

The Federal Republic of Yugoslavia (Prohibition of Flights) (Guernsey) Ordinance, 1999

THE STATES, on the representations of the States Advisory and Finance Committee and in exercise of the powers conferred on them by sections 1 and 4 of the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994^a, hereby order:-

Application of EC Regulation.

1. Council Regulation (EC) No. 1901/98^b of 7th September, 1998 concerning a ban on flights of Yugoslav carriers between the Federal Republic of Yugoslavia and the European Community ("**the Regulation**") shall be applicable in Guernsey in all respects as if Guernsey were a Member State and within the territory of the European Community.

Offence of infringing EC Regulation.

2. Any person who-

- (a) operates an aircraft on a flight between the Federal Republic of Yugoslavia and Guernsey contrary to article 1.1 of the Regulation; or
- (b) knowingly and intentionally participates in activities the object or effect of which is, directly or indirectly, to circumvent the provisions of articles 1 and 2 of the Regulation contrary to article 4 thereof;

shall be guilty of an offence.

Penalties.

3. (1) A person guilty of an offence under section 2 shall be liable-

^a Order in Council No. III of 1994.

^b O.J. No. L248, 8.9.1998, p. 1.

- (a) on conviction on indictment, to a fine, to imprisonment for a term not exceeding 2 years or to both;
- (b) on summary conviction, to a fine not exceeding level 5 on the uniform scale.

(2) Where an offence under this Ordinance has been committed by a body corporate, and the offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, that person as well as the body corporate shall be guilty of the offence and liable to be proceeded against and punished accordingly.

(3) Where the affairs of a body corporate are managed by its members, subsection (2) applies in relation to the acts and defaults of a member in connection with his functions of management as if he were a director.

Citation.

4. This Ordinance may be cited as the Federal Republic of Yugoslavia (Prohibition of Flights) (Guernsey) Ordinance, 1999.

Commencement.

5. This Ordinance shall come into force on the 30th June, 1999.