



TRISTAN DA CUNHA

REVISED EDITION OF THE LAWS, 2017

ENVIRONMENT AND NATURAL RESOURCES

EXPORT AND IMPORT CONTROL (TRISTAN DA CUNHA) ORDINANCE, 1976¹

*Ordinance T2 of 1976
In force 23 April 1976*

Amended by Ordinance T7/1997

No subsidiary legislation to 1 November 2017

EXPORT AND IMPORT CONTROL (TRISTAN DA CUNHA) ORDINANCE, 1976

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AN ORDINANCE to provide for the control of certain exports from, and imports to, Tristan da Cunha.

Short title

1. This Ordinance may be cited as the Export and Import Control (Tristan da Cunha) Ordinance, 1976.

Powers and duties to prohibit certain imports and exports

¹ Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 1 November 2017.

2. Subject to the qualifications expressed in sections 3 and 4, and Part 1 of the Schedule hereto, the import or export of any of the items specified in the Schedule hereto is prohibited.

CITES compliance

3. The specification made under Part 1 of the Schedule to this Ordinance shall, so far as is practicable and necessary, reflect the provisions of the Convention on International Trade in endangered Species of Wild Fauna and Flora.

Terms of licence issued by Administrator

4. (1) The importation or exportation of anything referred to under and in accordance with the terms of a licence issued by the Administrator, is lawful, notwithstanding section 2 and Part 1 of the Schedule.

(2) A licence issued under subsection (1) may be to any degree general or specific, may be expressed to be valid for a period stated in the licence and may be modified or revoked at any time by the Administrator.

(3) A person who, for the purpose of obtaining, whether for that person or another, the issue of a licence under subsection (1)—

(a) makes a statement which the person knows to be false in a material particular;

(b) furnishes a document or information which the person knows to be false in a material particular; or

(c) recklessly makes a statement which is false in a material particular, commits an offence.

Penalty: A fine of £100 for a first offence; and fine of £500 for a second or subsequent offence.

Offences

5. A person who fails to comply with or contravenes any provision of this Ordinance or any subsidiary legislation made under it commits an offence.

Penalty: A fine of £500 or imprisonment for 2 years, or both.

Offences by company, etc.

6. If an offence under this Ordinance is committed by a company, firm or other association of individuals whether incorporated or not, every director and officer of the company, every partner and officer of the firm, and every member and every person concerned in the management of the affairs of the association, as the case may be, is severally liable to be prosecuted and punished for the offence, unless the act or omission constituting the offence took place without the person's knowledge, consent or connivance.

SCHEDULE

(Section 3)

PART 1 – CITES

The Administrator may, and if directed by the Governor must, from time to time, by Order, specify:

- (a) any live or dead animal; or
 - (b) any live or dead plant; or
 - (c) any article derived from any animal or plant,
- and may prohibit the import or export of all or any such items.

PART 2 - U.N. EMBARGOES, ETC.

Any of the items of goods and technology specified in Part III of Schedule I to the Export of Goods (Control) Order, 1994, made on the 24th April 1994, as read with the Export of Goods (Control) (Amendment No. 2) Order 1996, made on the 18th October, 1996, to or from any of the following countries or territories, namely:

Afghanistan,	Bosnia and Herzegovina,
Burma,	China,
Croatia,	Federal Republic of Yugoslavia,
Nigeria,	Sudan,
Zaire,	Armenia,
Azerbaijan,	Iran,
Argentina.	
