
STATUTORY INSTRUMENTS

1993 No. 1253

**The Serbia and Montenegro (United Nations
Sanctions) (Channel Islands) Order 1993**

Interpretation

2.—(1) In this Order the following expressions have, except where otherwise expressly provided, the meanings hereby respectively assigned to them, that is to say—

“airport”—

- (a) means, in the application of this Order to the Bailiwick of Guernsey, the aggregate of the land, buildings and works comprised in an aerodrome within the meaning of the Civil Aviation Act 1982(1); and
- (b) has, in the application of this Order to the Bailiwick of Jersey, the meaning assigned to “aerodrome” in the Aerodromes (Administration) (Jersey) Law 1952;

“airport charges” and “airport documents” shall—

- (a) in the application of this Order to the Bailiwick of Guernsey, have the meanings they bear in section 88 of the Civil Aviation Act 1982; and
- (b) in the application of this Order to the Bailiwick of Jersey mean, respectively:
 - (i) dues payable under the Airport Dues (Jersey) Law 1956, and
 - (ii) in relation to any aircraft, any certificate of registration, maintenance or airworthiness of that aircraft, any log book relating to the use of that aircraft or its equipment and any similar document;

“airport operator” means—

- (a) in the application of this Order to the Bailiwick of Guernsey, in relation to any airport, the person for the time being having the management of that airport; and
- (b) in the application of this Order to the Bailiwick of Jersey, the Airport Director;

“Attorney General” means—

- (a) in the application of this Order to the Bailiwick of Guernsey, the Attorney General for Guernsey; and
- (b) in the application of this Order to the Bailiwick of Jersey, the Attorney General for Jersey;

“Board” means the States of Guernsey Board of Administration;

“Chief Revenue Officer” and “States Revenue Officer” have the meanings they bear in the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law 1972;

“cargo” includes load;

“commander”, in relation to an aircraft, means the member of the flight crew designated as commander of the aircraft by the operator thereof, or, failing such a person, the person who is for the time being the pilot in command of the aircraft;

“enactment” includes an enactment of the States of Guernsey or Alderney or the States of Jersey;

“effective control”, in relation to a ship, goods vehicle or aircraft, means a legal or beneficial interest by way of ownership which is less than a majority interest but which, having regard to the considerations of fact or law involved, confers the possibility of directly or indirectly exercising a decisive influence on the operation of that ship, goods vehicle or aircraft;

“goods vehicle” means a motor vehicle constructed or adapted for the carriage of goods, or a trailer so constructed or adapted;

“harbour” and “harbour authority”—

- (a) in the application of this Order to the Bailiwick of Guernsey have the meanings they bear in section 742 of the Merchant Shipping Act 1894(2); and
- (b) in the application of this Order to the Bailiwick of Jersey mean respectively any harbour within the meaning of that section and the Harbour Master except that, in article 4(5), “the harbour authority” means the Harbours and Airport Committee;

“master”, in relation to a ship, includes any person (other than a pilot) for the time being in charge of the ship;

“operator”, in relation to a ship or aircraft, means the person for the time being having the management of that ship or aircraft;

“owner”, in relation to a goods vehicle which is the subject of a hiring agreement or a hire purchase agreement, means the person in possession of the vehicle under that agreement;

“owner”, in relation to a ship, means, except in relation to articles 10, 12 and 17, where the owner of a ship is not the operator, the operator and any person to whom it is chartered;

“person connected with Serbia or Montenegro” means—

- (i) the Governments of the Federal Republic of Yugoslavia, of Serbia and of Montenegro;
- (ii) any other person in, or resident in, Serbia or Montenegro;
- (iii) any body incorporated or constituted under the law of Serbia or Montenegro;
- (iv) any body, wherever incorporated or constituted, which is controlled by any of the said Governments, any other person in, or resident in, Serbia or Montenegro, or any body incorporated in or constituted under the law of Serbia or Montenegro;
- (v) any person acting on behalf of any of the above mentioned persons;

“police officer” means—

- (a) in relation to Guernsey, Herm and Jethou, a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey;
- (b) in relation to Alderney, a member of the said police force and a member of any police force which may be established by the States of Alderney;
- (c) in relation to Sark, the Constable, the Vingtenier and a member of the said police force of the Island of Guernsey; and
- (d) in relation to the Bailiwick of Jersey, a member of the Honorary Police or a member of the States of Jersey Police force;

“ship” has the meaning it bears in section 742 of the Merchant Shipping Act 1894;

“stores” means goods for use in a ship, goods vehicle or aircraft and includes fuel and spare parts and other articles of equipment, whether or not for immediate fitting, and includes, in

relation to a ship or aircraft, any goods for use as merchandise for sale by retail to persons carried therein;

“vehicle documents”, in relation to a goods vehicle, means any licence, certificate, permit or other document issued or required under any enactment for the time being in force with respect to that vehicle;

“violation of the United Nations resolutions” means a contravention committed after the entry into force of this Order of any of those provisions of the law of any country or territory which, to the extent required by the provisions of the resolutions set out in Schedule 1 to this Order, prohibit certain imports and exports of goods, supplies of services, or operation or use of ships, goods vehicles or aircraft in relation to the former Yugoslavia or parts thereof, or, where there is no such law in the relevant country or territory, an import or export of goods, supply of services or operation or use of ships, vehicles or aircraft which is required to be prohibited under any of those resolutions;

“the 1992 Order” means the Serbia and Montenegro (United Nations Sanctions) (Channel Islands) Order 1992⁽³⁾.

(2) Any reference to a provision of an Act of Parliament shall, in the case of a provision which has been extended to any of the Channel Islands, be construed as a reference to that provision as it has effect there and, in any other case, be construed as a reference to that provision as it has effect in the United Kingdom.

(3) S.I. 1992/1308.