

## **EXPLANATORY STATEMENT**

### **Select Legislative Instrument 2006 No. 300**

Issued by the Authority of the Minister for Foreign Affairs

*Charter of the United Nations Act 1945*

*Charter of the United Nations (Sanctions – Lebanon) Regulations 2006*

The purpose of the Regulations is to implement Australia's obligations under United Nations Security Council Resolution (UNSCR) 1701 adopted on 11 August 2006. This Resolution was adopted by the Security Council under Article 41 of Chapter VII of the Charter of the United Nations, and the measures are binding on Australia pursuant to Article 25.

Under the above Resolution, Australia, as a UN Member State must take necessary measures to prevent the sale of arms or related matériel to Lebanon and prevent the provision of technical training or assistance relating to the provision, manufacture, maintenance or use of arms or related matériel to any recipient in Lebanon. The above Resolutions sets out certain exceptions to this embargo.

Regulation 7 of the Regulations prohibits "conduct that assists, or results in, the sale or supply of arms or related matériel to any recipient in Lebanon". Regulation 8 prohibits "conduct that assists, or results in, the provision of technical training or assistance relating to the provision, manufacture, maintenance or use of arms or related matériel to any recipient in Lebanon". Regulation 9 would prohibit an Australian aircraft or ship to be used "in a way that assists, or results in," the activities prohibited in Regulation 7.

However, regulations 7, 8 and 9 of the Regulations will not apply in respect of a sale or supply of arms and related matériel that is authorised by the United Nations Interim Force in Lebanon or the Government of Lebanon or technical training or assistance relating to the provision, manufacture, maintenance or use of arms or related matériel that is authorised by the United Nations Interim Force in Lebanon or the Government of Lebanon.

These Regulations should be read in conjunction with regulation 13E of the *Customs (Prohibited Exports) Regulations 1958* administered by the Australian Customs Service, which sets out Australia's general defence exports control regime.

The relevant United Nations Security Council Resolutions can be found on the UN website ([www.un.org](http://www.un.org)).

The Regulations are a legislative instrument for the purpose of the *Legislative Instruments Act 2003*. The Regulations commenced the day after they were registered. An exemption from the provision of a Regulation Impact Statement has been granted because the Regulations implement a non-discretionary international obligation.