

The Libya (Restrictive Measures) (Sark) (Amendment) Ordinance, 2011

THE GENERAL PURPOSES AND ADVISORY COMMITTEE, in exercise of the powers conferred on Chief Pleas by sections 1 and 4 of the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994^a and on the Committee by section 41 of the Reform (Sark) Law, 2008^b, hereby orders:-

Amendment of Libya (Restrictive Measures) (Sark) Ordinance, 2011.

1. (1) The Libya (Restrictive Measures) (Sark) Ordinance, 2011^c ("**the Ordinance**") is amended as follows.

(2) For section 2 of the Ordinance, 2011 substitute the following section -

"Modification of Regulation.

2. The EU Regulation in its application to Sark is modified as follows -

(a) Articles 1(g) and 18 shall not apply,

(b) in Article 2.4, for "the competent authorities in the Member States as listed in Annex IV" substitute "the States of Guernsey Policy

^a Ordres en Conseil Vol. XXXV(1), p. 65.

^b Orders in Council Nos. V, VII and XXVII of 2008 and No. XIV of 2010.

^c Made by the General Purposes and Advisory Committee on 24th March 2011.

Council ("the Policy Council"),

(c) in Articles 3.3, 8 and 8a, for "the competent authorities in the Member States, as listed in Annex IV," substitute "the Policy Council",

(d) in Article 4 -

(i) for "the customs territory of the Union" substitute "Sark",

(ii) immediately after "(EEC) No 2454/93", insert "and under or in accordance with the provisions of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972 and any other enactment for the time being in force in Sark relating to customs or, as the case may be, excise ", and

(iii) for "competent customs authorities of the Member States concerned" substitute "Chief Officer of Customs and Excise for the time being appointed by the Policy Council in accordance with section 1(1) of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law 1972",

(e) in Article 4a, in paragraph 1 references to the

territory of the Union and the Union shall be construed as including Sark,

(f) in Article 7.1, for "the competent authorities in the Member States as identified on the websites listed in Annex IV" substitute "the Policy Council",

(g) in Article 7.2 -

(i) for "the competent authorities in the Member States, as indicated on the websites listed in Annex IV" substitute "the Policy Council", and

(ii) in paragraph (b) -

(A) for "the competent authority" substitute "the Policy Council", and

(B) for "the other competent authorities of the Member States and to the Commission at least two weeks before the authorisation" substitute "one of Her Majesty's Principal Secretaries of State",

(h) in Articles 7, 8, 8a and 10, references to the

obligation of a Member State to inform or notify shall be construed as references to the obligation of the Policy Council,

(i) in Article 8(f) and Article 8a, for "the other Member States and the Commission" substitute "one of Her Majesty's Principal Secretaries of State",

(j) in Article 9 -

(i) for "the Union" substitute "Sark", and

(ii) for "the relevant competent authority" substitute "the Policy Council",

(k) in Article 10 -

(i) for "the competent authorities in the Member States, as indicated on the websites listed in Annex IV" substitute "the Policy Council",

(ii) in paragraph (a), for "competent authority concerned" substitute "the Policy Council", and

(iii) in paragraph (c), for ", at least two weeks prior to the grant of the authorisation, notified the other

Member States and the Commission"
substitute "notified one of Her
Majesty's Principal Secretaries of State"

(l) in Article 12, immediately after "or any
Member State" insert "or the Policy Council",

(m) in Article 13 -

(i) in paragraph 1(a), for "the competent
authority in the Member State where
they are resident or located, as indicated
on the websites listed in Annex IV, and
shall transmit such information, either
directly or through the Member States,
to the Commission" substitute "the
Policy Council", and

(ii) in paragraph 1(b), for "that competent
authority" substitute "the Policy
Council", and

(n) in Article 19 -

(i) in paragraph (a), for "the territory of
the Union, including its airspace"
substitute "Sark, including its airspace
and its territorial waters adjacent
thereto",

- (ii) in paragraph (b), the reference to a Member State shall be construed as including Sark,
- (iii) in paragraph (d), the reference to the law of a Member State shall be construed as including the law of Sark, and
- (iv) in paragraph (e), the reference to the Union shall be construed as including Sark."

(3) In section 3(1) of the Ordinance, immediately before "or 10" insert ", 8a".

Citation.

2. This Ordinance may be cited as the Libya (Restrictive Measures) (Sark) (Amendment) Ordinance, 2011.

Commencement.

3. This Ordinance shall come into force on the 5th April, 2011.