

This Statutory Instrument corrects defects in S.I. 2015/1382 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2017 No. 160

OVERSEAS TERRITORIES

The Democratic Republic of the Congo (Sanctions) (Overseas Territories) (Amendment) Order 2017

<i>Made</i>	- - - -	<i>15th February 2017</i>
<i>Laid before Parliament</i>		<i>16th February 2017</i>
<i>Coming into force</i>	- -	<i>17th February 2017</i>

At the Court at Buckingham Palace, the 15th day of February 2017

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 112 of the Saint Helena Act 1833^(a), the British Settlements Acts 1887 and 1945^(b), and all of the other powers enabling Her to do so, is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the Democratic Republic of the Congo (Sanctions) (Overseas Territories) (Amendment) Order 2017 and comes into force on 17th February 2017.

(2) In this Order, “the principal Order” means the Democratic Republic of the Congo (Sanctions) (Overseas Territories) Order 2015^(c).

(3) This Order extends to the territories listed in Schedule 1 to the principal Order.

Amendments to the principal Order

2.—(1) The principal Order is amended as follows.

(2) For article 2(3) substitute—

“(3) Article 17 applies to the Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus, the Falkland Islands, South Georgia and the South Sandwich Islands, and St Helena, Ascension and Tristan da Cunha as set out in Schedule 2.”.

(3) In article 3(1)—

(a) 1833 c.85.
(b) 1887 c.54 and 1945 c.7.
(c) S.I. 2015/1382.

- (a) in the definition of “the Council Regulation”, for “Council Regulation (EU)” substitute “Council Regulation (EC)”**(a)**;
 - (b) in the definition of “designated person”, for “, entity or body listed in Annex I” substitute “listed in Annex I or Annex Ia”;
 - (c) in the definition of “insurance”, omit “natural or legal”; and
 - (d) omit the definitions of “non-governmental person” and “person”.
- (4) In article 5(1), after sub-paragraph (b), insert—
- “(c) in respect of a person listed in Annex Ia to the Council Regulation, payments due under judicial, administrative or arbitral decisions.”.
- (5) In article 6(4), after “article 5(1)(b)” insert “, (c)”.
- (6) In article 10(3)—
- (a) in sub-paragraph (h), after “arbitral lien” insert “, decision”; and
 - (b) for sub-paragraph (i), substitute—
- “(i) in respect of a person listed in Annex Ia to the Council Regulation, payment necessary for humanitarian purposes, such as delivering or facilitating the delivery of assistance, including medical supplies and food, or the transfer of humanitarian workers and related assistance, or for evacuations from the Democratic Republic of the Congo.”.
- (7) In Schedule 2—
- (a) in paragraph 1, for sub-paragraph (1), substitute—
- “(1) Article 17 applies as follows to the Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus, the Falkland Islands, South Georgia and the South Sandwich Islands, and St Helena, Ascension and Tristan da Cunha.”; and
- (b) omit paragraph 2.

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Democratic Republic of the Congo (Sanctions) (Overseas Territories) Order 2015 (S.I. 2015/1382) (“the principal Order”), in particular to reflect Council Regulation (EU) 2016/2230 of 12 December 2016 (O.J. L. 336, 12.12.2016, p. 1) (“the 2016 Regulation”).

This Order amends the definition of “designated person” to include persons listed in Annex Ia, as well as in Annex I, to Council Regulation (EC) 1183/2005 of 18 July 2005, as amended by the 2016 Regulation. It also amends the provisions regarding the circumstances in which licenses may be granted under the principal Order; updates the penalty provisions in respect of specified territories; and makes other minor technical amendments.

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(a) Council Regulation (EC) No. 1183/2005 of 18 July 2005 (O.J. L. 193, 23.7.2005, p.1) was most recently amended by Council Regulation (EU) 2016/2230 of 12 December 2016 (O.J.L. 336 12.12.2015, p.1).