STATUTORY INSTRUMENTS

1980 No. 737

IRAN

The Iran (Trading Sanctions) Order 1980

Made - - - -	*29th May* 1980
Laid before Parliament	*29th May* 1980
Coming into Operation	*30th May* 1980

At the Court of Saint James, the 29th day of May 1980

Present,

The Counsellors of State in Council

Whereas Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 21st day of May 1980, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Anne, being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by section 1 of the Iran (Temporary Powers) Act 1980(a) and of all other powers enabling Her Majesty, and by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf order, and it is hereby ordered, as follows:—

Citation, commencement and extent

1.—(1) This Order may be cited as the Iran (Trading Sanctions) Order 1980 and shall come into operation on 30th May 1980.

(2) This Order shall extend to the United Kingdom, the Channel Islands, the Isle of Man and the scheduled territories so as to be part of the laws thereof.

Interpretation

2.—(1) In this Order—

"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 or command of the aircraft;

(a) 1980 c. 28.

"embargoed goods" means all goods other than—

(*a*) those of a description set out in column 2 in Part I of Schedule 1 to this Order falling within the heading of the Common Customs Tariff of the European Economic Community(**a**) set out in column 1 of that Part of the Schedule; and

(*b*) those of a description set out in column 2 in Part II of Schedule 1 to this Order falling within the heading of the Common Customs Tariff of the European Economic Community set out in column 1 of that Part of the Schedule and sold or supplied for use solely or mainly for medical or surgical purposes;

"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", in relation to a ship, means the person for the time being registered as the owner of that ship;

"person in Iran" includes the Government of Iran, and any department, organ or agency of that Government in Iran, and any body of persons, whether corporate or unincorporate, in Iran;

"scheduled territory" means a territory specified in Schedule 2 to this Order.

(2) In this Order, references to a contract made before the date on which this Order comes into operation include a reference to such contracts the terms of which have been modified, amplified or extended after the date on which this Order comes into operation, and also include a reference to a contract made in continuation of an established course of business dealing, between the same parties relating to goods of the same or a similar class, which existed immediately before the date on which this Order comes into operation.

(3) In Schedule 2 to this Order, references to chapters and headings are references to chapters and headings in the Common Customs Tariff of the European Economic Community and accordingly—

(i) where any such reference is preceded by the word "ex" the relevant entry shall be taken to comprise all goods which would be classified under an entry in the same terms constituting a subheading; and

(ii) all other entries shall be taken to comprise all goods which are classified in the chapter or heading mentioned in column 1 of the said Schedule.

Contracts for the supply of goods to Iran

3.—(1) Subject to paragraph (2) of this Article and except under the authority of a licence granted by the Secretary of State, or, as the case may be, the Governor of a scheduled territory, no person shall make or perform a contract for the sale or supply to, to the order of or for the purposes of any person in Iran of any embargoed goods which are in the United Kingdom or in any territory to which this Order extends.

(2) Nothing in paragraph (1) of this Article shall apply to the sale or supply of goods made pursuant to or in furtherance of a contract made before the date on which this Order comes into operation.

(3) Any person who knowingly contravenes paragraph (1) of this Article shall be guilty of an offence against this Order.

(**a**) *See* Council Regulation (EEC) No. 3000/79 (O.J. No. L342, 31.12.1979) amending Regulation (EEC) No. 950/68.

(4) Nothing in this Article shall be construed so as to prejudice any other enactment or provision of law prohibiting or restricting the sale or supply of any goods to Iran.

(5) The exportation from the United Kingdom or from any territory to which this Order extends of any goods in performance of a contract of sale or supply prohibited by this Article is prohibited.

Contracts for the transport of goods to Iran

4.—(1) No person shall make or perform a contract for the transport of any embargoed goods (other than the personal effects and professional equipment of passengers) by means of a ship or aircraft to which this Article applies, or by means of any land transport vehicle, from any place in the United Kingdom, or any territory to which this Order extends, to any destination in Iran for delivery to a person in Iran.

(2) Nothing in paragraph (1) of this Article shall apply to any contract made, or any transport undertaken pursuant to or in furtherance of a contract made, before the date on which this Order comes into operation.

(3) This Article applies to ships and aircraft registered in the United Kingdom or in any territory to which this Order extends.

(4) Any person who knowingly contravenes paragraph (1) of this Article shall be guilty of an offence against this Order.

(5) Nothing in this Article shall apply to contracts for the transport of goods in respect of which a licence granted by the Secretary of State or the Governor of a scheduled territory is in force under any provision of this Order or under the Export of Goods (Control) (Iran Sanctions) Order 1980(**a**).

Proceedings, penalties and jurisdiction

5.—(1) Any person guilty of an offence against this Order shall be liable—

(*a*) in the United Kingdom or a scheduled territory:—
  (i) on summary conviction, to a fine not exceeding the statutory maximum; and
  (ii) on conviction on indictment, to a fine;

(*b*) in Jersey, to a fine;

(*c*) in the Bailiwick of Guernsey:—
  (i) on summary conviction to a fine not exceeding £500; and
  (ii) on conviction on indictment, to a fine; and

(*d*) in the Isle of Man:—
  (i) on summary conviction, to a fine not exceeding £1,000; and
  (ii) on conviction on information, to a fine.

(2) Where a contract prohibited by Article 4 is made or performed by a person who is at that time the owner or master of a ship, or as the case may be the operator or commander of an aircraft, registered in the United Kingdom or any territory to which this Order extends, he shall be guilty of an offence wherever the contract is made or performed.

(**a**) S.I. 1980/735.

(3) No proceedings for an offence against this Order shall be instituted in England, Wales, Northern Ireland, Jersey or in the Isle of Man except by the Secretary of State or with the consent of the Attorney General or, as the case may be, the Attorney General for Northern Ireland, Jersey or the Isle of Man and no such proceedings shall be instituted in a scheduled territory except by or with the consent of the principal public officer of the territory having responsibility for criminal prosecutions.

(4) Proceedings against any person for an offence against this Order may be taken before the appropriate court in the United Kingdom, or in any territory to which this Order extends, having jurisdiction in the place where that person is for the time being.

(5) In paragraph (1) above "the statutory maximum" means—

(*a*) in England and Wales and Northern Ireland, the prescribed sum within the meaning of section 28 of the Criminal Law Act 1977(**a**) (at the coming into operation of this Order £1,000);

(*b*) in Scotland, the prescribed sum within the meaning of section 289B of the Criminal Procedure (Scotland) Act 1975(**b**) (at the coming into operation of this Order £1,000);

and for the purposes of the application of this Article in Northern Ireland the provisions of the said Act of 1977 relating to the sum mentioned in paragraph (*a*) shall extend to Northern Ireland;

(*c*) in a scheduled territory, such sum as may be prescribed by or under the law thereof as the maximum fine that may be imposed after summary conviction for offences generally, or if no such sum is so prescribed, such sum as in the currency of the territory is equivalent to £1,000.

Enforcement

6. Articles 4, 5 and 6 of the Export of Goods (Control) Order 1978(**c**) (customs powers for demanding evidence of destination, offences in connection with applications for licences and powers of search) shall apply for the enforcement of the provisions of Article 3(5) of this Order as they apply for the enforcement of the said Order of 1978.

Modification and revocation of licences

7. Any licence granted under this Order may be modified or revoked at any time.

N. E. Leigh,
Clerk of the Privy Council.

(**a**) 1977 c. 45. (**b**) 1975 c. 21. (**c**) S.I. 1978/796.

Article 2

SCHEDULE 1

PART I

Common Customs Tariff Chapter or Heading No. (1)	Description of Goods (2)
	A. Foodstuffs
Chapters 1 to 23	—Live animals; animal products —Vegetable products
	—Animal and vegetable fats and their cleavage products; prepared edible fats; animal and vegetable waxes
	—Prepared foodstuffs; beverages, spirits and vinegar
ex 33.04	—Raw materials for food and drink
ex 35.01	—Casein, caseinates and other casein derivatives, for use in foodstuffs
	B. Medical Products
ex 29.16	—Acetylsalicylic acid and its salts
29.36	—Sulphonamides
29.38	—Provitamins and vitamins, natural or reproduced by synthesis (including natural concentrates), derivatives thereof used primarily as vitamins, and intermixtures of the foregoing, whether or not in any solvent
29.39	—Hormones, natural or reproduced by synthesis; derivatives thereof, used primarily as hormones; other steroids used primarily as hormones
29.44	—Antibiotics
Chapter 30	—Pharmaceutical products
ex 33.06	—Products for cleaning and fixing dentures
ex 34.01	—Medical soaps
ex 34.07	—Preparations known as "dental wax" or as "dental impression compounds"
ex 38.11	—Disinfectants intended to destroy pathogenic germs
ex 38.19	—Preparations for pharmaceutical and surgical uses
ex 39.06	—Heparin
ex 40.12	—Pharmaceutical articles of unhardened vulcanized rubber
ex 40.13	—Surgical gloves of unhardened vulcanized rubber
ex 60.06	—Knitted or crocheted elastic or rubberized stockings and other pharmaceutical articles (e.g. elastic knee-caps and belts)
ex 70.10	—Test-tubes and similar containers for the conveyance or packing of tablets
ex 70.17	—Pharmaceutical glassware
ex 70.18	—Blanks for corrective spectacle lenses
ex 84.17	—Medical and surgical sterilizing apparatus
87.11	—Invalid carriages, whether or not motorized or otherwise mechanically propelled
ex 87.12	—Parts of invalid carriages, falling within heading No. 87.11
ex 90.01	—Contact lenses, spectacle lenses
90.03	—Frames and mountings and parts thereof, for spectacles
ex 90.04	—Corrective spectacles
90.17	—Medical, dental, surgical and veterinary instruments and appliances
90.18	—Mechano-therapy appliances (excluding gas masks and similar respirators)
90.19	—Orthopaedic appliances

Common Customs Tariff Chapter or Heading No. (1)	Description of Goods (2)
90.20	—Apparatus based on the use of X-rays
ex 90.23	—Clinical thermometers
94.02	—Medical, dental, surgical or veterinary furniture; dentists' and similar chairs with mechanical elevating, rotating or reclining movements; parts of the foregoing articles

PART II

Common Customs Tariff Chapter or Heading No. (1)	Products which can be used for Medical Purposes (2)
27.12	—Petroleum jelly
27.13	—Paraffin wax
Chapter 28	—Inorganic chemicals
Chapter 29	—Organic chemicals (other than products in Part I of this Schedule)
ex 32.04	—Sunflower seed extracts
ex 32.09	—Dyes for microscope slides
ex 37.01	—Plates and film in the flat for radiography
ex 37.02	—Sensitized film for radiography
37.05	—Plates, unperforated film
37.07	—Cinematograph film
ex 38.11	—Preservative articles
ex 38.16	—Prepared culture media
ex 38.19	—Preparations of vitamins
ex 48.01	—Cellulose wadding
ex 48.21	—Sanitary towels and tampons
ex 59.01	—Wadding for bandages
ex 70.10	—Medical containers for conveyance or packing of goods
ex 70.17	—Laboratory and hygenic glassware, glass ampoules
ex 84.17	—Machinery and equipment for distilling
ex 85.11	—Incubation furnaces and ovens
ex 90.12	—Microscopes and parts thereof
ex 90.13	—Magnifying glasses
ex 90.15	—Analytical balances and parts and accessories thereof
ex 90.25	—Instruments and apparatus (other than mechanical and electrical) for physical and chemical analysis
ex 90.28	—Electrical or electronic instruments and apparatus

SCHEDULE 2

TERRITORIES TO WHICH THE ORDER EXTENDS

British Antarctic Territory
Belize
Bermuda
British Virgin Islands
Cayman Islands
Falkland Islands Colony and Dependencies
Gibraltar
Hong Kong
Montserrat
Pitcairn Islands
Saint Helena and its Dependencies
Sovereign Base Areas of Akrotiri and Dhekelia
Turks and Caicos Islands

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order prohibits the making or performance of contracts for the sale, supply or transport of embargoed goods from the United Kingdom, or from any territory to which the Order extends, to Iran.

All goods are embargoed except specified foodstuffs, medical products and other specified products if sold or supplied for medical or surgical purposes.

Contracts made before the date on which the Order comes into operation (as defined in Article 2 (2)) are excluded from these restrictions.