

delivery, directly or indirectly, to a person for the purposes of any business carried on in or operated from Iraq or Kuwait.

- (2) Any licence granted by the Secretary of State under any other Order relating to the control of exports made by virtue of the powers conferred by section 1 of the Import, Export and Customs Powers (Defence) Act 1939, and any licence granted under any other enactment prohibiting or restricting the exportation of goods, shall be subject to paragraph (1) of this article.

Exceptions

3. Nothing in article 2 of this Order shall prohibit the exportation of any goods under the authority of a licence granted by the Secretary of State under this Order, provided that all conditions attaching to the said licence are complied with.

Enforcement

4. Articles 5, 6 and 7 of the Export of Goods (Control) Order 1989 (customs powers for demanding evidence of destination, offences in connection with application for licences and conditions attaching to licences, and declarations as to goods and powers of search) shall apply for the enforcement of the provisions of this Order as they apply for the enforcement of the said Order of 1989.

Modification and revocation of licences

5. Any licence granted by the Secretary of State in pursuance of article 3 of this Order may be modified or revoked by him at any time.

R. J. Meadway, an Under Secretary, Department of Trade and Industry.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prohibits the export, without a licence under the Order from the Secretary of State, of all goods to Iraq and Kuwait, or to any other destination where the goods are to be delivered to a person for the purposes of a business carried on in or operated from Iraq or Kuwait.

8th August 1990.

(13 SI)

MODIFICATION AND REVOCATION OF IMPORT LICENCES

Coming into force 9th August 1990

The Secretary of State, in exercise of powers conferred by Articles 2 and 5 of the Import of Goods (Control) Order 1954, (S.I. 1954/23) and now vested in him (*See S.I. 1970/1537*):

- hereby modifies all individual import licences bearing serial numbers prefixed by the letter F, granted before the date of operation hereof, so as to exclude the importation into the United Kingdom of goods which originate in Iraq or Kuwait;
- hereby revokes all other individual import licences, granted before 6th August 1990, which authorise the importation into the United Kingdom of goods which originate in Iraq or Kuwait.

This instrument shall come into force on 9th August 1990.

A. E. Stoddart, an Assistant Secretary, Department of Trade and Industry

IMPORT LICENCE

Amendment No. 46 to the Open General Import Licence, dated 4th December 1987, granted by the Secretary of State.

Coming into force 9th August 1990

The Secretary of State, in exercise of powers conferred by Articles 2 and 5 of the Import of Goods (Control) Order 1954, (S.I. 1954/23) and now vested in him (*See S.I. 1970/1537*), hereby further modifies the Open General Import Licence granted by him on 4th December 1987, as follows:

- In Article 2, for the words "Articles 3 and 4" there shall be substituted "Articles 3, 4 and 5".
- For Article 5 there shall be substituted the following:
 - Nothing in this Licence shall authorise the importation of any goods which originate in Iraq or Kuwait.
 - Nothing in this Licence shall affect any prohibition of the importation of any goods under or by virtue of any enactment other than section 1 of the Import Export and Customs Powers (Defence) Act 1939 (S.I. 1954/23)."

- (3) The Schedule shall be amended as follows:
Entries Nos. 11A and 11B shall be deleted.

This Instrument shall come into force on 9th August 1990.

A. E. Stoddart, an Assistant Secretary, Department of Trade and Industry

8th August 1990.

(12 SI)

UNITED NATIONS

The Iraq and Kuwait (United Nations Sanctions) Order 1990

Made 8th August 1990

Laid before Parliament 8th August 1990

Coming into Force 9th August 1990

At the Court at H.M. Yacht Britannia 8th August 1990

Present,

The Queen's Most Excellent Majesty in Council

Whereas under Article 41 of the Charter of the United Nations the Security Council of the United Nations have, by a resolution adopted on 6th August 1990, called upon Her Majesty's Government in the United Kingdom and all other States to apply certain measures to give effect to a decision of that Council in relation to the situation between Iraq and Kuwait.

Now therefore Her Majesty, in exercise of the powers conferred on Her by section 1 of the United Nations Act 1946 (1946 c. 45), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation and Commencement, Extent and Interpretation.

1.—(1) This Order may be cited as the Iraq and Kuwait (United Nations Sanctions) Order 1990.

(2) This Order shall come into force on 9th August 1990.

(3) This Order shall extend to the United Kingdom and the Isle of Man.

(4) In this Order the following expressions have the meanings hereby respectively assigned to them, that is to say:

"Commander", in relation to an aircraft, means the person designated as commander of the aircraft by the operator thereof, and includes any person who is for the time being in charge of command of the aircraft;

"land transport vehicle" includes a barge;

"master", in relation to a ship, includes any person (other than a pilot) for the time being in charge of the ship;

"operator", in relation to an aircraft or to a land transport vehicle, means the person for the time being having the management of the aircraft or the vehicle;

"owner", where the owner of a ship is not the operator, means the operator and any person to whom it is chartered; and

"person in Iraq or Kuwait" includes any body constituted or incorporated under the law of Iraq or Kuwait and any body carrying on business (whether within Iraq or Kuwait or not) which is controlled by persons or bodies resident in Iraq or Kuwait or constituted or incorporated as aforesaid.

Exportation of Goods from Iraq or Kuwait

2.—(1) Except under the authority of a licence granted by the Secretary of State under this Order or the Imports of Goods (Control) Order 1954 (S.I. 1954/23, amended by S.I. 1954/627, S.I. 1975/2117 and S.I. 1978/806), the Control of Gold, Securities, Payments and Credits (Iraq) Directions 1990 (S.I. 1990/), the Control of Gold, Securities, Payments and Credits (Kuwait) Directions 1990 (S.I. 1990/), the Hong Kong (Control of Gold, Securities, Payments and Credits: Kuwait and Republic of Iraq) Order 1990 (S.I. 1990/) or the Caribbean Territories (Control of Gold, Securities, Payments and Credits: Kuwait and Republic of Iraq) Order 1990 (S.I. 1990/) no person shall:

(a) make or carry out any contract for the exportation of any goods from either Iraq or Kuwait;

(b) make or carry out any contract for the sale of any goods which he intends or has reason to believe that another person intends to export from either Iraq or Kuwait; or

(c) do any act calculated to promote the exportation of any goods from either Iraq or Kuwait.

(2) No person shall deal in any goods that have been exported from Iraq or Kuwait after the 6th August 1990, that is to say, shall, by way of trade or otherwise for gain, acquire or dispose of such goods or of any property or interest in them or any right to or charge upon them or process them or do any act calculated to promote any such acquisition, disposal or processing by himself or any other person. Provided that the aforesaid prohibition shall not apply, if a