

**EXPLANATORY MEMORANDUM TO  
THE SYRIA (RESTRICTIVE MEASURES) (OVERSEAS TERRITORIES)  
(AMENDMENT) (No. 2) ORDER 2013**

**2013 No. 2598**

**1.** This Explanatory Memorandum has been prepared by the Foreign and Commonwealth Office and is laid before Parliament by Command of Her Majesty.

**2. Purpose of the instrument**

This Order further amends the Syria (Restrictive Measures) (Overseas Territories) Order 2012 (“the principal Order”) to give effect in specified Overseas Territories to changes to the sanctions measures adopted by the EU in Council Decision 2013/255/CFSP adopted on 31st May 2013 and in Council Regulation (EU) 697/2013 adopted on 22nd July 2013.

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

None.

**4. Legislative Context**

4.1 This Order is made in exercise of statutory powers under the United Nations Act 1946, the Saint Helena Act 1833, the British Settlements Acts 1887 and 1945 and the legislative power of the Royal Prerogative.

4.2 The statutory and prerogative powers to legislate for the Overseas Territories, to implement sanctions measures, are applicable to the Overseas Territories as follows:

(i) The Saint Helena Act 1833 applies to St Helena;

(ii) The British Settlements Acts 1887 and 1945 are applicable to Ascension and Tristan da Cunha, British Antarctic Territory, the Falkland Islands, Pitcairn (including Henderson, Ducie and Oeno Islands), and South Georgia and the South Sandwich islands;

(iii) The prerogative legislative power is applicable to Anguilla, British Indian Ocean Territory, Cayman Islands, Montserrat, the Sovereign Base Areas of Akrotiri and Dhekelia, Turks and Caicos Islands, and the Virgin Islands.

## **5. Territorial Extent and Application**

This Order applies to the following territories: Anguilla, British Antarctic Territory, British Indian Ocean Territory, Cayman Islands, Falkland Islands, Montserrat, Pitcairn including Henderson, Ducie and Oeno Islands, St Helena, Ascension and Tristan da Cunha, South Georgia and the South Sandwich Islands, the Sovereign Base Areas of Akrotiri and Dhekelia, the Turks and Caicos Islands and the Virgin Islands. Bermuda legislates independently to impose restrictive measures. These measures are implemented in Gibraltar by Council Regulation (EU) No 36/2012, as amended, and by local legislation.

## **6. European Convention on Human Rights**

As this Order is not subject to Parliamentary procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

7.1 The UK supports the imposition of EU sanctions measures in relation to Syria. The UK has, in coordination with our close EU partners led efforts to increase the political, economic and financial pressure on the Syrian regime, through successive rounds of sanctions, to end the violence against the Syrian opposition and implement genuine political reform in line with the legitimate aspirations of the Syrian people.

7.2 There is no international or EU law obligation to implement EU sanctions measures in the Overseas Territories but we do so in furtherance of our policy to make sanctions as effective as possible.

7.3 The EU decided on 31st May 2013 to introduce exemptions to the existing restrictions on the importation of crude oil and petroleum products from Syria, the financing of certain enterprises, and the opening by credit or financial institutions of new bank accounts or new representative offices in Syria. This Order amends the principal Order to reflect this change by enabling the Governor, with the consent of the Secretary of State, to grant licences for specified prohibited activity.

## **8. Consultation outcome**

The Overseas Territories to which this Order applies were consulted about the Order.

## **9. Guidance**

No guidance will be issued.

## **10. Impact**

10.1 There is no impact on business, charities or the voluntary sector in the United Kingdom.

10.2 There is no impact on the public sector in the United Kingdom.

10.3 An Impact Assessment has therefore not been prepared for this instrument.

## **11. Regulating small business**

The legislation does not apply to small business in the United Kingdom.

## **12. Monitoring & review**

EU restrictive measures are monitored and reviewed by the Council of the European Union. Amendments will be made to this legislation following any further modifications to the sanctions regime by the Council of the European Union.

### **13. Contact**

Naomi Davey at the Foreign and Commonwealth Office can answer any queries regarding the instrument: Tel: 020 7008 6120 or E-mail: [willmott.davey@fco.gov.uk](mailto:willmott.davey@fco.gov.uk).