EXPLANATORY MEMORANDUM TO THE
EXPORT CONTROL (AMENDMENT) ORDER 2006
2006 No. [2271]

1. This explanatory memorandum has been prepared by the Department of Trade & Industry and is laid before Parliament by Command of Her Majesty.

2. Description

2.1. The Order amends the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003 ('the 2003 Order') and the Trade in Goods (Control) Order 2003 ('the Trade Order').

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

3.1. The Department is today laying before Parliament the Order. The Department considers it is necessary to maintain a prohibition on export of items contained in Schedule 1A of the 2003 Order to all destinations including any of the Channel Islands and therefore for this Order to come into force as soon as possible.

4. Legislative Background

4.1. The Order corrects amendments to the 2003 Order and the Trade Order made by the Export Control (Security and Para-Military Goods) Order 2006 (S.I. 2006/1696) ('the 2006 Order). The unintended affect of the 2006 Order was that the previous control on export of goods in Schedule 1A to the Channel Islands was removed and the Channel islands were not taken account of in related matters.

4.2. Article 3 provides that goods of a description in Schedule 1 A to the 2003 Order are prohibited to be exported to any of the Channel Islands.

4.3. Article 4 provides a control on transit to or from a Member State to or from any of the Channel Islands.

4.4. Articles 6 and 7 amend articles 3 and 4 of the Trade Order so that the trade controls do not apply in relation to certain goods being moved between the Channel Islands and Member States.

4.5. Article 5 removes unnecessary wording from article 21 of the 2003 Order.

5. Extent

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

6. European Convention on Human Rights

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

7. Policy Background

7.1 The government's policy is to maintain a prohibition on export of Schedule 1 A goods in the 2003 Order to all destinations.

8. Impact

8.1. A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2. The impact on the public sector is minimal.

9. Contact

9.1. Jim Bouttell at the Department of Trade and Industry, Tel: 020 7215 4648, or email: jim.bouttell@dti.gsi.gov.uk can answer any queries regarding this instrument.

DEPARTMENT OF TRADE AND INDUSTRY
17th August 2006