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STATUTORY INSTRUMENTS

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**2012 No. 1756**

**The Iran (Restrictive Measures)  
(Overseas Territories) Order 2012**

*Licences*

**Licences granted under articles 27 to 31**

**43.**—(1) A person (“P”) is not guilty of an offence under articles 27 to 31 in respect of anything done by P under the authority of a licence granted by the Governor under paragraph (2).

(2) A licence granted under this paragraph may relate to—

- (a) payment of basic expenses of designated persons and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines, medical treatment, taxes, insurance premiums and public utility charges;
- (b) payment of reasonable professional fees and expenses associated with the provision of legal services;
- (c) payment of fees or service charges for the routine holding or maintenance of frozen funds or economic resources;
- (d) payment of necessary extraordinary expenses as determined by the Governor and approved by the Committee established pursuant to paragraph 18 of the Security Council Resolution;
- (e) satisfaction of a judicial, administrative or arbitral lien or judgment entered into prior to the date on which this Order comes into force and not for the benefit of a designated person;
- (f) funds necessary for activities directly related to the items specified in subparagraph 3(b) (i) and (ii) of the Security Council Resolution;
- (g) funds or economic resources determined by the Governor to be necessary for official purposes of diplomatic or consular missions or international organisations enjoying immunities in accordance with international law;
- (h) payment by a designated person of sums due under a contract entered into prior to the date on which the person or entity was so designated, provided that—
  - (i) the contract is not related to restricted goods or to assistance related to restricted goods, other than restricted goods or related assistance which are or is the subject of a licence granted by the Governor under this Order, and
  - (ii) the payment is not directly or indirectly received by a designated person; or
- (i) the making available of funds or economic resources held by the Central Bank of Iran, or the making available of funds or economic resources to the Central Bank of Iran, determined by the Governor to be necessary for or in connection with—
  - (i) providing credit or financial institutions with liquidity for the financing of trade or the servicing of trade loans, or
  - (ii) a specific trade contract, the execution of which may involve the Central Bank of Iran, provided that the payment will not contribute to an activity prohibited under this Order.

### **Licences: general**

**44.**—(1) Any licence granted by the Governor under this Order must specify the acts authorised by it and may be—

- (a) general or granted to a category of persons or to a particular person;
  - (b) subject to conditions; and
  - (c) of indefinite duration or subject to an expiry date.
- (2) The Governor may vary or revoke a licence at any time.
- (3) On the grant, variation or revocation of a licence, the Governor must—
- (a) in the case of a licence granted to a particular person, give written notice of the grant, variation or revocation to that person, and
  - (b) in the case of a general licence or a licence granted to a category of persons, take such steps as the Governor considers appropriate to publicise the grant, variation or revocation of the licence.
- (4) A person who, for the purpose of obtaining a licence, knowingly or recklessly makes any statement or gives any document or information which is false in a material particular commits an offence.
- (5) A licence granted in connection with the application for which the false statement was made or the false document or information given is void from the time it was granted.
- (6) A person (“P”) commits an offence if, having acted under the authority of a licence, P fails to comply with any conditions in the licence.
- (7) P is not guilty of an offence under paragraph (6) if—
- (a) the licence was modified after the completion of the act authorised by the licence, and
  - (b) the alleged failure to comply with a condition in the licence would not have been a failure if the licence had not been so modified.

### **Notices**

**45.**—(1) This article has effect in relation to any notice to be given to a person by the Governor under article 44(3)(a).

- (2) The notice may be given—
- (a) by posting it to the person’s last known address, or
  - (b) where the person is a body corporate, partnership or unincorporated body other than a partnership, by posting it to the registered or principal office in the Territory of the body or partnership.
- (3) Where the Governor does not have an address in the Territory for the person, the Governor must make arrangements for the notice to be given to the person at the first available opportunity.