



Jersey

COMMUNITY PROVISIONS (RESTRICTIVE MEASURES – LEBANON) (JERSEY) ORDER 2007¹

Official Consolidated Version

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Jersey

COMMUNITY PROVISIONS (RESTRICTIVE MEASURES – LEBANON) (JERSEY) ORDER 2007

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Jersey

COMMUNITY PROVISIONS (RESTRICTIVE MEASURES – LEBANON) (JERSEY) ORDER 2007

THE CHIEF MINISTER, in pursuance of Article 2 of the European Communities Legislation (Implementation) (Jersey) Law 1996 and having regard to Council Regulation (EC) No. 1412/2006 of 25 September 2006 concerning restrictive measures in respect of Lebanon, as amended by Commission Regulation (EC) No. 690/2007 of 19 June 2007, orders as follows –²

Commencement [\[see endnotes\]](#)

1 Interpretation

In this Order, unless the context otherwise requires –

“Council Regulation” means Council Regulation (EC) No. 1412/2006 concerning certain restrictive measures in respect of Lebanon (OJ No. L267/2, 27.9.2006) as amended by Commission Regulation (EC) No. 690/2007 (OJ No. L159/39, 20.6.2007);

“technical assistance” means any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and includes instruction, advice, training, transmission of working knowledge or skills or consulting services and verbal forms of assistance;

“UNIFIL” means the United Nations Interim Force in Lebanon.

2 Prohibition on provision of assistance and financing

- (1) It shall be prohibited to provide, directly or indirectly, without being authorized to do so under this Order, technical assistance related to military activities and to the provision, manufacture, maintenance and use of arms and related *matériel* of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for any of those items, to any natural or legal person, entity or body in, or for use in, Lebanon.
- (2) It shall be prohibited to provide, directly or indirectly, without being authorized to do so under this Order, financing or financial assistance related to military activities, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of arms and related *matériel*, or for any provision of

related technical assistance, to any natural or legal person, entity or body in, or for use in, Lebanon.

- (3) It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to circumvent any prohibition referred to in paragraph (1) or (2).

3 Authorizations for provision of assistance to persons other than armed forces of Lebanese Republic

- (1) The Minister may, on the application of a person, authorize the provision of technical assistance, financing and financial assistance related to arms or related *matériel* which are either in, or for use in, Lebanon, to a person, entity or body, who or which is not the armed forces of the Lebanese Republic.
- (2) An authorization under paragraph (1) may be subject to such conditions as the Minister thinks fit.
- (3) The Minister shall not grant an authorization under paragraph (1) unless he or she has notified the Government of Lebanon and UNIFIL.
- (4) The Minister shall only grant an authorization under paragraph (1) if –
 - (a) the services that it authorizes would not be provided, directly or indirectly, to any militia for whose disarmament the UN Security Council has called in its Resolutions 1559 (2004) and 1680 (2006);
 - (b) the authorization is granted on a case-by-case basis; and
 - (c) the Government of Lebanon or UNIFIL authorized in each case the provision to the person, entity or body concerned of the services concerned.
- (5) For the purposes of paragraph (4)(c), if the Government of Lebanon or UNIFIL authorizes a specific supply or transfer to a person, entity or body of specific arms or related *matériel*, that authorization may be construed as authorizing the provision to that person, entity or body of technical assistance related to the provision, manufacture, maintenance and use of the goods concerned.

4 Authorizations for provision of assistance to the armed forces of Lebanese Republic

- (1) The Minister may, on the application of a person, authorize the provision to the armed forces of the Lebanese Republic of technical assistance related to military activities and to arms or related *matériel*, and of financing and financial assistance related to military activities.
- (2) An authorization under paragraph (1) may be subject to such conditions as the Minister thinks fit.
- (3) The Minister shall only grant an authorization under paragraph (1) if –
 - (a) he or she has notified the Government of Lebanon and UNIFIL; and
 - (b) the Government of Lebanon has not, within 14 days after receiving notification under sub-paragraph (a), objected to the authorization.

5 Authorizations for provision of assistance to UNIFIL

- (1) The Minister may, on the application of a person, authorize the provision of technical assistance related to military activities and to arms or related *matériel* if –
 - (a) the goods to which the assistance relates are in use or will be used by UNIFIL in the performance of its mission; and
 - (b) the services are provided to armed forces that are or will be part of UNIFIL.
- (2) An authorization under paragraph (1) may be subject to such conditions as the Minister thinks fit.
- (3) The Minister may, on the application of a person, authorize the provision of financing and financial assistance related to military activities and to arms or related *matériel* if –
 - (a) the financing or financial assistance is provided to UNIFIL, to the armed forces of a State that provides troops to UNIFIL, or to a public authority in charge of procurement for the armed forces of such a State; and
 - (b) the arms or related *matériel* are procured for the purpose of use by UNIFIL or by the armed forces of the State concerned assigned to UNIFIL.

6 Use and provision of information by Minister

- (1) The Minister shall only use information supplied or provided under this Order for the purposes described in this Order.
- (2) The Minister may inform the European Commission of the measures taken under this Order.
- (3) The Minister may supply the European Commission with any other relevant information at his or her disposal in connection with this Order, in particular, information in respect of violation and enforcement problems and judgments handed down by any court in Jersey.
- (4) The Minister may, for the purpose of assisting the European Commission or any competent authority of a Member State that is set out in the Annex to this Order in facilitating compliance with the Council Regulation, supply the Commission or authority with information provided to the Minister under Article 7.

7 Provision of information upon the request of the Minister

- (1) The Minister (or any person authorized by the Minister for that purpose either generally or in a particular case) may request a person in or resident in Jersey to –
 - (a) provide to the Minister information; or
 - (b) produce to the Minister a document,in the person's possession or control, that the Minister may require for the purpose of ensuring compliance with this Order or of facilitating compliance with the Council Regulation.
- (2) A person to whom a request is made under paragraph (1) shall comply with it within such time and in such manner as may be specified in the request.

- (3) Nothing in paragraph (2) shall require a person who has acted as legal adviser for a person to disclose a privileged communication made to the person in that capacity.
- (4) If a person is convicted of an offence under this Order of failing to provide information or to produce a document, the court may make an order requiring the person, within the period that may be specified in the order, to provide the information or produce the document.
- (5) The power conferred by this Article to request a person to produce a document includes the power to take copies of or extracts from a document so produced and to request the person or, if the person is a body corporate, any other person who is a present or past officer of, or is employed by, the body corporate, to provide an explanation of any such document.
- (6) Information provided or a document produced (including any copy or extract made of a document produced) by a person in pursuance of a request made under paragraph (1) shall not be disclosed except –
 - (a) subject to paragraph (7), with the consent of the person by whom the information was provided or the document was produced;
 - (b) to a person who would have been empowered under this Article to request that it be provided or produced or a person holding or acting in an office under or in the service of the States; or
 - (c) with a view to the institution of, or otherwise for the purposes of, proceedings for an offence under this Order.
- (7) A person who has obtained information or is in possession of a document only in the person's capacity as an employee or agent of another person may not give consent for the purposes of paragraph (6)(a) but such consent may instead be given by a person who is entitled to that information or to possession of that document in the person's own right.

8 Offences

- (1) A person who –
 - (a) contravenes Article 2;
 - (b) intentionally provided false information or a false explanation to any person exercising powers under Article 7; or
 - (c) with intent to evade Article 7, destroys, mutilates, defaces, secretes or removes any document,shall be guilty of an offence and liable to imprisonment for a term of 2 years and to a fine.
- (2) A person who, without reasonable excuse, refuses or fails within the time and manner specified (or, if no time has been specified, within a reasonable time) to comply with a request made under Article 7 shall be guilty of an offence and liable to imprisonment for a term of 3 months and to a fine.
- (3) If an offence under this Order committed by a limited liability partnership or body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of –

- (a) a person who is a partner of the partnership, or director, manager, secretary or other similar officer of the body corporate; or
 - (b) a person purporting to act in any such capacity,
- the person shall also be guilty of the offence and liable in the same manner as the partnership or body corporate to the penalty provided for that offence.
- (4) If the affairs of a body corporate are managed by its members, paragraph (3) shall apply in relation to acts and defaults of a member in connection with the member's functions of management as if the member were a director of the body corporate.
 - (5) A person who aids, abets, counsels or procures the commission of an offence under this Order shall also be guilty of the offence and liable in the same manner as a principal offender to the penalty provided for that offence.
 - (6) A prosecution for an offence under this Order shall not be instituted without the consent of the Attorney General.

9 Applicability of [Customs and Excise \(Jersey\) Law 1999](#) to certain offences

- (1) Article 48 of the [Customs and Excise \(Jersey\) Law 1999](#) shall apply to the arrest of a person for an offence against Article 8 of this Order as it applies to the arrest of a person for an offence under the [Customs and Excise \(Jersey\) Law 1999](#).
- (2) Articles 64 to 67 of the [Customs and Excise \(Jersey\) Law 1999](#) shall apply in relation to offences against Article 8 of this Order, offences and penalties for such offences, and proceedings for such offences, as those Articles apply in relation to offences, penalties, and proceedings for offences, under that Law.

10 Delegation

The Minister may, to such extent and subject to such restrictions and conditions as he or she may think proper, delegate or authorize the delegation of any of his or her functions under this Order to any person, or class or description of person, approved by the Minister.

11 Application of Order

This Order shall apply to Jersey (including its air space and on board any aircraft or vessel under the jurisdiction of Jersey) and to any body incorporated or constituted under the law of Jersey.

12 Citation

This Order may be cited as the Community Provisions (Restrictive Measures – Lebanon) (Jersey) Order 2007.

ANNEX

LIST OF COMPETENT AUTHORITIES

<p>BELGIUM</p> <p><i>Concerning freezing of funds, financing and financial assistance:</i></p> <p>Service Public Fédéral des Finances Administration de la Trésorerie 30 Avenue des Arts B-1040 Bruxelles Fax: (32-2) 233 74 65 E-mail: Quesfinvragen.tf@minfin.fed.be</p> <p>Federale Overheidsdienst Financiën Administratie van de Thesaurie Kunstlaan 30 B-1040 Brussel Fax: (32-2) 233 74 65 E-mail: Quesfinvragen.tf@minfin.fed.be</p> <p><i>Concerning goods, technical assistance and other services:</i></p> <p>Federal Authority in charge of sales, purchases and technical assistance by Belgian defence forces and security services, and of financial and technical services in relation to the production or delivery of weapons and military and paramilitary equipment:</p> <p>Service Public Fédéral Économie, P.M.E., Classes Moyennes & Énergie Direction générale du Potentiel économique Service Licences Rue de Louvain 44 1^{er} étage B-1000 Bruxelles Tél.: (32-2) 548 62 11 Fax: (32-2) 548 65 70</p> <p>Federale Overheidsdienst Economie, K.M.O., Middenstand & Energie Algemene Directie van het Economisch Potentieel Dienst vergunningen Leuvenseweg 44 1^{ste} verdieping B-1000 Brussel Tél.: (32-2) 548 62 11 Fax: (32-2) 548 65 70</p>	<p>Regional Authorities in charge of other export, import and transit licences for weapons, military and paramilitary equipment:</p> <p>Brussels Hoofdstedelijk Gewest/Région de Bruxelles – Capitale: Directie Externe Betrekkingen/Direction des Relations extérieures City Center Kruidtuinlaan/Boulevard du Jardin Botanique 20 B-1035 Brussel/Bruxelles Téléphone: (32-2) 800 37 59 (Cédric Bellemans) Fax: (32-2) 800 38 20 Mail: cbellemans@mrbc.irisnet.be</p> <p>Région wallonne: Direction Générale Economie et Emploi Dir Gestion des Licences, chaussée de Louvain 14, B-5000 Namur Tél.: 081/649 751 Fax: 081/649 760 Mail: m.moreels@mrw.wallonie.be</p> <p>Vlaams Gewest: Administratie Buitenlands Beleid Cel Wapenexport Boudewijnlaan 30 B-1000 Brussel Tel.: (32-2) 553 59 28 Fax: (32-2) 553 60 37 Mail: wapenexport@vlaanderen.be</p> <p>BULGARIA</p> <p><i>Concerning financing and financial assistance related to military activities:</i></p> <p>Министерство на финансите</p> <p>Ministère des finances</p>
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<p><i>Concerning technical assistance related to military activities:</i></p> <p>Министерство на икономика</p> <p>Ministère de l'économie et de l'énergie</p> <p><i>Concerning credit institutions:</i></p> <p>Българска</p> <p>Tél. (+359) 291 45 25 00</p> <p>stvo průmyslu a obchodu</p> <p>1216 København K</p>	<p><i>Concerning financing and financial assistance:</i></p> <p>Deutsche Bundesbank Servicezentrum Finanzsanktionen Postfach D-80281 München Tel.: (49-89) 28 89 38 00 Fax: (49-89) 70 90 97 38 00</p> <p><i>Concerning technical assistance:</i></p> <p>Bundesamt für Wirtschafts- und Ausfuhrkontrolle (BAFA) Frankfurter Straße 29–35 D-65760 Eschborn Tel.: (49-61) 9 69 08-0 Fax: (49-61) 9 69 08-800</p> <p>ESTONIA</p> <p><i>Concerning supply and sale of arms and related material and provision of technical assistance:</i></p> <p>Strateegilise kauba komisjon (Strategic Goods Commission) Islandi väljak 1 15049 Tallinn Tel.: (372) 6317 200 Faks: (372) 6377 288 E-mail: stratkom@mfa.ee</p> <p><i>Concerning financing and financial assistance:</i></p> <p>Finantsinspektsioon Sakala 4 15030 Tallinn Tel.: (372) 6680 500 Faks: (372) 6680 501</p> <p>GREECE</p> <p><i>A. Freezing of Assets</i></p> <p>Ministry of Economy and Finance General Directory of Economic Policy Address: 5 Nikis Str., 101 80 Athens, Greece Tel.: (30-210) 333.2786 Fax: (30-210) 333.2810</p> <p>Α. Δέσμευση</p>
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<p>Österreichische Nationalbank Otto Wagner Platz 3, A-1090 Wien Tel.: (+43-1) 404 20–0 Fax: (+43-1) 404 20 73 99</p> <p>Bundesministerium für Inneres Bundeskriminalamt Josef Holaubek Platz 1 A-1090 Wien Tel: (+43-1) 31345 0 Fax: (+43-1) 31345 85290</p> <p>POLAND</p> <p>Ministry of Economy Department of Export Control Plac Trzech Krzyży 3/5</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Direcção</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Avenida Infante D. Henrique, n.º 1, C 2.º P-1100 Lisboa Tel.: (351) 21 882 32 40 47 Fax: (351) 21 882 32 49</p>	<p>Ministerul Economiei Şi Finanţelor Direcţia Generală probleme speciale şi situaţii de urgenţă Calea Victoriei, nr. 152, sector 1, Bucureşti Tel.: (40) 21 202 51 66; Fax: (40) 21 202 51 75 Website: www.minind.ro</p> <p>Ministerul Apărării Str. Izvor, nr. 3-5, Sector 5, Bucureşti Tel.: (40) 21 319 56 98; Fax: (40) 21 319 56 98 Website: www.mapn.ro</p> <p>Ministerul Finanţelor Publice Agenţia Naţională de Admin Ńie Fiscală Autoritatea Naţională a Vămilor Str. Matei Millo, nr. 13, sector 1, Bucureşti Tel.: (40) 21 315 58 58; Fax: (40) 21 313 82 51 Website: www.customs.ro</p> <p>SLOVENIA</p> <p>Bank of Slovenia Slovenska 35 1505 Ljubljana Tel: (386) 1 471 90 00 Fax: (386) 1 251 55 16 http://www.bsi.si</p> <p>Ministry of Foreign Affairs of the Republic of Slovenia Prešernova 25 1000 Ljubljana Tel: (386) 1 478 20 00 Fax: (386) 1 478 23 47 http://www.gov.si/mzz</p> <p>Ministry of Defence of the Republic of Slovenia Vojkova 55 1000 Ljubljana Tel: (386) 1 471 22 11 Fax: (386) 1 471 29 78 http://www.mors.si</p> <p>Commission for issuing of preliminary opinions in the procedure of authorizing trade in military weapons and equipment Logistics Directorate Ministry of Defence of the Republic of Slovenia Vojkova 55 1000 Ljubljana Tel: (386) 1 471 25 46 Fax: (386) 1 471 24 23</p>
<p>ROMANIA</p> <p>Ministerul Afacerilor Externe Agenţia Naţională de control al exporturilor Str. Polonă, nr. 8, sector 1, Bucureşti Tel.: (40) 21 311 20 83; Fax: (40) 21 311 12 65 Website: www.ancex.ro</p> <p>Ministerul Internelor Şi Reformei Administrative Direcţia Generală de informaţii şi protecţie internă Str. Beldiman, nr. 2-4, sector 5, Bucureşti Tel.: (40) 21 314 70 39; Fax: (40) 21 311 13 53 Website: www.dgipi.ro</p>	

Customs Administration of the Republic of Slovenia Šmartinska 55 1523 Ljubljana Tel: (386) 1 478 38 00 Fax: (386) 1 478 39 00 http://www.gov.si/curs	<div></div>
SLOVAKIA	<div></div>
Ministerstvo hospodárstva SR Mierová 19 827 15 Bratislava 212 Tel: (421-2) 48 541 111 Fax: (421-2) 4 333 782	<div></div>
Ministerstvo financií SR Štefanovičova 5	<div></div>

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Community Provisions (Restrictive Measures – Lebanon) (Jersey) Order 2007	R&O.150/2007	6 November 2007

Table of Renumbered Provisions

Original	Current
12(1)	12
12(2)	Spent, omitted

Table of Endnote References

¹ This Order was repealed by the Sanctions and Asset-Freezing (Implementation of EU Regulations) (Jersey) Order 2020 on 22 October 2020.

² On the repeal of the European Communities Legislation (Implementation) (Jersey) Law 1996, this Order was continued in force and treated as if made under Article 2(1) of the European Union Legislation (Implementation) (Jersey) Law 2014 (see Article 6 of that Law). Subsequently, despite the repeal of that Article, this Order is continued in force and is to be treated as if made under Article 3(1) of the Sanctions and Asset-Freezing (Jersey) Law 2019, with effect from 19 July 2019. See Article 48 of that Law.