

2009 No. 2969

CUSTOMS

The Export Control (Amendment) (No. 4) Order 2009

Made - - - - - *5th November 2009*

Laid before Parliament *10th November 2009*

Coming into force - - - *11th November 2009*

The Secretary of State, in exercise of the powers conferred by sections 1, 4, 5 and 7 of the Export Control Act 2002^(a), makes the following Order:

1. This Order may be cited as the Export Control (Amendment) (No. 4) Order 2009 and shall come into force on 11th November 2009.

2. The Export Control Order 2008^(b) is amended as follows—

(a) in Part 2 of Schedule 4, after “Democratic Republic of the Congo” insert “Guinea”;

(b) in Part 4 of Schedule 4, omit “Guinea”.

5th November 2009

Ian Lucas
Minister for Business and Regulatory Reform
Department for Business, Innovation and Skills

^(a) 2002 c. 28.

^(b) S.I. 2008/3231, amended by S.I. 2009/1305, 2009/1852, 2009/2151.

EXPLANATORY NOTE

(This note is not part of the Order)

By Council Common Position 2009/788/CFSP (OJ No L 281, 28.10.2009, p7), the European Union required Member States to impose various restrictive measures against Guinea, including an arms embargo. In the United Kingdom, under the Export Control Order 2008, a licence was already required to export military goods to Guinea and for a range of trading activities involving moving military goods to Guinea. This Order makes Guinea an “embargoed destination” for the purpose of the trade controls in the 2008 Order so that the strictest levels of control apply, including restrictions on the activities of United Kingdom persons overseas (see article 20 of the 2008 Order). It also has the effect that a number of exceptions in the 2008 Order can no longer be used in relation to exports of military goods to Guinea: the exceptions for aircraft and vessels (articles 13 and 14), the exception for holders of a firearm or shot gun certificate or permit (article 16), and the transit or transshipment exception (article 17).

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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