EXPLANATORY MEMORANDUM TO
THE EXPORT CONTROL (LEBANON, ETC.) ORDER 2006

2006 No. 2683

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 Export Control (Lebanon, etc.) Order 2006 ('the Lebanon Order') amends the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003 ('the 2003 Order') and the Trade in Controlled Goods (Embargoed Destinations) Order 2004 (' 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 Export Control (Lebanon, etc.) Order.

3.2 The Lebanon Order provides for Council Common Position 2006/625/CFSP of 15th September 2006, concerning a prohibition on the sale or supply of arms and related material and on the provision of related services to entities or individuals in Lebanon in accordance with UNSC Resolution 1701(2006) ('the Lebanon Common Position'). The Department considers it is necessary to provide for the Lebanon Common Position as soon as possible and therefore for this Order to come into force as soon as possible.

3.3 The Lebanon Order, in Articles 3 and 4, also takes the opportunity to provide for an amendment to the 2003 Order to correct an omission in the Export Control (Security and Para-Military Goods) Order 2006 ('the 2006 Order'). However, the procedure for free issue has not been applied in this case as the principal reason for making this instrument at the current time is to provide for the Lebanon Common Position..

4. Legislative Background

4.1. The Lebanon Order is being made to provide for the arms embargo on Lebanon contained in the Lebanon Common Position and therefore makes amendments to the 2003 Order and the 2006 Order. The Lebanon Order also makes an unrelated amendment to the 2003 Order.

4.2. Article 5 adds Lebanon to the list of countries and destinations in Schedule 3 to the 2003 Order.

4.3. Article 6 adds Lebanon to the list of embargoed destinations in the Trade Order.

4.4. Articles 3 and 4 amend the 2003 Order to provide gangchains and leg-irons described in entry 1, and portable devices that administer an electric shock described in entry 2, of Schedule1A to the 2003 Order are prohibited to be exported when they are goods in transit to destinations not in a Member State or any of the Channel Islands.

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 make provision for an arms embargo contained in an EC Common Position as soon as possible.

7.2 The government's policy is to maintain a national prohibition on export of goods described in entry 1 and 2 of Schedule 1 A to the 2003 Order when they are goods in transit to all destinations not in a Member State or any of the Channel Islands.

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. There is no impact on the public sector.

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
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