

**2004 No. 1111**

**OVERSEAS TERRITORIES**

**The Overseas Territories (Zimbabwe) (Restrictive Measures) (Amendment) Order 2004**

*Made - - - - - 14th April 2004*

*Laid before Parliament 15th April 2004*

*Coming into force - - 16th April 2004*

At the Court at Windsor Castle, the 14th day of April 2004

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers vested in Her by section 112 of the Saint Helena Act 1833(a), the British Settlements Acts 1887 and 1945(b), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

**Citation and commencement**

1.—(1) This Order may be cited as the Overseas Territories (Zimbabwe) (Restrictive Measures) (Amendment) Order 2004 and shall come into force on 16th April 2004.

(2) In this Order “the Order” means the Overseas Territories (Zimbabwe) (Restrictive Measures) Order 2002(c).

**Amendment**

2. In Article 2(1) of the Order the following definition shall be added:

““assistance” means any form of assistance including technical assistance, services, financing and financial assistance;”.

3. In Article 2(1) of the Order, the definition of “restricted goods” shall be replaced by the following definition:

““restricted goods” means the goods specified in Part I of Schedule 1 to the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003(d) made under the Export Control Act 2002(e) and equipment that might be used for internal repression as listed in Schedule 3 to this Order;”.

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(a) 1833 c. 85.

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

(c) S.I. 2002/1077.

(d) S.I. 2003/2764.

(e) 2002 c. 28.

4. Article 4 of the Order is replaced by the following Article:

**“Exportation of restricted goods to Zimbabwe**

(1) Except under the authority of a licence granted by the Governor under this article, restricted goods are prohibited to be exported from the Territory to any destination in Zimbabwe or to any destination for the purpose of delivery, directly or indirectly, to or to the order of any person in Zimbabwe.

(2) Any restricted goods which are exported or attempted to be exported shall be liable to forfeiture.

(3) Any person knowingly concerned in the exportation or attempted exportation of such goods shall be guilty of an offence under this Order.

(4) In any case where a person would, apart from this paragraph, be guilty of an offence under paragraph (3) above and of an offence under article 3 above, he shall not be guilty of the offence under paragraph (3) above.”.

5. In Article 5(1) and (2), delete the word “technical” where it appears before the word “assistance”.

6. In the heading of Article 6, delete the words “, technical assistance and training”.

7. In Article 19(1) of the Order, “4(3),” shall be inserted between “3,” and “5”.

8. In paragraph 1(1) of Schedule 2 to the Order, “4(3),” shall be inserted between “3,” and “5”.

9. Schedule 3 to the Order is replaced by the following new Schedule 3:

**“SCHEDULE 3**

Article 2(1)

**EQUIPMENT THAT MIGHT BE USED FOR INTERNAL REPRESSION**

1. Helmets providing ballistic protection, anti-riot helmets, anti-riot shields and ballistic shields and specially designed components therefor.

2. Specially designed fingerprint equipment.

3. Power controlled searchlights.

4. Construction equipment provided with ballistic protection.

5. Hunting knives.

6. Specially designed production equipment to make shotguns.

7. Ammunition hand-loading equipment.

8. Communications intercept devices.

9. Solid-state optical detectors.

10. Image-intensifier tubes.

11. Telescopic weapon sights.

12. Smooth-bore weapons and related ammunition, other than those specially designed for military use, and specially designed components therefor; except:

(a) signal pistols;

(b) air- and cartridge-powered guns designed as industrial tools or humane animal stunners.

13. Simulators for training in the use of firearms and specially designed or modified components and accessories therefor.

14. Bombs and grenades, other than those specially designed for military use, and specially designed components therefor.

15. Body armour, other than those manufactured to military standards or specifications, and specially designed components therefor.

16. All-wheel-drive utility vehicles capable of off-road use that have been manufactured or fitted with ballistic protection, and profiled armour for such vehicles.
17. Water cannon and specially designed or modified components therefor.
18. Vehicles equipped with a water cannon.
19. Vehicles specially designed or modified to be electrified to repel boarders and components therefor specially designed or modified for that purpose.
20. Acoustic devices represented by the manufacturer or supplier as suitable for riot-control purposes, and specially designed components therefor.
21. Leg-irons, gang-chains, shackles and electric-shock belts, specially designed for restraining human beings; except:
  - handcuffs for which the maximum overall dimension including chain does not exceed 240 mm when locked.
22. Portable devices designed or modified for the purpose of riot control or self-protection by the administration of an incapacitating substance (such as tear gas or pepper sprays), and specially designed components therefor.
23. Portable devices designed or modified for the purpose of riot control or self-protection by the administration of an electric shock (including electric-shocks batons, electric shock shields, stun guns and electric shock dart guns (tasers)) and components therefor specially designed or modified for that purpose.
24. Electronic equipment capable of detecting concealed explosives and specially designed components therefor; except:
  - TV or X-ray inspection equipment.
25. Electronic jamming equipment specially designed to prevent the detonation by radio remote control of improvised devices and specially designed components therefor.
26. Equipment and devices specially designed to initiate explosions by electrical or non-electrical means, including firing sets, detonators, igniters, boosters and detonating cord, and specially designed components therefor; except:
  - those specially designed for a specific commercial use consisting of the actuation or operation by explosive means of other equipment or devices the function of which is not the creation of explosions (e.g., car air-bag inflaters, electric-surge arresters of fire sprinkler actuators).
27. Equipment and devices designed for explosive ordnance disposal; except:
  - bomb blankets;
  - containers designed for folding objects known to be, or suspected of being improvised explosive devices.
28. Night vision and thermal imaging equipment and image intensifier tubes or solid state sensors therefor.
29. Software specially designed and technology required for all listed items.
30. Linear cutting explosive charges.
31. Explosives and related substances as follows:
  - amatol,
  - nitrocellulose (containing more than 12,5% nitrogen),
  - nitroglycol,
  - pentaerythritol tetranitrate (PETN),
  - picryl chloride,
  - tinitorphenylmethylnitramine (tetryl),
  - 2,4,6-trinitrotoluene (TNT).
32. Software specially designed and technology required for all listed items.”.

10. Schedule 4 to the Order is replaced by the following new Schedule 4:

“SCHEDULE 4

Articles 6, 7, 8 and 10

LIST OF PERSONS REFERRED TO IN ARTICLES 6, 7, 8 and 10

1.	Mugabe, Robert Gabriel	President, born 21.2.1924
2.	Buka (a.k.a. Bhuka), Flora	Minister of State in Vice-President's Office (former Minister of State for the Land Reform Programme in the President's Office), born 25.2.1968
3.	Bonyongwe, Happyton	Director-General Central Intelligence Organisation, born 6.11.1960
4.	Chapfika, David	Deputy Minister of Finance and Economic Development
5.	Charamba, George	Permanent Secretary Department for Information and Publicity, born 4.4.1963
6.	Charumbira, Fortune Zefanaya	Deputy Minister for Local Government, Public Works and National Housing, born 10.6.1962
7.	Chigwedere, Aeneas Soko	Minister of Education, Sports and Culture, born 25.11.1939
8.	Chihuri, Augustine	Police Commissioner, born 10.3.1953
9.	Chikowore, Enos C.	ZANU (PF) Politburo Secretary for Land and Resettlement, born 1936
10.	Chinamasa, Patrick Anthony	Minister of Justice, Legal and Parliamentary Affairs, born 25.1.1947
11.	Chindori-Chininga, Edward Takaruza	former Minister of Mines and Mining Development, born 14.3.1955
12.	Chipanga, Tongesai Shadreck	Deputy Minister of Home Affairs
13.	Chiwenga, Constantine	Commander Zimbabwe Defence Forces, General (former Army Commander, Lieutenant General), born 25.8.1956
14.	Chiwewe, Willard	Senior Secretary responsible for Special Affairs in the President's Office (former Senior Secretary, Ministry of Foreign Affairs), born 19.3.1949
15.	Chombo, Ignatius Morgan Chiminya	Minister of Local Government, Public Works and National Housing, born 1.8.1952
16.	Dabengwa, Dumiso	ZANU (PF) Politburo Senior Committee Member, born 1939
17.	Goche, Nicholas Tasunungurwa	Minister of State for National Security in the President's Office (former Security Minister), born 1.8.1946
18.	Gula-Ndebele, Sobuza	Chairman of Electoral Supervisory Commission
19.	Gumbo, Rugare Eleck Ngidi	Minister of State for State Enterprises and Parastatals in the President's Office (former Deputy Minister of Home Affairs), born 8.3.1940
20.	Hove, Richard	ZANU (PF) Politburo Secretary for Economic Affairs, born 1935
21.	Hungwe, Josaya (a.k.a. Josiah) Dunira	Provincial Governor: Masvingo, born 7.11.1935
22.	Kangai, Kumbirai	ZANU (PF) Politburo Committee Member, born 17.2.1938
23.	Karimanzira, David Ishemunyoro Godi	ZANU (PF) Politburo Secretary for Finance, born 25.5.1947
24.	Kasukuwere, Saviour	ZANU (PF) Politburo Deputy-Secretary for Youth Affairs, born 23.10.1970

25. Kuruneri, Christopher Tichaona Minister of Finance and Economic Development (former Deputy Minister of Finance and Economic Development), born 4.4.1949
26. Langa, Andrew Deputy Minister of Transport and Communications
27. Lesabe, Thenjiwe V. ZANU (PF) Politburo Secretary for Women's Affairs, born 1933
28. Machaya, Jason (a.k.a. Jaison) Deputy Minister of Mines and Mining Development, born 13.6.1952
29. Made, Joseph Mtakwese Minister of Agriculture and Rural Development (former Minister of Lands, Agricultural and Rural Resettlement), born 21.11.1954
30. Madzongwe, Edna (a.k.a. Edina) ZANU (PF) Politburo Deputy Secretary for Production and Labour, born 11.7.1943
31. Mahofa, Shuvai Ben Deputy Minister for Youth Development, Gender and Employment Creation, born 4.4.1941
32. Mahoso, Tafataona Chair, Media Information Commission
33. Makoni, Simbarashe ZANU (PF) Politburo Deputy Secretary for Economic Affairs (former Minister of Finance), born 22.3.1950
34. Malinga, Joshua ZANU (PF) Politburo Deputy Secretary for Disabled and Disadvantaged, born 28.4.1944
35. Mangwana, Paul Munyaradzi Minister of Public Service, Labour and Social Welfare (former Minister of State for State Enterprises and Parastatals in the President's Office), born 10.8.1961
36. Mangwende, Witness Pasichigare Provincial Governor: Harare (former Minister for Transport and Communications), born Madunda 15.10.1946
37. Manyika, Elliot Tapfumanei Minister without Portfolio (former Minister of Youth Development, Gender and Employment Creation), born 30.7.1955
38. Manyonda, Kenneth Vhundukai Deputy Minister of Industry and International Trade, born 10.8.1934
39. Marumahoko, Rueben Deputy Minister of Energy and Power Development, born 4.4.1948
40. Masawi, Ephrahim Sango Provincial Governor: Mashonaland Central
41. Masuku, Angeline Provincial Governor: Matabeleland South (ZANU (PF) Politburo Secretary for Disabled and Disadvantaged), born 14.10.1936
42. Mathema, Cain Provincial Governor: Bulawayo
43. Mathuthu, T. ZANU (PF) Politburo Deputy Secretary for Transport and Social Welfare
44. Midzi, Amos Bernard (Mugenva) Minister of Mines and Mining Development (former Minister of Energy and Power Development), born 4.7.1952
45. Mnangagwa, Emmerson Speaker of Parliament, born Dambudzo 15.9.1946
46. Mohadi, Kembo Campbell Minister of Home Affairs (former Deputy Dugishi Minister of Local Government, Public Works and National Housing), born 15.11.1949
47. Moyo, Jonathan Minister of State for Information and Publicity in the President's Office, born 12.1.1957
48. Moyo, July Gabarari Minister of Energy and Power Development (former Minister of Public Service, Labour and Social Welfare), born 7.5.1950

49. Moyo, Simon Khaya ZANU (PF) Politburo Deputy Secretary for Legal Affairs, born 1945
50. Mpfu, Obert Moses Provincial Governor: Matabeleland North (ZANU (PF) Politburo Deputy Secretary for National Security), born 12.10.1951
51. Msika, Joseph W. Vice-President, born 6.12.1923
52. Msipa, Cephas George Provincial Governor: Midlands, born 7.7.1931
53. Muchena, Olivia Nyembesi (a.k.a. Nyembezi) Minister of State for Science and Technology in the President's Office (former Minister of State in Vice-President Msika's Office), born 18.8.1946
54. Muchinguri, Oppah Chamu Zvipange ZANU (PF) Politburo Secretary for Gender and Culture, born 14.12.1958
55. Mudede, Tobaiwa (Tonnet) Registrar General, born 22.12.1942
56. Mudenge, Isack Stanilaus Gorerazvo Minister of Foreign Affairs, born 17.12.1941
57. Mugabe, Grace Spouse of President Robert Gabriel Mugabe, born 23.7.1965
58. Mugabe, Sabina ZANU (PF) Politburo Senior Committee Member, born 14.10.1934
59. Mujuru, Joyce Teurai Ropa Minister of Water Resources and Infrastructural Development (former Minister of Rural Resources and Water Development), born 15.4.1955
60. Mujuru, Solomon T.R. ZANU (PF) Politburo Senior Committee Member, born 1.5.1949
61. Mumbengegwi, Samuel Creighton Minister of Industry and International Trade (former Minister of Higher Education and Technology), born 23.10.1942
62. Murerwa, Herbert Muchemwa Minister of Higher and Tertiary Education (former Minister of Finance and Economic Development), born 31.7.1941
63. Mushohwe, Christopher Chindoti Minister of Transport and Communications (former Deputy Minister of Transport and Communications), born 6.2.1954
64. Mutasa, Didymus Noel Edwin Minister of Special Affairs in the President's Office in charge of the Anti-Corruption and Anti-Monopolies Programme (former ZANU (PF) Politburo Secretary for External Relations), born 27.7.1935
65. Mutinhiri, Ambros (a.k.a. Ambrose) Minister of Youth Development, Gender and Employment Creation, Retired Brigadier
66. Mutiwekuziva, Kenneth Kaparadza Deputy Minister of Small and Medium Enterprises Development, born 27.5.1948
67. Muzenda, Tsitsi V. ZANU (PF) Politburo Senior Committee Member, born 28.10.1922
68. Muzonzini, Elisha Brigadier (former Director-General Central Intelligence Organisation), born 24.6.1957
69. Ncube, Abedinico Deputy Minister of Foreign Affairs, born 13.10.1954
70. Ndlovu, Naison K. ZANU (PF) Politburo Secretary for Production and Labour, born 22.10.1930
71. Ndlovu, Sikhanyiso ZANU (PF) Politburo Deputy Secretary for Commissariat, born 20.9.1949
72. Nhema, Francis Minister of Environment and Tourism, born 17.4.1959
73. Nkomo, John Landa Minister of Special Affairs in the President's Office

74. Nyambuya, Michael Reuben Lieutenant General, Provincial Governor: Manicaland
75. Nyoni, Sithembiso Gile Glad Minister of Small and Medium Enterprises Development (former Minister of State for the Informal Sector), born 20.9.1949
76. Parirenyatwa, David Pagwese Minister of Health and Child Welfare (former Deputy Minister), born 2.8.1950
77. Pote, Selina M. ZANU (PF) Politburo Deputy Secretary for Gender and Culture
78. Rusere, Tinos Deputy Minister for Water Resources and Infrastructural Development (former Deputy Minister of Rural Resources and Water Development), born 10.5.1945
79. Sakupwanya, Stanley ZANU (PF) Politburo Deputy Secretary for Health and Child Welfare
80. Samkange, Nelson Tapera Crispen Provincial Governor: Mashonaland West
81. Sekeramayi, Sydney (a.k.a. Sidney) Tigere Minister of Defence, born 30.3.1944
82. Shamu, Webster Minister of State for Policy Implementation in the President's Office, born 6.6.1945
83. Shamuyarira, Nathan Marwirakuwa ZANU (PF) Politburo Secretary for Information and Publicity, born 29.9.1928
84. Shiri, Perence Air Marshal (Air Force), born 1.11.1955
85. Shumba, Isaiah Masvayamwando Deputy Minister of Education, Sports and Culture, born 3.1.1949
86. Sibanda, Jabulani Chair, National War Veterans Association, born 31.12.1970
87. Sibanda, Misheck Julius Mpande Cabinet Secretary (successor to No. 93 Charles Utete), born 3.5.1949
88. Sibanda, Phillip Valerio (a.k.a. Valentine) Commander Zimbabwe National Army, Lieutenant General, born 25.8.1956
89. Sikosana, Absolom ZANU (PF) Politburo Secretary for Youth Affairs
90. Stamps, Timothy Health Advisor in the Office of the President, born 15.10.1936
91. Tawengwa, Solomon Chirume ZANU (PF) Politburo Deputy Secretary for Finance, born 15.6.1940
92. Tungamirai, Josiah T. Minister of State for Indigenisation and Empowerment, Retired Air Marshall (former ZANU (PF) Politburo Secretary for Empowerment and Indigenisation), born 8.10.1948
93. Utete, Charles Chairman of the Presidential Land Review Committee (former Cabinet Secretary), born 30.10.1938
94. Zimonte, Paradzai Prisons Director, born 4.3.1947
95. Zvinavashe, Vitalis Retired General (former Chief of Defence Staff), born 27.9.1943 ”.

*A. K. Galloway*  
Clerk of the Privy Council

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Overseas Territories (Zimbabwe) (Restrictive Measures) Order 2002 (S.I. 2002/1077) to give effect to the renewed and revised restrictive measures adopted by the European Union in Common Position 2004/161/CFSP and EC Regulation No.314/2004 on 19th February 2004. In particular, the list of persons subject to the travel ban and asset freeze has been increased from 79 to 95, and in addition to existing measures, the financing of military activities or of the sale or supply of arms and related materiel or equipment which might be used for internal repression is prohibited.

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