

2016 No. 504

CRIMINAL LAW

The Belarus (Asset-Freezing) (Amendment) Regulations 2016

<i>Made</i> - - - -	<i>13th April 2016</i>
<i>Laid before Parliament</i>	<i>15th April 2016</i>
<i>Coming into force</i> - -	<i>6th May 2016</i>

The Treasury are designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to restrictive measures against persons or bodies listed by an international organisation. The Treasury, in exercise of powers conferred by that section, make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Belarus (Asset-Freezing) (Amendment) Regulations 2016 and come into force on 6th May 2016.

Amendments to the Belarus (Asset-Freezing) Regulations 2013

2. The Belarus (Asset-Freezing) Regulations 2013(c) are amended as follows.
3. In regulation 2, paragraph (1), for the definition of “designated person” substitute—
““designated person” means a person, entity or body listed in Annex I to the Council Regulation;”

Revocation

4. The Belarus (Asset-Freezing) (Amendment) Regulations 2015(d) are revoked.

13th April 2016

Charlie Elphicke
Mel Stride
Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

Council Regulation (EC) No. 765/2006 (“the 2006 Council Regulation”) of 18th May 2006 (O.J. L 134, 20.5.2006, p.1) imposes various sanctions in relation to specified officials of Belarus. These

(a) S.I. 2010/1834.
(b) 1972 c.68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c.51) and the European Union (Amendment) Act 2008 (c.7), Schedule, Part 1.
(c) S.I. 2013/164; a relevant amending instrument is S.I. 2015/1850.
(d) S.I. 2015/1850.

sanctions include measures freezing the funds and economic resources of the persons, entities and bodies listed in Annex I to the 2006 Council Regulation. Criminal penalties for the breach of the restrictive measures imposed by the 2006 Council Regulation (as amended) are imposed by regulations 3 to 7, and 10, of the Belarus (Asset-Freezing) Regulations 2013 (“the 2013 Regulations”).

Those measures were partially suspended by Council Regulation (EU) No. 2015/1948 of 29 October 2015 (O.J. L 284, 30.10.2015, p.62) (“the 2015 Council Regulation”). The 2015 Council Regulation amended the 2006 Council Regulation by inserting a new Annex IV which listed those persons, entities and bodies against whom the measures were suspended. The 2013 Regulations were amended by the Belarus (Asset-Freezing) (Amendment) Regulations 2015 (“the 2015 Regulations”) to ensure that the criminal penalties in the 2013 Regulations did not apply to activities which were no longer prohibited by virtue of the 2015 Council Regulation.

These persons, entities and bodies have now been delisted by Council Regulation (EU) No. 2016/277 of 25 February 2016 (O.J. L 52, 27.02.2016, p.22) and Annex IV has been removed from the 2006 Council Regulation.

These Regulations amend the 2013 Regulations to reflect this change. Regulation 3 amends the 2013 Regulations so that the definition of “designated person” in regulation 2 no longer refers to Annex IV. In effect it returns the 2013 Regulations to the wording they originally contained before the amendments made by the 2015 Regulations. These Regulations also revoke the 2015 Regulations.

An impact assessment has not been produced for this instrument as no impact on the costs of business and the voluntary sector is foreseen.

A list of designated persons is available on the internet at: www.gov.uk/government/publications/financial-sanctions-consolidated-list-of-targets or can be obtained from Financial Sanctions, H.M. Treasury, 1 Horse Guards Road, London SW1A 2HQ.

Further information is available from Financial Sanctions, HM Treasury, 1 Horse Guards Road, London SW1A 2HQ and on the H.M. Treasury website (www.gov.uk/government/organisations/hm-treasury).

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