

GUERNSEY STATUTORY INSTRUMENT

2015 No. 51

**The Export Control (Miscellaneous Goods) (Bailiwick of
Guernsey) (Amendment) Order, 2015**

Made 27th July, 2015
Laid before the States , 2015
Coming into operation 1st August, 2015

THE HOME DEPARTMENT, in exercise of the powers conferred upon it by sections 1 and 7 of the Export Control (Bailiwick of Guernsey) Law, 2006^a and of all other powers enabling it in that behalf, hereby makes the following Order:-

Amendment to Order of 2010.

1. Schedule 5 to the Export Control (Miscellaneous Goods) (Bailiwick of Guernsey) Order, 2010^b is amended as follows -

(a) in paragraph 1, for the entry in Column 2, substitute –

"Goods suspected of infringing an intellectual property right, within the meaning of Article 2 of Regulation (EU) No 608/2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003, subject to the

^a Order in Council No. XIV of 2007.

^b G.S.I. No. 38 of 2010; as amended by G.S.I. No. 67 of 2010; No. 9 of 2012; No. 48 of 2013.

exceptions provided for in paragraphs 3, 4 and 5 of article 1 of that Regulation.",

(b) in paragraph 2, for the entry in Column 2, substitute –

"Any controlled substances, within the meaning of Article 3 of Regulation (EC) No 1005/2009 on substances that deplete the ozone layer, or products and equipment (other than personal effects) containing or relying on those substances, where such export is prohibited by that Regulation, and in respect of which an export licence has not been issued by the Commission under that Regulation.", and

(c) in paragraph 3, in the entry in Column 2, immediately after "2368/2002", insert "(as amended by Commission Regulation (EC) No 718/2005)".

Interpretation.

2. (1) In this Order, a reference to any enactment is a reference to the enactment as from time to time amended, varied, re-enacted (with or without modification), extended or applied.

(2) The provisions of the Interpretation (Guernsey) Law, 1948^c apply to the interpretation of this Order as they apply to the interpretation of an enactment in force in the Island of Guernsey.

Citation.

^c Ordres en Conseil Vol. XIII, p. 355.

3. This Order may be cited as the Export Control (Miscellaneous Goods) (Bailiwick of Guernsey) (Amendment) Order, 2015.

Commencement.

4. This Order comes into force on the 1st August, 2015.

Dated this 27th day of July, 2015



Deputy Peter GILLSON
Minister of the Home Department
For and on behalf of the Department

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the list of prohibited exports in Schedule 5 to the Export Control (Miscellaneous Goods) (Bailiwick of Guernsey) Order, 2010.

Article 1(a) updates a reference to goods infringing intellectual property rights within the meaning of Council Regulation (EC) No 1383/2003, with a reference to goods suspected of infringing an intellectual property right within the meaning of Regulation (EU) No 608/2013, which repealed Council Regulation (EC) No 1383/2003.

Article 1(b) replaces a reference to controlled substances in Council Regulation (EC) 2037/2000 with a reference to controlled substances and related products and equipment in Regulation (EC) No 1005/2009, which re-cast Council Regulation (EC) 2037/2000.

Article 1(c) updates the reference to Council Regulation (EC) 2368/2002 with a reference to Commission Regulation (EC) No 718/2005, which amended Council Regulation (EC) 2368/2002.

This Order comes into force on the 1st August, 2015.