

This Statutory Instrument corrects defects in S.I. 2012/1755 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2017 No. 169

OVERSEAS TERRITORIES

The Syria (Restrictive Measures) (Overseas Territories) (Amendment) Order 2017

<i>Made</i>	- - - -	<i>15th February 2017</i>
<i>Laid before Parliament</i>		<i>22nd February 2017</i>
<i>Coming into force</i>	- -	<i>15th March 2017</i>

At the Court at Buckingham Palace, the 15th day of February 2017

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 112 of the Saint Helena Act 1833⁽¹⁾, the British Settlements Acts 1887 and 1945⁽²⁾, and all of the other powers enabling Her to do so, is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the Syria (Restrictive Measures) (Overseas Territories) (Amendment) Order 2017 and comes into force on 15th March 2017.

(2) In this Order, “the principal Order” means the Syria (Restrictive Measures) (Overseas Territories) Order 2012⁽³⁾.

(3) This Order extends to the territories listed in Schedule 1 to the principal Order.

Amendments to the principal Order

2. The principal Order is amended as follows.

3. In article 2(1)⁽⁴⁾—

(1) 1833 c.85.

(2) 1887 c.54 and 1945 c.7.

(3) S.I. 2012/1755, amended by S.I. 2012/3069, 2013/1719, 2013/2598, 2014/269, 2015/824 and 2015/1528.

(4) There have been amendments but none are relevant.

- (a) for the definition of “financing and financial assistance”, substitute—
 - ““financing and financial assistance” includes grants, loans and export credit insurance, insurance and reinsurance and, in articles 11 and 11A, also includes financial derivatives;”;
 - (b) in the definition of “insurance” omit “natural or legal”; and
 - (c) omit the definition of “person”.
4. For article 11(5), substitute—

“Offences related to crude oil and petroleum products listed in Annex IV

11.—(1) A person to whom this Order applies (“P”) commits an offence if P knowingly—

- (a) imports crude oil or petroleum products listed in Annex IV to the Council Regulation into the Territory if the products originated in Syria, or have been exported from Syria;
- (b) purchases crude oil or petroleum products listed in Annex IV to the Council Regulation which are located in or which originated in Syria;
- (c) transports crude oil or petroleum products listed in Annex IV to the Council Regulation if the products originated in Syria, or are being exported from Syria to any other country;
- (d) provides (directly or indirectly) financing or financial assistance related to the import of crude oil and petroleum products listed in Annex IV to the Council Regulation if the products originated in Syria, or have been imported from Syria; or
- (e) provides (directly or indirectly) financing or financial assistance related to the purchase or transport of crude oil and petroleum products listed in Annex IV to the Council Regulation if the products originated in Syria, or have been imported from Syria.

(2) Paragraph (1) does not apply to—

- (a) the execution of an obligation arising from a contract concluded before 12th July 2012; or
- (b) the purchase of crude oil or petroleum products which had been exported from Syria before 12th July 2012 or, where the export was made pursuant to sub-paragraph (a), on or before the date on which the relevant obligation was executed,

if the person seeking to perform the obligation concerned has notified the transaction or activity to the Governor at least 7 working days in advance.

(3) Sub-paragraphs (b), (c) and (e) of paragraph (1) also do not apply—

- (a) where paragraph (4) applies; or
- (b) if P is acting under the authority of a licence granted by the Governor under paragraph (5).

(4) This paragraph applies to—

- (a) the purchase or transport in Syria of petroleum products or the related provision of financing or financial assistance by public bodies or by persons which receive public funding from the European Union or Member States of the European Union to provide humanitarian relief or assistance to the civilian population in Syria,