Explanatory Statement

Issued by the Authority of the Minister for Foreign Affairs

Charter of the United Nations (Sanctions – Iran) Regulations 2008

Charter of the United Nations (Sanctions – Iran) (Export Sanctioned Goods) List Amendment Determination 2009 (No. 1)


Sub-regulation 5(2) of the Regulations provides that the Minister for Foreign Affairs (the Minister) may determine, by legislative instrument, a list of goods that would be export sanctioned goods for the purposes of the Regulations, if the Minister is satisfied the specified goods would, if supplied to Iran, contribute to enrichment-related, reprocessing, heavy water-related activities, the development of nuclear weapon delivery systems, or to the pursuit of activities about which the International Atomic Energy Agency (“IAEA”) has expressed concern or identified as outstanding.

This instrument adds to the list made pursuant to sub-regulation 5(2) of the Regulations nickel and its alloys, in crude or semi-fabricated form, with either a nickel content of 25% or more by weight, or a nickel and cobalt content of 30% or more by weight. The Minister has determined that such items would, if supplied to Iran, contribute to enrichment-related, reprocessing or heavy water-related activities, the development of nuclear weapon delivery systems, or to the pursuit of activities about which the IAEA has expressed concerns or identified as outstanding.

This instrument also corrects a number of minor technical drafting errors on the list. The errors relate to the rendering in standard script numbers which should have been superscripted in schedule 1, part 1, division 2, item 9, subparagraph (a)(i), schedule 1, part 1, division 2, item 9, subparagraph (a)(ii), schedule 1, part 1, division 2, item 9, subparagraph (b)(i), schedule 1, part 1, division 2, item 9, subparagraph (b)(ii), schedule 1, part 3, items 1 and 2 of the list.

The relevant United Nations Security Council Resolutions can be found on the UN website (www.un.org). Australia has an obligation under Article 25 of the United Nations Charter to implement decisions of the Security Council. Relevant Commonwealth Government Departments were consulted prior to and during the drafting of this legislative instrument.