

**2009 No. 3212**

**OVERSEAS TERRITORIES**

**The Export of Goods, Transfer of Technology and Provision of  
Technical Assistance (Control) (Overseas Territories)  
(Amendment) Order 2009**

*Made* - - - - *9th December 2009*

*Coming into force* - - *1st January 2010*

At the Court at Buckingham Palace, the 9th day of December 2009

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 16(5) of the Export Control Act 2002(a), is pleased by and with the advice of Her Privy Council, to order as follows:—

**Citation, Commencement and Extent**

1.—(1) This Order may be cited as the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) (Overseas Territories)(Amendment) Order 2009 and shall come into force on 1st January 2010.

(2) In this Order “the principal Order” means the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) (Overseas Territories) Order 2004(b).

(3) This Order extends to the territories listed in Schedule 1.

**Amendment of the Principal Order**

2. Paragraph 16 of Schedule 2 to the principal Order is amended as follows—

(a) by deleting subparagraph (1)(a) and replacing it with the following subparagraph (1)(a)—  
“(a) paragraph 3, 4(1), 4(3)(a), 4(3)(b), 4(3)(c)(ii), 4(5), 6, 7(1), 7(3)(a), 7(3)(b) or 7(3)(c)(ii); or ”

(b) by deleting subparagraph (4)(a) and replacing it with the following subparagraph (4)(a)—

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(a) 2002 c.28.  
(b) SI 2004/3101, as amended by S.I. 2009/888.

“(a) paragraph 3, 4(1), 4(3), 4(4), 4(5), 5, 6, 7(1), 7(3), 7(4), 8(2), 8(4), 9(1) or 9(5);”

*Judith Simpson*  
Clerk of the Privy Council

## SCHEDULE 1

Article 1(3)

### TERRITORIES TO WHICH THIS ORDER EXTENDS

Bermuda

Cayman Islands

Montserrat

Pitcairn, Henderson, Ducie and Oeno Islands

St Helena, Ascension and Tristan da Cunha

The Sovereign Base Areas of Akrotiri and Dhekelia

Virgin Islands

#### EXPLANATORY NOTE

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

This Order amends the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) (Overseas Territories) Order 2004 (the principal Order) by adding additional penalty provisions related to prohibitions on exports. This Order extends to the territories listed in Schedule 1. The need for the added provisions arises due to there being no legislative provision in these territories equivalent to the UK customs and excise legislation supplying penalties. A full regulatory input assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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