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**ALDERNEY STATUTORY INSTRUMENT**

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No. 5 — 2004

**Open General Export Licence**

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<b>Made</b>	...	...	...	...	...	...	...	...	...	<b>11th November, 2004</b>
<b>Coming into force</b>	...	...	...	...	...	...	...	...	...	<b>11th November, 2004</b>

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**The States of Alderney Policy & Finance Committee** in exercise of its powers under Sections 2 and 3 of the Import and Export of Goods (Control) (Alderney) Order 1995 hereby:-

- (a) revokes the Open General Export Licence dated 18th July 2003(a);
- (b) grants the following Open General Export Licence:-

**Licensed Exports**

1. Subject to the provisions of this Licence:-
  - a) all goods not comprised or listed in any entry in Schedules 1 and 2 hereto may be exported from Alderney to any destination outside the British Isles;
  - b) any goods comprised or listed in any entry in Schedule 2 hereto, may however be exported to a destination in a Member State of the European Community, provided those goods are permitted by that Order or Regulation to be exported to that destination and any conditions applicable in relation thereto are complied with;
  - c) all goods comprised or listed in any entry in Schedule 3 hereto may not be exported from Alderney.

**Conditions**

2. The authorisation in paragraph 1 above is subject to the following condition:-

For goods being exported under the authority of this Open General Export Licence official and commercial export documentation accompanying the goods shall bear the notation "NILR".

**Other Prohibitions not affected by this Licence**

3. The provisions of this Licence are without prejudice to the provisions of any other enactment (other than any Order made under the Import and Export (Control) (Alderney) Law, 1946) imposing any prohibition or restriction on the exportation of goods; and for the purpose of this Licence the expression “enactment” includes any Law, Ordinance, Act of Parliament (including without prejudice to the generality of the foregoing, the United Nations Act 1946 and the Import Export and Customs Powers (Defence) Act 1939) and any subordinate legislation made thereunder.

**Interpretation**

4. A For the purposes of this Licence:-

The interpretation of any terms used in any of the Orders or Regulations listed in the Schedules hereto shall apply to this Licence.

- B Any references in this Licence to an enactment or Statutory Instrument is a reference thereto as from time to time amended, extended, applied or re-enacted (with or without modification).

**Coming into force**

5. This Licence shall come into force on the 11 day of November, 2004.

**DATED this 11th day of November, 2004.**

**J P Postlethwaite  
Deputy Chairman, Alderney Policy & Finance Committee  
for and on behalf of the Committee**

## **EXPLANATORY NOTE**

*(This note is not part of the Licence but is intended to indicate its general purport)*

**This Licence revokes the Open General Export Licence dated 18 July 2003.**

**Changes have recently been made to UK export legislation and this replacement Open General Export Licence updates local export controls in line with the replacement UK Statutory Instruments. The control of precursors for narcotic drugs and psychotropic substances has also been updated.**

## **SCHEDULE 1**

- 1) Any objects of cultural interest as described in The Export of Objects of Cultural Interest (Control) Order 2003 (UK SI 2003 No 2759) -  
other than any item that would be permitted, if being exported from the UK, under the UK Open General Export Licence (Objects of Cultural Interest) dated 1st May 2004.
- 2) Any goods described or listed in The Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order, 2003 (UK S.I. 2003 No. 2764) -  
Other than :-
  - i) any goods the export thereof is permitted by the Order, provided that all conditions applicable in relation thereto are complied with; and
  - ii) any goods being exported to a destination to which the export of such goods is not prohibited by the Order.
- 3) Any indecent or obscene prints, paintings, photographs, books, cards, lithographs or other engravings, or any other indecent or obscene articles.
- 4) Any cosmetic product containing a substance set out in Schedule 1 to the Cosmetic Products (Safety) Regulations, 1989 (UK S.I. 1989/2233).
- 5) Any prescription medicines, for human use, listed in the Medicines (Products other than Veterinary Drugs) (Prescription Only) Order 1983 (UK S.I. 1983/1212).
- 6) Any prescription medicines, for animal use, listed in the Medicines (Veterinary Drugs) (Prescription Only) Order 1991 (UK S.I. 1991/1392).
- 7) Any counterfeit of a currency note or of a protected coin.
- 8) Any precursor for narcotic drugs and psychotropic substances as listed in Category 1 or 2 of the Annex to Council Regulation (EEC) No. 3677/90.

**SCHEDULE 2**

- 1) Any Endangered Species the export of which is controlled by EC Council Regulation 338/97.
- 2) Any controlled substance that depletes the Ozone Layer the export of which is controlled by Article 11 of EC Council Regulation 2037/2000.
- 3) Any Cultural Goods controlled by EC Council Regulation 3911/92.
- 4) Any rough diamonds controlled by EC Regulations 2368/2002 unless authorised in accordance with Article 11 of the said Regulation.
- 5) Any precursor for narcotic drugs and psychotropic substances as listed in Category 3 of the Annex to Council Regulation (EEC) No. 3677/90.

**SCHEDULE 3**

- 1) The bivalve mollusc *Haliotis tuberculata*, commonly known as an **Ormer**.

**D.V. JENKINS**  
**Clerk of the States**

To be purchased directly from:  
The Clerk of the States, or the States Office, Alderney.  
PRICE £1.50

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