
STATUTORY INSTRUMENTS

2012 No. 1755

**The Syria (Restrictive Measures)
(Overseas Territories) Order 2012**

Further export and import restrictions relating to listed goods etc.

Offences related to equipment, goods and technology listed in Annex I, IA or IX

- 9.—(1) A person to whom this Order applies (“P”) commits an offence if P knowingly —
- (a) sells, supplies, transfers or exports (directly or indirectly) equipment which might be used for internal repression listed in Annex I to the Council Regulation to persons in Syria or for use in Syria;
 - (b) sells, supplies, transfers or exports (directly or indirectly) equipment, goods or technology which might be used for internal repression or for the manufacture and maintenance of products which might be used for internal repression listed in Annex IA to the Council Regulation to persons in Syria or for use in Syria;
 - (c) sells, supplies, transfers or exports (directly or indirectly) equipment, goods or technology which might be used for internal repression or for the manufacture and maintenance of products which might be used for internal repression listed in Annex IX to the Council Regulation to persons in Syria or for use in Syria;
 - (d) provides (directly or indirectly) technical assistance or brokering services related to the equipment, goods or technology which might be used for internal repression listed in Annex I or IA of the Council Regulation, to persons in Syria or for use in Syria;
 - (e) provides (directly or indirectly) technical assistance or brokering services related to the equipment, goods or technology listed in Annex IX to the Council Regulation, or related to the provision, manufacture, maintenance or use of goods included in that Annex, to persons in Syria or for use in Syria; or
 - (f) provides (directly or indirectly) financing or financial assistance related to the goods and technology listed in Annex I, IA or IX to the Council Regulation or for any provision of related technical assistance, brokering services or other services to persons in Syria or for use in Syria.
- (2) Paragraph (1) does not apply if P is acting under the authority of a licence granted by the Governor under this article.
- (3) Paragraph (1)(a) does not apply to protective clothing, including flak jackets and helmets, temporarily exported to Syria by United Nations personnel, personnel of the European Union or its Member States, representatives of the media or humanitarian and development workers and associated persons exclusively for their personal use.
- (4) The Governor may grant a licence under this article to authorise a transaction—
- (a) in relation to equipment referred to in paragraph (1)(a), if it is intended only for humanitarian or protective use;
 - (b) in relation to equipment, goods and technology referred to in paragraph (1)(b), if the goods or technology are for food, agricultural, medical or other humanitarian purposes;

- (c) in relation to—
- (i) equipment, goods or technology referred to in paragraph (1)(c),
 - (ii) technical assistance or brokering services referred to in paragraph (1)(e), or
 - (iii) financing or financial assistance referred to in paragraph (1)(f) and related to the goods and technology listed in Annex IX,
- unless the Governor reasonably suspects that any such transaction is or may be intended to contribute to internal repression or for the manufacture and maintenance of products which might be used for internal repression; or
- (d) in relation to—
- (i) technical assistance referred to in paragraph (1)(d), or
 - (ii) financing or financial assistance referred to in paragraph (1)(f) and related to the equipment, goods or technology listed in Annex I or IA,
- if one of the conditions in paragraph (5) is met.
- (5) The conditions referred to in paragraph (4)(d) are that the technical assistance, financing or financial assistance is—
- (a) technical assistance intended solely for the support of the United Nations Disengagement Observer Force,
 - (b) related to non-lethal military equipment, or equipment which might be used for internal repression, intended solely for humanitarian purposes or protective use or for institution building programmes of the UN and the European Union, or for European Union or UN crisis management operations, or
 - (c) non-combat vehicles fitted with materials to provide ballistic protection, intended solely for the protective use of personnel of the European Union and its Member States in Syria.

Offences related to equipment, technology and software listed in Annex V

- 10.**—(1) A person to whom this Order applies (“P”) commits an offence if P knowingly —
- (a) sells, supplies, transfers or exports (directly or indirectly) equipment, technology or software listed in Annex V to the Council Regulation to persons in Syria or for use in Syria;
 - (b) provides (directly or indirectly) technical assistance or brokering services related to the equipment, technology or software listed in Annex V, or related to the provision, manufacture, maintenance and use of equipment, technology or software listed in that Annex, or to the provision, installation, operation or updating of any software listed in that Annex, to persons in Syria or for use in Syria;
 - (c) provides (directly or indirectly) financing or financial assistance related to the equipment, technology or software listed in Annex V, to persons in Syria or for use in Syria; or
 - (d) provides any telecommunication or internet monitoring or interception services of any kind to, or for the direct or indirect benefit of, the State of Syria, its Government, its public bodies, corporations and agencies or any person or entity acting on their behalf or at their direction.
- (2) Paragraph (1) does not apply if P is acting under the authority of a licence granted by the Governor under this article.
- (3) The Governor must not grant a licence for an activity mentioned in paragraph (1), and may annul, suspend, modify or revoke a licence that has already been so granted, if the Governor reasonably believes that the equipment, technology or software is or may be intended for use in connection with—

- (a) the monitoring, by or on behalf of the Syrian regime, of internet or telephone communications in Syria, or
- (b) the interception, by or on behalf of the Syrian regime, of internet or telephone communications in Syria.

Offences related to crude oil and petroleum products listed in Annex IV

- 11.—(1) A person to whom this Order applies (“P”) commits an offence if P knowingly —
- (a) imports crude oil or petroleum products listed in Annex IV to the Council Regulation into the Territory if the products originated in Syria, or have been exported from Syria;
 - (b) purchases crude oil or petroleum products listed in Annex IV which are located in or which originated in Syria;
 - (c) transports crude oil or petroleum products listed in Annex IV if the products originated in Syria, or are being exported from Syria to any other country; or
 - (d) provides (directly or indirectly) financing or financial assistance (including financial derivatives, insurance and reinsurance) related to the import, purchase or transport of crude oil and petroleum products listed in Annex IV if the products originated in Syria, or have been imported from Syria.
- (2) Paragraph (1) does not apply if P is acting under the authority of a licence granted by the Governor under this Order.
- (3) Paragraph (1) does not apply to—
- (a) the execution of an obligation arising from a contract concluded before the date on which this Order comes into force, or
 - (b) the purchase of crude oil or petroleum products which had been exported from Syria before the date on which this Order comes into force or, where the export was made pursuant to paragraph (a), on or before that date,

if the person, entity or body seeking to perform the obligation concerned has notified the transaction or activity to the Governor of the Territory in which it is established at least 7 working days in advance.

Offences related to key equipment or technology listed in Annex VI

- 12.—(1) A person to whom this Order applies (“P”) commits an offence if P knowingly —
- (a) sells, supplies, transfers or exports key equipment or technology listed in Annex VI to the Council Regulation (directly or indirectly) to any Syrian person, entity or body or for use in Syria;
 - (b) provides (directly or indirectly) technical assistance or brokering services related to the key equipment and technology listed in Annex VI, or related to the provision, manufacture, maintenance and use of goods listed in that Annex, to any Syrian person, entity or body or for use in Syria; or
 - (c) provides (directly or indirectly) financing or financial assistance related to the key equipment and technology listed in Annex VI to any Syrian person, entity or body or for use in Syria.
- (2) Paragraph (1) does not apply if P is acting under the authority of a licence granted by the Governor under this Order.
- (3) Paragraph (1) does not apply to the performance of an obligation required by a contract which was awarded or concluded before the date on which this Order comes into force, provided that the

person or entity seeking to rely on this paragraph has notified the Governor of the Territory in which it is established at least 21 calendar days in advance.

(4) For the purposes of paragraph (3), a contract has been “awarded” to a person or entity if express written confirmation of the award of the contract to that person or entity has been sent by the other contracting party, following the conclusion of a formal tender process.

Offences related to the movement of Syrian banknotes or coins

13. A person to whom this Order applies (“P”) commits an offence if P knowingly sells, supplies, transfers or exports (directly or indirectly) new Syrian denominated banknotes or coinage printed or minted in the Territory, to the Central Bank of Syria.

Offences related to the movement of gold, precious metals or diamonds listed in Annex VIII

14. A person to whom this Order applies (“P”) commits an offence if P knowingly —

- (a) sells, supplies, transfers or exports (directly or indirectly) gold, precious metals or diamonds, as listed in Annex VIII to the Council Regulation, to the Government of Syria, its public bodies, corporations and agencies, the Central Bank of Syria or any person, entity or body acting on their behalf or at their direction, or any entity or body owned or controlled by them;
- (b) purchases, imports or transports (directly or indirectly) gold, precious metals or diamonds as listed in Annex VIII, whether or not the item concerned originated in Syria, from the Government of Syria, its public bodies, corporations and agencies or any person, entity or body acting on their behalf or at their direction, or any entity or body owned or controlled by them; or
- (c) provides (directly or indirectly) technical assistance or brokering services, financing or financial assistance, related to gold, precious metals and diamonds as listed in Annex VIII, to the Government of Syria, its public bodies, corporations and agencies, the Central Bank of Syria or any person, entity or body acting on their behalf or at their direction, or any entity or body owned or controlled by them.

Offences related to luxury goods listed in Annex X

15.—(1) A person to whom this Order applies (“P”) commits an offence if P knowingly sells, supplies, transfers or exports (directly or indirectly) luxury goods listed in Annex X to the Council Regulation to Syria.

(2) The prohibition in paragraph (1) does not apply to goods of a non-commercial nature, for personal use, contained in travellers’ luggage.

Offences related to equipment or technology listed in Annex VII

16.—(1) A person to whom this Order applies (“P”) commits an offence if P knowingly —

- (a) sells, supplies, transfers or exports equipment or technology to be used in the construction or installation in Syria of new power plants for electricity production, as listed in Annex VII to the Council Regulation, or
- (b) provides (directly or indirectly) financial or technical assistance in relation to any project referred to in paragraph (a).

(2) Paragraph (1) does not apply to the performance of an obligation required by a contract or agreement which was concluded before the date on which this Order comes into force, provided that the person or entity seeking to rely on this paragraph has notified the Governor of the Territory in which it is established at least 21 calendar days in advance.

Offences related to restrictions on financing of certain enterprises

- 17.**—(1) A person to whom this Order applies (“P”) commits an offence if P knowingly —
- (a) grants any financial loan or credit to a relevant Syrian person, entity or body,
 - (b) acquires or extends a participation in a relevant Syrian person, entity or body, or
 - (c) creates a joint venture with a relevant Syrian person, entity or body.
- (2) Paragraph (1)—
- (a) does not apply to the execution of an obligation arising from an agreement or contract concluded before the date on which this Order comes into force and relating to—
 - (i) the exploration, production or refining of crude oil, or
 - (ii) the construction or installation of new power plants for electricity production; and
 - (b) does not prevent the extension of a participation relating to—
 - (i) the exploration, production or refining of crude oil, if such extension is an obligation under an agreement concluded before the date on which this Order comes into force, or
 - (ii) the construction or installation of new power plants for electricity production, if such extension is an obligation under an agreement concluded before the date on which this Order comes into force.
- (3) For the purposes of this article—
- “the exploration of crude oil” includes the exploration for, prospecting for and management of crude oil reserves, as well as the provision of geological services in relation to such reserves;
- “the refining of crude oil” means the processing, conditioning or preparation of oil for the ultimately final sale of fuels;
- “relevant Syrian person, entity or body” means a Syrian person entity or body engaged—
- (i) in the exploration, production or refining of crude oil, or
 - (ii) the construction or installation of new power plants for electricity production.

Circumvention of prohibitions in articles 4 to 17

- 18.** A person to whom this Order applies (“P”) commits an offence if P participates, knowingly and intentionally, in activities the object or effect of which is (directly or indirectly)—
- (a) to circumvent any of the prohibitions in articles 4 to 17, or
 - (b) to enable or facilitate the contravention of any such prohibition.