

**EXPLANATORY MEMORANDUM TO  
THE ZIMBABWE (SANCTIONS) (OVERSEAS TERRITORIES) (SUSPENSION  
AND AMENDMENT) ORDER 2013**

**2013 No. 1446**

1. This Explanatory Memorandum has been prepared by the Foreign and Commonwealth Office and is laid before Parliament by Command of Her Majesty.

**2. Purpose of the instrument**

This Order suspends financial sanctions provisions of the Zimbabwe (Sanctions) (Overseas Territories) Order 2012 which gave effect in specified Overseas Territories to sanctions against Zimbabwe decided upon by the Council of the European Union and contained in Council Decision 2011/101/CFSP as amended.

**3. Matters of special interest to the Joint Committee on Statutory Instruments**

None.

**4. Legislative Context**

4.1 This Order is made in exercise of statutory powers under the Saint Helena Act 1833, the British Settlements Acts 1887 and 1945 and the legislative power of the Royal Prerogative.

4.2 The statutory and prerogative powers to legislate for the Overseas Territories are applicable to the Overseas Territories as follows:

- (i) The Saint Helena Act 1833 applies to St Helena;
- (ii) The British Settlements Acts 1887 and 1945 are applicable to Ascension and Tristan da Cunha, British Antarctic Territory, the Falkland Islands, Pitcairn (including Henderson, Ducie and Oeno Islands), and South Georgia and the South Sandwich Islands;
- (iii) The prerogative legislative power is applicable to Anguilla, British Indian Ocean Territory, Cayman Islands, Montserrat, the Sovereign Base Areas of Akrotiri and Dhekelia, Turks and Caicos Islands, and the Virgin Islands.

## **5. Territorial Extent and Application**

This Order applies to the following territories: Anguilla, British Antarctic Territory, British Indian Ocean Territory, Cayman Islands, the Falkland Islands, Montserrat, Pitcairn (including Henderson, Ducie and Oeno Islands), St Helena, Ascension and Tristan da Cunha, South Georgia and the South Sandwich Islands, the Sovereign Base Areas of Akrotiri and Dhekelia, the Turks and Caicos Islands and the Virgin Islands. Bermuda legislates independently to impose restrictive measures. These measures are implemented in Gibraltar by Council Regulation (EU) No 314/2004, as amended, and local legislation.

## **6. European Convention on Human Rights**

As this Order is not subject to Parliamentary procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

In view of positive political developments in Zimbabwe, the Council of the European Union decided in Council Decision 2013/160/CFSP to suspend, in relation to the majority of designated persons and entities, the application of all financial sanctions. This Order therefore suspends financial sanctions provisions of the Zimbabwe (Sanctions) (Overseas Territories) Order 2012 which gave effect in certain Overseas Territories to sanctions against Zimbabwe adopted by the Council of the European Union. The Order also makes minor corrections to the 2012 Order.

## **8. Consultation**

The Overseas Territories to which the Order applies were consulted about the Order.

## **9. Guidance**

Guidance may be sought from the contact below.

## **10. Impact**

10.1 There is no impact on business, charities or the voluntary sector in the United Kingdom.

10.2 There is no impact on the public sector in the United Kingdom.

10.3 An Impact Assessment has therefore not been prepared for this instrument.

**11. Regulating small business**

The legislation does not apply to small business in the United Kingdom.

**12. Monitoring and Review**

The EU sanctions are monitored and reviewed by the Council of the European Union. Amendments will be made to this legislation following any further modifications to the sanctions regime by the Council. The Council will review the suspension every 3 months.

**13. Contact**

Paul Scullion at the Foreign and Commonwealth Office can answer any queries regarding the instrument. Telephone: 020 7008 3061. E-mail: [paul.scullion2@fco.gov.uk](mailto:paul.scullion2@fco.gov.uk).