

QUESTIONNAIRE

STATUS OF NATIONAL LEGAL MEASURES
TO IMPLEMENT THE ARTICLE 1 PROHIBITIONS OF THE
1972 BIOLOGICAL WEAPONS CONVENTION

State party:

Date:

Person(s) whom VERTIC may contact to discuss this questionnaire:

Name:

Job title:

Department:

Address:

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Telephone:

Fax:

Email:

Please feel free to contact me for advice on completing the questionnaire,
or for further information on the project or VERTIC.

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This questionnaire is divided into five sections.

**Your responses to the questions in Sections One to Four are of most importance to our project.
We would be grateful for any information you can provide in these sections.**

We welcome any additional information you may wish to provide in Section Five.

**We would appreciate it if you would provide us with a copy of your
relevant national legal measures.**

SECTION ONE STATUS OF LEGISLATION

Please indicate the status of legislation to implement the prohibitions contained in Article 1 of the 1972 Biological Weapons Convention, as required by Article 4 of the Convention.

Please tick all applicable responses and provide details in Section Two of this questionnaire.

- No legislation has been enacted
- Legislation existed prior to entry into force of the Convention
- Legislation is being drafted
- Legislation is currently before Parliament
- Legislation is in force
- Current legislation is under review

If no legal measures have been adopted to implement the 1972 Biological Weapons Convention, please state why.

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SECTION TWO FORM OF LEGISLATION

Please indicate the form of national legal measures adopted to implement the prohibitions contained in Article 1.

Please tick all applicable responses and provide the names and dates of adoption of any measures.

2.1 PRIMARY LEGISLATION

Legislation adopted by legislative branch of government, for example Parliament or Congress, in accordance with your constitutional processes. For example Acts, Codes, Decrees, Laws or Statutes.

A single statute implements the Biological Weapons Convention.

Title:
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Date of adoption:

Many statutes implement the Biological Weapons Convention.

(please also list statutes that amend earlier statutes)

Title and date of adoption:
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Title and date of adoption:
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Title and date of adoption:
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Title and date of adoption:
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Title and date of adoption:
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2.2 DELEGATED LEGISLATION

Legislation adopted by the executive branch of government, for example departments or agencies, under powers conferred by primary legislation. For example Bylaws, Notices, Orders, Regulations, Rules or Statutory Instruments.

- Delegated legislation has been adopted to implement the Article 1 prohibitions of the 1972 Biological Weapons Convention*

Title(s) and date(s) of adoption:
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2.3 ADMINISTRATIVE OR EXECUTIVE ORDERS

Working documents for managing operations of the executive branch of government, including government departments, agencies and officials.

- Administrative or Executive Orders have been adopted to implement the Article 1 prohibitions of the 1972 Biological Weapons Convention.*

Title(s):
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2.4 ANY OTHER FORM OF NATIONAL LEGAL MEASURE

- Another form of national legal measure has been adopted to implement the Article 1 prohibitions of the 1972 Biological Weapons Convention.*

(please specify)
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3.3 **Do your national legal measures provide a definition of ‘biological weapon’?**

Yes **Please state definition:**

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No

Comments:

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3.4 **Beyond your State’s territory, are there any other places under your State’s jurisdiction or control (for example, Crown Dependencies, External Territories, Overseas Territories, Overseas Departments)?**

No

Yes **Please list those places for which legislation implementing the Article 1 prohibitions is or is not in force:**

Legislation is **in force** for: *(list places)*

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Legislation is **not in force** for: *(list places)*

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3.5 **Do your national measures implementing the Article 1 prohibitions also apply to activity conducted beyond territory within your State’s jurisdiction or control (ie. extraterritorially):**
(please tick all applicable responses)

To companies registered or incorporated in your State?

To nationals of your State (people)?

Comments:

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3.6 *Please provide details of any penal provisions in your national measures implementing the Article 1 prohibitions. For example, criminal offences or penalties (terms of imprisonment, amount of fines).*

Comments:

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SECTION FOUR LEGAL SYSTEM

4.1 *Once your State has joined a treaty, how are the treaty obligations enforced in your State’s legal jurisdiction?*

Please tick the response that describes your legal system.

EITHER

International and national law form part of a single legal order: the norms of the Convention are directly applicable internally

OR

International law and national law operate as distinct, separate regimes. To give effect to the Convention norms, the legislature or the executive must transform them into national law through appropriate constitutional mechanisms.

THANK YOU FOR YOUR TIME IN COMPLETING THIS QUESTIONNAIRE

We welcome any comments on this questionnaire or VERTIC's project to assess the status of national legal measures to implement the Article 1 prohibitions of the 1972 Biological Weapons Convention.

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You are kindly requested to return your completed questionnaire

as soon as possible

POST

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