
STATUTORY INSTRUMENTS

2012 No. 3066

The Democratic People's Republic of Korea
(Sanctions) (Overseas Territories) Order 2012

PART 2

Restricted goods etc.

Providing, obtaining or carrying restricted goods or luxury goods

7.—(1) It is an offence for a person to knowingly sell, supply, transfer or export (directly or indirectly) restricted goods—

- (a) to any person in North Korea, or
- (b) for use in North Korea.

(2) It is an offence for a person to knowingly obtain restricted goods from North Korea, regardless of whether the goods originated in North Korea.

(3) It is an offence for a relevant person to knowingly use a ship, aircraft or vehicle falling within paragraph (6) for the carriage of restricted goods if the carriage is, or forms part of, carriage—

- (a) from any place outside North Korea to any destination in North Korea, or
- (b) from any place in North Korea to any destination outside North Korea.

(4) It is an offence for a person to knowingly sell, supply, transfer or export (directly or indirectly) luxury goods—

- (a) to any person in North Korea, or
- (b) for use in North Korea.

(5) It is an offence for a relevant person to knowingly use a ship, aircraft or vehicle falling within paragraph (6) for the carriage of luxury goods if the carriage is, or forms part of, carriage from any place outside North Korea to any destination in North Korea.

(6) The following fall within this paragraph—

- (a) a ship, aircraft or vehicle within the Territory,
- (b) a ship or aircraft registered in the Territory, or
- (c) any other ship or aircraft that is for the time being chartered to a person mentioned in article 2(1)(a) or (b).

(7) A “relevant person”, in relation to a ship, aircraft or vehicle falling within paragraph (6)(a) or (b), means—

- (a) the owner or master of the ship,
- (b) the charterer, operator or commander of the aircraft, or
- (c) the driver or operator of the vehicle.

(8) A “relevant person”, in relation to a ship or aircraft falling within paragraph (6)(c) means—

- (a) the charterer of the ship or aircraft, or
- (b) the master of the ship, or operator of the aircraft, if the master or operator is a person mentioned in article 2(1)(a) or (b).

(9) Paragraphs (3) and (5) are without prejudice to any other provision of law prohibiting or restricting the use of ships, aircraft or vehicles.

(10) Schedule 2 (which contains provision about customs powers and investigations in relation to offences under this article) has effect.

(11) This article is subject to article 11.

Providing assistance related to restricted goods

8.—(1) It is an offence for a person to knowingly provide (directly or indirectly) assistance relating to the sale, supply, transfer or export of restricted goods —

- (a) to any person in North Korea, or
- (b) for use in North Korea.

(2) It is an offence for a person to knowingly provide (directly or indirectly) assistance relating to the maintenance, manufacture or use of restricted goods—

- (a) by any person in North Korea, or
- (b) for use in North Korea.

(3) This article is subject to article 11.

Obtaining assistance related to restricted goods

9.—(1) It is an offence for a person to knowingly obtain (directly or indirectly) assistance relating to the sale, supply, transfer or export of restricted goods —

- (a) from any person in North Korea, or
- (b) for use in North Korea.

(2) It is an offence for a person to knowingly obtain (directly or indirectly) assistance relating to the maintenance, manufacture or use of restricted goods—

- (a) from any person in North Korea, or
- (b) for use in North Korea

(3) This article is subject to article 11.

Providing ship supply services

10.—(1) It is an offence for a person (“P”) to provide ship supply services to any ship registered in North Korea where P knows, or has reasonable grounds to suspect, that the ship is carrying restricted goods or luxury goods the carriage of which is prohibited by article 7(3) or (5).

(2) No offence is committed under paragraph (1) if the provision of ship supply services is necessary for humanitarian purposes.