
STATUTORY INSTRUMENTS

2011 No. 825

The Export Control (Libya) Order 2011

Penalties

6.—(1) Subject to paragraph (2), a person guilty of any offence under article 2(a) or 5(1) of this Order is liable—

- (a) on conviction on indictment, to imprisonment for a term not exceeding ten years or to a fine, or to both.
- (b) on summary conviction—
 - (i) in England and Wales, to imprisonment for a term not exceeding twelve months or to a fine not exceeding the statutory maximum, or to both;
 - (ii) in Scotland or Northern Ireland, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both.

(2) In relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003⁽¹⁾, for “twelve months” in paragraph (1)(b)(i) substitute “six months”.

(3) A person guilty of an offence under article 2(b) to (d), 3 or 5(2) of this Order is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding three months or to a fine not exceeding the statutory maximum, or to both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both.

(4) In the case of an offence committed in connection with a prohibition or restriction in Article 2(1)(a) of the Regulation, sections 68(3)(b) and 170(3)(b)(2) of the 1979 Act shall have the effect as if for the words “7 years” there were substituted the words “10 years”.

⁽¹⁾ 2003 c.44; at the date of this Order, section 154(1) had not been commenced.

⁽²⁾ Sections 68(3)(b) and 170(3)(b) were amended by the Finance Act 1988 (c. 39), section 12(1), (6).