STATUTORY INSTRUMENTS

2017 No. 1108

OVERSEAS TERRITORIES

The Democratic People's Republic of Korea (Sanctions) (Overseas Territories) (Amendment) (No. 3) Order 2017

Made - - - -	*15th November 2017*
Laid before Parliament	*22nd November 2017*
Coming into force - -	*13th December 2017*

At the Court at Buckingham Palace, the 15th day of November 2017

Present,

The Queen's Most Excellent Majesty in Council

Under article 41 of the Charter of the United Nations, the Security Council of the United Nations has, by resolution 2371 adopted on 5th August 2017 called upon Her Majesty's Government in the United Kingdom to apply certain measures to give effect to decisions of the Council in relation to the Democratic People's Republic of Korea:

Her Majesty, in exercise of the powers conferred on Her by section 112 of the Saint Helena Act 1833(**1**), the British Settlements Acts 1887 and 1945(**2**), and all of the other powers enabling Her to do so, is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the Democratic People's Republic of Korea (Sanctions) (Overseas Territories) (Amendment) (No. 3) Order 2017 and comes into force on 13th December 2017.

(2) In this Order, "the principal Order" means the Democratic People's Republic of Korea (Sanctions) (Overseas Territories) Order 2012(**3**).

(3) This Order extends to the territories listed in Schedule 1 to the principal Order.

(**1**) 1833 c.85.
(**2**) 1887 c.54 and 1945 c.7.
(**3**) S.I. 2012/3066; relevant amendments are S.I. 2013/1718, S.I. 2016/630, S.I. 2016/769, S.I. 2016/991, S.I. 2017/320 and S.I. 2017/780.

Amendment of the principal Order

2. The principal Order is amended in accordance with articles 3 to 9.

3.—(1) In article 3(1)—

(a) for the definition of "the Council Regulation", substitute—

> ""the Council Regulation" means Council Regulation (EU) No 2017/1509 adopted by the Council of the European Union on 30th August 2017 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Regulation (EC) No 329/2007;";

(b) in the definition of "restricted goods" in subparagraph (c), replace "Annexes I, Ia, Ib and Ig" with " Parts I, II, III, V, VI and VII of Annex II"; and

(c) in the appropriate places, insert—

> ""financial institutions" includes companies performing financial services commensurate with those provided by banks;";
>
> "lead and lead ore" means items listed in Annex XIb of the Council Regulation;"; and
>
> ""seafood" includes all seafood including fish, crustaceans, molluscs, and other aquatic invertebrates in all forms, as listed in Annex XIa of the Council Regulation;".

4.—(1) In paragraph (3) of article 7—

(a) at the end of subparagraph (c) delete "or";

(b) at the end of subparagraph (d) delete "," and insert ";";

(c) at the end of subparagraph (e) delete "or";

(d) at the end of subparagraph (f) delete "." and insert ";"; and

(e) after subparagraph (f) insert—

> "(g) seafood; or
>
> (h) lead and lead ore.".

5.—(1) In article 10K—

(a) for paragraph (1) substitute—

> "(1) A person "P" commits an offence if P leases or charters a vessel or aircraft, or provides crew services, with knowledge or reasonable cause to suspect that the lease, charter or provision of crew services is to—
>
> (a) North Korea;
>
> (b) a person listed in Annex XIII, XV, XVI or XVII to the Council Regulation;
>
> (c) a North Korean entity;
>
> (d) a person who has assisted in violating the provisions of United Nations Security Council resolutions referred to in Article 43(a) of the Council Regulation; or
>
> (e) a person acting on behalf of or at the direction of—
>
> (i) a person referred to in subparagraph (a), (b), (c) or (d); or
>
> (ii) an entity owned or controlled by a person referred to in subparagraph (a), (b), (c) or (d).";