

Explanatory Statement

Issued by the authority of the Minister for Foreign Affairs

Charter of the United Nations Act 1945

Charter of the United Nations (Sanctions - Iran) (Export Sanctioned Goods) List Determination 2016

The *Charter of the United Nations (Sanctions - Iran) (Export Sanctioned Goods) List Determination 2016* remakes the *Charter of the United Nations (Sanctions – Iran) (Export Sanctioned Goods) List Determination 2008* following the enactment of the *Charter of the United Nations (Sanctions – Iran) Regulation 2016* (the Regulation).

The purpose of the Regulation is to repeal and replace the *Charter of the United Nations (Sanctions – Iran) Regulations 2008* in order to implement United Nations Security Council Resolution 2231 (2015), which amends UN Sanctions in relation to Iran.

Sub-regulation 6(2) of the Regulations provides that the Minister for Foreign Affairs may, by legislative instrument, determine that goods are export sanctioned goods for the purposes of the Regulation if the Minister is satisfied that the specified goods could, if supplied to Iran, contribute to reprocessing or enrichment-related or heavy water-related activities inconsistent with the Joint Comprehensive Plan of Action (JCPOA); or the development of nuclear weapon delivery systems.

The *Charter of the United Nations (Sanctions - Iran) (Export Sanctioned Goods) List Determination 2016* includes all goods found in the the former *Charter of the United Nations (Sanctions – Iran) (Export Sanctioned Goods) List Determination 2008*, except those found in Schedule 1 Part 3 of the former *Charter of the United Nations (Sanctions – Iran) (Export Sanctioned Goods) List Determination 2008*. The removed goods include radiometric ore sorters, prompt gamma neutron activation analysers (PGNAA) and spectrometers. These items have been removed as neither the JCPOA or UNSC Resolution 2231 prohibit Iran undertaking mining activities.

No public consultation was undertaken in relation to the Amendment List Determination as it does not substantially change existing arrangements.

Details of the Legislative Instrument are set out in the [Attachment](#).

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*

Charter of the United Nations (Sanctions - Iran) (Export Sanctioned Goods) List Determination 2016

The *Charter of the United Nations (Sanctions - Iran) (Export Sanctioned Goods) List Determination 2016* remakes the *Charter of the United Nations (Sanctions – Iran) (Export Sanctioned Goods) List Determination 2008* following the enactment of the *Charter of the United Nations (Sanctions – Iran) Regulation 2016* (the Regulation).

The remaking of the legislative instrument does not engage, and is therefore compatible with, the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Details of the United Nations (Sanctions - Iran) (Export Sanctioned Goods) List Determination 2016

Paragraph 1 – Name of Instrument

Paragraph 1 provides that the name of the instrument is the *United Nations (Sanctions - Iran) (Export Sanctioned Goods) List Determination 2016*.

Paragraph 2 - Commencement

Paragraph 2 provides that the instrument commences on the day after it is registered.

Paragraph 3 – Definitions

Paragraph 3 provides definitions for a range of technical terms used within the *United Nations (Sanctions - Iran) (Export Sanctioned Goods) List Determination 2016*.

Paragraph 4 - Determination of export-controlled goods

Paragraph 4 provides that Schedule 1 lists goods determined to be export sanctioned goods for the purposes of the *Charter of the United Nations (Sanctions – Iran) Regulation 2016*.

Schedule 1 – List of Goods

Schedule 1, Part 1 creates a list of goods related to nuclear materials, facilities and equipment; nuclear materials, chemicals, micro-organisms and toxins; materials processing; electronics, sensors and lasers; navigation and avionics that are included in the definition of export sanctioned goods for the purposes of the *Charter of the United Nations (Sanctions – Iran) Regulation 2016*.

Schedule 1, Part 2 creates a list of technology that are included in the definition of export sanctioned goods for the purposes of the *Charter of the United Nations (Sanctions – Iran) Regulation 2016*.