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STATUTORY INSTRUMENTS

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**2007 No. 282**

**The Iran (United Nations Measures)  
(Overseas Territories) Order 2007**

**GENERAL**

**Offences in connection with applications for licences, conditions attaching to licences, etc**

**21.**—(1) If, for the purposes of obtaining any licence under this Order other than under article 14, any person makes any statement or furnishes any document or information which to his knowledge is false in a material particular, or recklessly makes any statement or furnishes any document or information which is false in a material particular, he shall be guilty of an offence under this Order.

(2) Any person who has done any act under the authority of a licence granted by the Governor under this Order other than under article 14 and who fails to comply with any conditions attaching to that licence shall be guilty of an offence under this Order.

Provided that no person shall be guilty of an offence under this paragraph where he proves that the condition with which he failed to comply was modified, otherwise than with his consent, by the Governor after the doing of the act authorised by the licence.

**Evidence and information**

**22.** Schedule 4 (which contains further provisions about evidence and information) has effect.

**Penalties**

**23.**—(1) A person guilty of an offence under article 4(1), 5(3), 6, 7(3), 8(3), 9(2), 10(2), 12, or 15 is liable—

- (a) on conviction on indictment, to imprisonment for a term not exceeding seven years or to a fine or to both; or
- (b) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.

(2) A person guilty of an offence under article 14(6) or (7), 20(3)(b)(ii), 21(1) or (2), or paragraph 4(b) or (d) of Schedule 4 is liable—

- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both; or
- (b) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.

(3) A person guilty of an offence under article 16(4), or paragraph 2(3) of Schedule 4 is liable:

- (a) on conviction on indictment to imprisonment for a term not exceeding two years or to a fine of any amount or to both;
- (b) on summary conviction to a fine not exceeding £5,000 or its equivalent or to both.

(4) A person guilty of an offence under article 20(3)(a), 20(3)(b)(i), 20(3)(c) or paragraph 4(a) or (c) of Schedule 4 shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.

(5) A person guilty of an offence under article 16(3) shall be liable on summary conviction to a fine not exceeding £5,000 or its equivalent.

(6) If an offence under this Order committed by a body corporate is shown—

(a) to have been committed with the consent or connivance of an officer of the body corporate,  
or

(b) to be attributable to any neglect on the part of an officer of the body corporate,

the officer as well as the body corporate is guilty of the offence and is liable to be proceeded against and punished accordingly.

### **Proceedings**

24.—(1) Proceedings against any person for an offence may be taken before the appropriate court in the Territory having jurisdiction in the place where that person is for the time being.

(2) Summary proceedings for an offence, alleged to have been committed outside the Territory, may be instituted at any time not later than 12 months from the date on which the person charged first enters the Territory after committing the offence.

(3) No proceedings for an offence shall be instituted in the Territory except by or with the consent of the principal public officer of the Territory having responsibility for criminal prosecutions.

(4) Irrespective of whether such consent has been obtained, paragraph (3) does not prevent -

(a) the arrest of any person in respect of such an offence, or

(b) the remand in custody or on bail of any person charged with such an offence.

(5) In this article, “offence” means an offence under this Order.

### **Notices**

25.—(1) This article has effect in relation to any notice to be given to a person by the Governor under article 13(5)(a) or 14(5)(a).

(2) Any such notice may be given—

(a) by posting it to his last known address; or

(b) where the person is a body corporate, by posting it to the registered or principal office of the body corporate in the Territory.

(3) Where the Governor does not have an address in the Territory for the person, he must make arrangements for the notice to be given to him at the first available opportunity.

### **Functions of the Governor**

26.—(1) The Governor may, to such extent and subject to such restrictions and conditions as he may think proper, delegate or authorise the delegation of any of his functions under this Order to any person or class or description of persons.

(2) References in this Order to the Governor are to be construed accordingly.

(3) The Governor may by regulations specify in the currency of the Territory the amount which is to be taken as equivalent to sums expressed in sterling in this Order.

### **Postponement etc of the operation of the Security Council Resolution**

**27.**—(1) If the Security Council of the United Nations takes any decision which has the effect of postponing, suspending or cancelling the operation of the Security Council Resolution, in whole or in part, this Order shall cease to have effect or its operation shall be postponed or suspended, in whole or in part as the case may be, in accordance with that decision.

(2) The Governor must publish particulars of the decision in a notice in the official gazette of the Territory.

### **Miscellaneous**

**28.**—(1) Any provision of this Order which prohibits the doing of a thing except under the authority of a licence granted by the Governor shall not have effect in relation to any such thing if—

- (a) it is done anywhere other than the Territory; and
- (b) it is duly authorised.

(2) A thing is duly authorised for the purpose of paragraph (1) if—

- (a) it is done under the authority of a licence granted in accordance with any law in force in the place where it is done (and that law substantially corresponds to the relevant provisions of this Order); and
- (b) that licence is granted by the authority competent in that behalf under that law.