EXPLANATORY MEMORANDUM TO

THE IRAN (UNITED NATIONS SANCTIONS) (AMENDMENT) ORDER 2011

2011 No. 2985

1. This Explanatory Memorandum has been prepared by the Foreign and Commonwealth Office and is laid before Parliament by Command of Her Majesty.

2. Description

This instrument, the Iran (United Nations Sanctions) (Amendment) Order 2011 (the "Order") amends the Iran (United Nations Sanctions) Order 2009 (the "principal Order") as amended by the Iran (United Nations Sanctions) (Amendment) Order 2010 (the "amendment Order 2010"). These Orders give effect to United Nations sanctions and supplement trade controls.

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

3.1 The JCSI corresponded with the Foreign and Commonwealth Office in relation to the amendment Order 2010, having identified some drafting errors in it. The purpose of this Order is to correct these errors.

3.2 The Order will be made at the Privy Council meeting on 14th December 2011 and will be laid before Parliament on the 21st December 2011. Given this coincides with a period of Parliamentary recess, the Order will not come into force until the 18th January 2012 which will ensure that it will be laid for at least a week after the Commons and the Lords resume on the 10th January 2012.

4. Legislative context

4.1 The principal Order implements a series of resolutions made by the Security Council of the United Nations: 1737(2006), 1747(2007), 1803(2008) and 1929(2010). The last in this series, 1929(2010), was adopted by the Security Council on 9 June 2010. The principal Order prohibits the procurement of military goods from Iran regardless of destination, and also carriage of such items by UK flagged vessels or UK registered aircraft and vehicles.

4.2 The amendment Order 2010 amended the principal Order in a number of respects, including by introducing a prohibition on the use of UK flagged ships and UK registered aircraft and vehicles for carriage of WMD-related goods to Iran and

prohibiting the provision of ship supply services to Iranian ships. It also updated the enforcement powers available to enforcement officers.

4.3 The purposes of this Order is to correct some drafting errors in the amendment Order 2010; it will be issued free of charge to all known recipients of that Order.

5. Territorial extent and application

The principal Order extends to all of the United Kingdom. It also applies to UK persons, UK flagged ships and UK registered aircraft outside the United Kingdom in circumstances defined in the Order.

6. European Convention on Human Rights

There are no human rights implications.

7. Policy background

The UK fully supports UN restrictive measures against Iran and this Order assists the UK's compliance with its international obligations.

8. Consultation

No consultation was carried out in relation to this Order.

9. Guidance

Guidance may be sought from the contact below.

10. Impact

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

11. Regulating Small Business

This Order does not apply to small business.

12. Monitoring and Review

The UN sanctions measures implemented by the principal Order are monitored and reviewed by the Security Council. If the UN measures were suspended or lifted, the principal Order will be reviewed and suspended or revoked as necessary.

13. Contact

Pat Barrie at the FCO (Tel: 020 7008 3078 or e-mail: pat.barrie@fco.gov.uk) can answer any queries regarding the instrument.