
STATUTORY INSTRUMENTS

2022 No. 748

The Republic of Belarus (Sanctions) (EU
Exit) (Amendment) Regulations 2022

PART 2

Purposes and designation

Notification and publicity where power to designate by description is used

10. After regulation 9 (confidential information in certain cases where designation power used) insert—

“Notification and publicity where power to designate by description is used

9A.—(1) Paragraph (2) applies where the Secretary of State—

- (a) has provided that persons of a specified description are designated persons under regulation 5(1A) (power to designate persons by description), or
- (b) has by virtue of section 22 of the Act varied or revoked a designation made under that paragraph of that regulation.

(2) The Secretary of State—

- (a) must without delay take such steps as are reasonably practicable to inform persons of the specified description of the designation, variation or revocation, and
- (b) must take steps to publicise the designation, variation or revocation.

(3) The information given under paragraph (2)(a)—

- (a) where the Secretary of State provides that persons of a specified description are designated persons under the standard procedure, must include a statement of reasons, or
- (b) where the Secretary of State provides that persons of a specified description are designated persons under the urgent procedure, must include a statement—
 - (i) that the provision is made under the urgent procedure,
 - (ii) identifying the relevant provision by reference to which the Secretary of State considers that condition D is met in relation to persons of the specified description, and

(iii) setting out why the Secretary of State considers that condition E is met.

(4) Where the Secretary of State provides that persons of a specified description are designated persons under the urgent procedure, the Secretary of State must, after the end of the period mentioned in paragraph (6) of regulation 5B (conditions for the designation of persons by description), or if the Secretary of State has made a certification under paragraph (6)(b) of that regulation, the period mentioned in paragraph (7) of that regulation, but otherwise without delay—

- (a) in a case where the persons cease to be designated persons, take such steps as are reasonably practicable to inform persons of the specified description that they have ceased to be designated persons, or
 - (b) in any other case, take such steps as are reasonably practicable to give each person of the specified description a statement of reasons.
- (5) In this regulation, a “statement of reasons”, in relation to a provision designating persons of a specified description, means a brief statement of the matters that the Secretary of State knows, or has reasonable grounds to suspect, in relation to persons of the specified description—
- (a) in the case of a designation under the standard procedure, which have led the Secretary of State to make the provision designating persons of that description, and
 - (b) in the case of a designation under the urgent procedure, as a result of which the persons do not cease to be designated persons at the end of the period mentioned in regulation 5B(6) or (7) (as the case may be).
- (6) Matters that would otherwise be required by paragraph (5) to be included in a statement of reasons may be excluded from it where the Secretary of State considers that they should be excluded—
- (a) in the interests of national security or international relations,
 - (b) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or
 - (c) in the interests of justice.
- (7) The steps taken under paragraph (2)(b) must be steps to publicise generally—
- (a) the designation, variation or revocation, and
 - (b) in the case of—
 - (i) a designation under the standard procedure, the statement of reasons relating to it, or
 - (ii) a designation under the urgent procedure, the contents of the statement required under paragraph (3)(b) relating to it.”.