
STATUTORY INSTRUMENTS

1999 No. 280

UNITED NATIONS

The Federal Republic of Yugoslavia (United Nations Sanctions) (Amendment) Order 1999

Made - - - - *10th February 1999*
Laid before Parliament *11th February 1999*
Coming into force - - *12th February 1999*

At the Court at Buckingham Palace, the 10th day of February 1999

Present,

The Queen's Most Excellent Majesty in Council

Whereas under Article 41 of the Charter of the United Nations the Security Council of the United Nations has, by a resolution adopted on 31st March 1998, called upon Her Majesty's Government in the United Kingdom and all other States to apply certain measures to give effect to a decision of that Council in relation to the Federal Republic of Yugoslavia:

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by section 1 of the United Nations Act 1946⁽¹⁾, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1.—(1) This Order may be cited as the Federal Republic of Yugoslavia (United Nations Sanctions) (Amendment) Order 1999 and shall come into force on 12th February 1999.

(2) In this Order “the Order” means the Federal Republic of Yugoslavia (United Nations Sanctions) Order 1998⁽²⁾.

2. In article 2 of the Order, the following shall be inserted between the definition of “specified goods” and the definition of “vehicle”—

““terrorism” means the use of violence for political ends, and includes any use of violence for the purpose of putting the public or any section of the public in fear;”.

3. The following article shall be inserted in the Order immediately after article 5—

(1) 1946 c. 45.
(2) S.I.1998/1064.

“Training for terrorist activities

5A. No person shall provide to any other person training or training facilities likely to assist the carrying out of acts of terrorism in the Federal Republic of Yugoslavia.”.

4. Article 6 of the Order shall be replaced by the following article—

“Application of Articles 3 and 5A

6.—(1) The provisions of articles 3 and 5A of this Order shall apply to the conduct of any person within the United Kingdom and of any person elsewhere who:

- (a) is a British citizen, a British Dependent Territories citizen, a British Overseas citizen, a British subject, a British protected person, or a British National (Overseas); or
- (b) is a body incorporated or constituted under the law of any part of the United Kingdom.

(2) Subject to the provisions of paragraph (4) of this article, any person specified in paragraph (1) of this article who contravenes the provisions of article 3 of this Order shall be guilty of an offence under this Order.

(3) Subject to the provisions of paragraph (5) of this article, any person specified in paragraph (1) of this article who contravenes the provisions of article 5A of this Order shall be guilty of an offence under this Order.

(4) In the case of proceedings for an offence in contravention of article 3 of this Order it shall be a defence for the accused person to prove that he did not know and had no reason to suppose that the goods in question were to be supplied or delivered to or to the order of a person connected with the Federal Republic of Yugoslavia.

(5) In the case of proceedings for an offence in contravention of article 5A of this Order it shall be a defence for the accused person to prove that he did not know and had no reason to suppose that the persons to whom he was providing training or training facilities were to carry out acts of terrorism in the Federal Republic of Yugoslavia.”.

5. The following paragraph shall be inserted in the Order immediately after article 12(1)—

“(1A) Any person guilty of an offence under article 6(3) of this Order shall be liable:

- (a) on conviction on indictment to imprisonment for a term not exceeding fourteen years or to a fine or both; or
- (b) on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.”.

6. Paragraph (8) of article 12 of the Order shall be replaced by the following—

“(8) Notwithstanding anything in section 136 of the Criminal Procedure (Scotland) Act 1995(3) proceedings in Scotland for an offence under articles 7, 9(2), 10(10)(a), (b)(i) or (c) of this Order or paragraph 5(a) or (c) of the Schedule to this Order may be commenced at any time within 12 months after the date on which evidence sufficient in the Lord Advocate’s opinion to justify the proceedings came to his knowledge: and subsection (3) of that section applies for the purpose of this paragraph as it applies for the purpose of that section:

Provided that such proceedings shall not be commenced after the expiration of 3 years from the commission of the offence.”.

7. The following paragraph shall be inserted in the Order immediately after Article 12(12)—

“(12A) In Scotland, where a constable reasonably believes that a person has committed or is committing an offence under this Order he may arrest that person without warrant.”.

A.K. Galloway
Clerk of the Privy Council

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, made under the United Nations Act 1946, amends the restrictions imposed by the Federal Republic of Yugoslavia (United Nations Sanctions) Order 1998, pursuant to a decision of the Security Council of the United Nations in Resolution 1160 of 31st March 1998, by prohibiting the provision of training or training facilities likely to assist in the carrying out of acts of terrorism in the Federal Republic of Yugoslavia.

It also adds British Nationals (Overseas) to the persons covered by the 1998 Order; it amends the defence in article 6(4) (formerly 6(3)) in order to refer to the supply or delivery of goods to the order of a person connected with the Federal Republic of Yugoslavia; and, in respect of Scotland, it amends article 12(8) (time-limit for bringing certain proceedings) and adds article 12(12A) (arrest without warrant).