

EXPLANATORY MEMORANDUM TO
THE UNITED NATIONS SANCTIONS (REVOCATIONS) ORDER 2020
2020 No. 1585

1. Introduction

1.1 This explanatory memorandum has been prepared by the Foreign, Commonwealth and Development Office and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 The purpose of this instrument is to revoke the Orders in Council listed in Schedules 2 to 5.

2.2 The Orders being revoked were made under the United Nations Act 1946 (c.45) (“the UN Act”) to implement United Nations sanctions, but are no longer required, because they:

- i. implemented sanctions regimes which have been terminated or suspended by the United Nations or which have expired;
- ii. implemented sanctions regimes which are now or will be shortly implemented through the domestic law of the Isle of Man, the Bailiwick of Guernsey and the Bailiwick of Jersey (“the Crown Dependencies”);
- iii. amended legislation applying to certain British overseas territories which has now been revoked; or
- iv. relate to United Nations sanctions obligations implemented through European Union regulations which will be implemented through United Kingdom domestic law, including European Union retained law, following the end of the Transition Period.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)

3.2 As this instrument is not subject to parliamentary procedure there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business.

4. Extent and Territorial Application

4.1 This instrument has the same extent and territorial application as the Orders which it revokes. The Orders set out in Schedule 2 extend to the Bailiwick of Guernsey and the Bailiwick of Jersey (“the Channel Islands”). The Orders set out in Schedule 3 extend to the Isle of Man. The Orders set out in Schedule 4 extend to specified British overseas territories (“the British overseas territories”). The Orders set out in Schedule

5 extend to the United Kingdom alone, apart from the Libya (United Nations Prohibition of Flights) Order 1992, which also extends to the Crown Dependencies.

5. European Convention on Human Rights

5.1 As this instrument is not subject to parliamentary procedure, no statement is required.

6. Legislative Context

6.1 This instrument is made in exercise of statutory powers under section 1 of the UN Act. Section 1(3) of the UN Act provides that any Orders in Council made under section 1 of the UN Act (such as the Orders being revoked by this instrument) may be varied or revoked by a subsequent Order in Council.

7. Policy background

What is being done and why?

7.1 This instrument revokes Orders in Council which were made under the UN Act to implement United Nations sanctions, but which are no longer required. Some of the revocations made by this instrument relate to United Nations sanctions regimes which have been terminated or suspended, or have expired. Others relate to the implementation of sanctions regimes in certain Crown Dependencies which at the time of the coming into force of this instrument will be implemented in those Crown Dependencies by their own domestic legislation. This instrument also revokes certain instruments applying to the British overseas territories because their sole purpose was to amend Orders which have already been revoked. Finally, it also revokes certain instruments which relate to United Nations sanctions implemented through European Union regulations which will, following the end of the Transition Period, be implemented through United Kingdom domestic law, including European Union retained law.

8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union

8.1 This instrument is not being made under the European Union (Withdrawal) Act and does not relate to the withdrawal of the United Kingdom from the European Union.

9. Consolidation

9.1 This instrument does not consolidate previous instruments.

10. Consultation outcome

10.1 Officials at the Foreign, Commonwealth and Development Office have consulted with the Crown Dependencies on this instrument in draft. The British overseas territories were consulted on revocation of legislation extending to them.

11. Guidance

11.1 No guidance will be issued.

12. Impact

12.1 There is no, or no significant, impact on business, charities or voluntary bodies in the United Kingdom.

12.2 There is no, or no significant, impact on the public sector in the United Kingdom.

12.3 An Impact Assessment has not been prepared for this instrument.

13. Regulating small business

13.1 Insofar as this instrument revokes Orders which extend to the Crown Dependencies and British overseas territories, it does not apply to activities that are undertaken by small businesses in the United Kingdom.

13.2 Insofar as this instrument revokes Orders relating to existing sanctions measures that are already applicable to UK business, charities and voluntary bodies through EU law, we assess that there is no new substantial impact. Businesses and charities will need to ensure that they are referring to and complying with the relevant UK law following the end of the Transition Period.

14. Monitoring & review

14.1 This instrument revokes legislation which is no longer required. Therefore, no review clause is required.

15. Contact

15.1 Catherine Cherag-zade at the Foreign, Commonwealth and Development Office, email: Sanctions.SIs@fcdo.gov.uk, can be contacted with any queries regarding this instrument.

15.2 Lisa Maguire, Deputy Director and Head of the Sanctions Unit at the Foreign, Commonwealth and Development Office, can confirm that this Explanatory Memorandum meets the required standard.

15.3 Lord Ahmad of Wimbledon, Minister of State for South Asia and the Commonwealth at the Foreign, Commonwealth and Development Office, can confirm that this Explanatory Memorandum meets the required standard.