
STATUTORY INSTRUMENTS

1992 No. 1308

**The Serbia and Montenegro (United Nations
Sanctions) (Channel Islands) Order 1992**

Carriage of goods destined for or exported from Serbia and Montenegro

6.—(1) Without prejudice to the generality of article 3 above, no ship or aircraft to which this article applies and no vehicle within the Bailiwick of Guernsey or the Bailiwick of Jersey shall be used, except under the authority of a licence granted under this article by the relevant authority, for the carriage of any goods if the carriage is, or forms part of, carriage from any place outside Serbia or Montenegro to any destination therein, or to any person connected with Serbia or Montenegro.

(2) Without prejudice to the generality of article 5 above, no ship or aircraft to which this article applies and no vehicle within the Bailiwick of Guernsey or the Bailiwick of Jersey shall be used, except under the authority of a licence granted under this article by the relevant authority, for the carriage of any goods if those goods are being, or have been, exported from Serbia or Montenegro after 30th May 1992.

(3) This article applies to ships registered in the Bailiwick of Guernsey or the Bailiwick of Jersey or the United Kingdom, to aircraft registered in the United Kingdom and to any other ship or aircraft that is for the time being chartered to any person who is—

- (a) a British citizen, a British Dependent Territories citizen, a British Overseas citizen, a British subject or a British protected person and is ordinarily resident in the Bailiwick of Guernsey or, as the case may be, the Bailiwick of Jersey, or
- (b) a body incorporated or constituted under the law of any part of the Bailiwick of Guernsey or, as the case may be, the law of the Bailiwick of Jersey.

(4) If any ship, aircraft or vehicle is used in contravention of paragraph (1) above, then—

- (a) in the case of a ship registered in the Bailiwick of Guernsey or the Bailiwick of Jersey or the United Kingdom, or any aircraft registered in the United Kingdom, the owner and master of the ship or, as the case may be, the operator and the commander of the aircraft; or
- (b) in the case of any other ship or aircraft to which this article applies—
 - (i) the person to whom the ship or aircraft is for the time being chartered, and
 - (ii) if he is such a person as is referred to in sub-paragraph (a) or (b) of paragraph (3) above, the master of the ship or, as the case may be, the operator and the commander of the aircraft, or
- (c) in the case of a vehicle, the operator of the vehicle,

shall be guilty of an offence under this Order, unless he proves that he did not know and had no reason to suppose that the carriage of the goods in question was, or formed part of, carriage from any place outside Serbia or Montenegro to any destination therein or to any person connected with Serbia or Montenegro.

(5) If any ship, aircraft or vehicle is used in contravention of paragraph (2) above, then—

- (a) in the case of a ship registered in the Bailiwick of Guernsey or the Bailiwick of Jersey or the United Kingdom, or any aircraft registered in the United Kingdom, the owner and master of the ship or, as the case may be, the operator and the commander of the aircraft; or

- (b) in the case of any other ship or aircraft to which this article applies—
 - (i) the person to whom the ship or aircraft is for the time being chartered, and
 - (ii) if he is such a person as is referred to in sub-paragraph (a) or (b) of paragraph (3) above, the master of the ship or, as the case may be, the operator and the commander of the aircraft, or

- (c) in the case of a vehicle, the operator of the vehicle,
shall be guilty of an offence under this Order, unless he proves that he did not know and had no reason to suppose that the goods were being or had been exported from Serbia or Montenegro or had been exported therefrom after 30th May 1992, as the case may be.

(6) Nothing in paragraph (1) above shall apply where the supply or delivery or exportation from the Bailiwick of Guernsey or the Bailiwick of Jersey of the goods concerned to Serbia or Montenegro was authorised by a licence granted by the relevant authority under article 3 or 4 of this Order or granted under the Export of Goods (Control) (Serbia and Montenegro Sanctions) Order 1992.

(7) Nothing in paragraph (2) above shall apply where the importation of the goods concerned into the Bailiwick of Guernsey or the Bailiwick of Jersey was authorised by a licence granted by the relevant authority under article 5 of this Order.

(8) Nothing in this article shall be construed so as to prejudice any other provision of law prohibiting or restricting the use of ships, aircraft or vehicles.