

2015 No. 1772

OVERSEAS TERRITORIES

The Iran (Restrictive Measures) (Overseas Territories)
(Amendment) (No. 2) Order 2015

(Legal Notice 64 of 2015)

Made	- - - -	8th October 2015
Laid before Parliament		15th October 2015
Coming into force	- -	5th November 2015

At the Court at Buckingham Palace, the 8th day of October 2015

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 1 of the United Nations Act 1946(a), section 112 of the Saint Helena Act 1833(b), the British Settlements Acts 1887 and 1945(c), and all of the other powers enabling Her to do so, is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the Iran (Restrictive Measures) (Overseas Territories) (Amendment) (No. 2) Order 2015 and comes into force on 5th November 2015.

(2) In this Order “the principal Order” means the Iran (Restrictive Measures) (Overseas Territories) Order 2012(d).

(3) This Order extends to the territories listed in Schedule 1 to the principal Order.

Amendment to the principal Order

2.—(1) The principal Order is amended as follows.

(2) After article 43, insert—

“Licences granted to implement the JCPOA

43A.—(1) The Governor may, with the consent of the Secretary of State, grant a licence authorising any activity that would otherwise be prohibited under this Order where the Governor considers that the activity relates to the matters specified under paragraph (3).

(a) 1946 c.45.

(b) 1833 c.85.

(c) 1887 c.54 and 1945 c.7.

(d) S.I. 2012/1756; relevant amending instruments are S.I. 2013/1444 and S.I. 2015/825.

(2) A person (“P”) is not guilty of an offence under this Order in respect of anything done by P under the authority of a licence granted by the Governor under this article.

(3) A licence granted under this article must be directly related to—

- (a) the modification of two cascades at the Fordow facility for stable isotope production;
- (b) the export of Iran’s enriched uranium in excess of 300 kilograms in return for natural uranium;
- (c) the modernisation of the Arak reactor based on the agreed conceptual design and, subsequently, on the agreed final design of such reactor;
- (d) the implementation of the nuclear-related actions specified in paragraphs 15.1 to 15.11 of Annex V to the JCPOA;
- (e) requirements for the preparation of the JCPOA; or
- (f) matters which the Sanctions Committee has determined to be consistent with the objectives of resolution 2231 (2015).

(4) A licence may not be granted under paragraph (3)(a) to (c) unless the Governor is satisfied:

- (a) all activities are undertaken strictly in accordance with the JCPOA;
- (b) the requirements, as appropriate, specified in subparagraph 22(c) of resolution 2231 (2015) have been met; and
- (c) the Governor has obtained, and is in a position to exercise effectively, a right to verify the end-use and end-use location of any supplied item.

(5) In this article—

“JCPOA” means the Joint Comprehensive Plan of Action of 14 July 2015 annexed to resolution 2231 (2015);

“resolution 2231 (2015)” means pursuant to the United Nations Security Council resolution adopted on 20th July 2015(a);

“Sanctions Committee” means the United Nations Sanctions Committee established pursuant to the United Nations Security Council resolution 1737 (2006) adopted on 23rd December 2006(b).”.

(3) In article 44(2), after “may” insert “, with the consent of the Secretary of State for a licence granted under article 43A,”.

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Iran (Restrictive Measures) (Overseas Territories) Order 2012 (S.I. 2012/1756) to give effect in specified Overseas Territories to the measures adopted by the European Union in Council Decision (EU) No 2015/1336 of 31 July 2015 (OJ L206 1.8.2015, p 66) (“the 2015 Decision”), which amends Council Decision (EU) No 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran (“the Iran Decision”).

The 2015 Decision amends the Iran Decision so as to allow for certain activities otherwise prohibited by the Iran Decision to be licensed in order to facilitate Iran’s implementation of certain requirements specified under the Joint Comprehensive Plan of Action of 14 July 2015 and the

(a) S/RES/2231 (2015).
(b) S/RES/1737 (2006).

United Nations Security Council resolution 2231 (2015) of 20 July 2015, which endorses that Plan of Action.

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