

**EXPLANATORY MEMORANDUM TO**  
**THE EXPORT CONTROL (SYRIA SANCTIONS) (AMENDMENT) ORDER 2014**

**2014 No. 1896**

1. This explanatory memorandum has been prepared by the Department for Culture, Media and Sport and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. **Purpose of the instrument**

- 2.1 The Export Control (Syria Sanctions) (Amendment) Order 2014 (“the Order”) makes provision relating to the enforcement of trade sanctions against Syria set out in Council Regulation (EU) No 36/2012 of 18 January 2012, which was last amended by Council Regulation (EU) No 124/2014 of 10 February 2014 (“the Syria Regulation”). The Order is required because of new sanctions set out in Council Regulation (EU) No 1332/2013 of 13 December 2013, which amended the Syria Regulation.

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

- 3.1 None.

4. **Legislative Context**

- 4.1 The Order is made in exercise of powers under section 2(2) of the European Communities Act 1972.

5. **Territorial Extent and Application**

- 5.1 This instrument applies to all of the United Kingdom.

6. **European Convention on Human Rights**

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. **Policy background**

- 7.1 The government’s policy is to support the EU legislation concerning restrictive measures against Syria.

- 7.2 The Order provides for national offences and penalties that are required to supplement Article 11c of the Syria Regulation. These provisions are concerned with prohibiting trade in certain Syrian cultural goods where there are reasonable grounds to suspect that the goods have been removed from Syria without the consent of the legitimate owner or in breach of Syrian or international law. The goods covered are

Syrian cultural property goods and other goods of archaeological, historical, cultural, rare scientific or religious importance, including those listed in Annex XI to the Syria Regulation.

7.3 Actions of importing and exporting contrary to prohibitions under the Syria Regulation are already offences attracting penalties under the Customs and Excise Management Act 1979. The Order increases the penalties for those offences. The Order makes new offences and penalties for the actions of transferring the relevant goods or providing brokering services related to their import, export or transfer.

7.4 The Order achieves this through amendments to the Export Control (Syria Sanctions) Order 2013 (S.I. 2013/2012).

7.5 The Order does not seek to consolidate the existing Export Control (Syria Sanctions) Order 2013.

## **8. Consultation outcome**

8.1 The Order consists of a technical implementation of a directly applicable EU Regulation. Accordingly, no consultation was necessary.

## **9. Guidance**

9.1 A Notice to Exporters has been published on the Arts Council England website ([www.artscouncil.org.uk/what-we-do/supporting-museums/cultural-property/export-controls/export-licensing/](http://www.artscouncil.org.uk/what-we-do/supporting-museums/cultural-property/export-controls/export-licensing/)) explaining the purpose and effect of the Syria Regulation and practical advice on the requirements for export licence applications for cultural objects from Syria. Relevant enforcement agencies have also been notified of the Syria Regulation.

## **10. Impact**

10.1 The Order provides for the offences and penalties in relation to the restrictive measures in the Syria Regulation which are directly applicable in Member States. Thus, a regulatory impact assessment has not been prepared for this instrument as it has no or minimal impact on business, charities or voluntary bodies.

10.2 There is no or minimal impact on the public sector.

## **11. Regulating small business**

11.1 This legislation applies to small business.

## **12. Monitoring & review**

12.1 The Department will monitor the developments in Syria, the actions taken by the EU and the impact of the Order and give effect to any necessary changes if the sanctions are reviewed.

### **13. Contact**

James Pender at the Department for Culture, Media and Sport Tel: 020 72116491 or email: [james.pender@culture.gsi.gov.uk](mailto:james.pender@culture.gsi.gov.uk) can answer any queries regarding the instrument.