force - -	*16th April 2011*

The Secretary of State, in exercise of the powers conferred by sections 1, 6 and 7 of the Export Control Act 2002(**a**), makes the following Order.

Citation, commencement and expiry

1.—(1) This Order may be cited as the Export Control (Amendment) (No. 3) Order 2011.

(2) It comes into force on 16th April 2011.

(3) It ceases to have effect on 13th April 2012.

Revocation

2. The Export Control (Amendment) (No. 3) Order 2010(**b**) is revoked.

Amendments to the Export Control Order 2008

3.—(1) The Export Control Order 2008(**c**) is amended as follows.

(2) After article 4 insert—

"**Movement of certain medicinal products to the United States of America**

4A.—(1) Subject to articles 17 and 26, no person shall export a human or veterinary medicinal product containing the active ingredient thiopental sodium, pancuronium bromide, potassium chloride concentrate or sodium pentobarbital where—

(a) the product is in a form suitable for injection or for preparation of an injection; and

(b) paragraph (2) or (3) applies.

(**a**) 2002 c. 28.
(**b**) S.I. 2010/2843.
(**c**) S.I.2008/3231; relevant amending instrument is S.I. 2010/2843.

(2) This paragraph applies where the destination of the product is the United States of America.

(3) This paragraph applies where the destination is not the United States of America but the exporter knows that the final destination of the product is the United States of America.

[*Note: This article ceases to have effect on 13th April 2012: see article 1(3) of The Export Control (Amendment) (No. 3) Order 2011*]".

(3) In article 17 (transit or transhipment exception), in paragraph (1) after "4," insert "4A,".

(4) In article 41 (application of CEMA in respect of offences), in each of paragraphs (1)(a)(i) and (2)(a) after "4," insert "4A,".

Mark Prisk
Minister of State for Business and Enterprise
Department for Business, Innovation and Skills

14th April 2011

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes the Export Control (Amendment) (No.3) Order 2010 (S.I. 2010/2843) which amended the Export Control Order 2008 (S.I. 2008/3231) (the "2008 Order") to insert article 4A controlling the export of pharmaceutical goods containing sodium thiopental to the United States of America.

This Order inserts a new article 4A into the 2008 Order to prohibit the export of human and veterinary medicinal products containing sodium thiopental, pancuronium bromide, potassium chloride concentrate or sodium pentobarbital. The prohibition only applies to the export of these products where they are in a form suitable for injection or for preparation of an injection and the final destination is the United States of America.

Article 1(3) provides that this Order will cease to have effect on 13th April 2012.

A regulatory impact assessment has not been prepared for this instrument as it has no or minimal impact on business, charities or voluntary bodies. An Explanatory Memorandum is published alongside the instrument on www.legislation.gov.uk.

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