



Sanctions and Anti-Money Laundering Act 2018

2018 CHAPTER 13

PART 1

SANCTIONS REGULATIONS

CHAPTER 2

REVIEW BY APPROPRIATE MINISTER, AND OTHER REVIEWS

Revocation, variation and review of designations

22 Power to vary or revoke designation made under regulations

(1) In this section and section 23—

“a relevant designation” means a designation made under a designation power contained in regulations under section 1;

“the Minister”, in relation to a relevant designation, means the appropriate Minister who made that designation.

(2) A relevant designation may at any time be varied or revoked by the Minister.

(3) If at any time the Minister considers that the required conditions are not met in respect of a relevant designation, the Minister must revoke the designation.

(4) In subsection (3) “the required conditions” means—

(a) if the designation is of a named person, the conditions of the provision included in the regulations under section [F¹11]^{F²} ...;

(b) if the designation is of persons of a specified description, the conditions of the provision included in the regulations under section [F³12]^{F⁴}

Status: Point in time view as at 29/06/2023.

Changes to legislation: There are currently no known outstanding effects for the Sanctions and Anti-Money Laundering Act 2018, CHAPTER 2. (See end of Document for details)

Textual Amendments

- F1** Word in s. 22(4)(a) substituted (15.3.2022) by [Economic Crime \(Transparency and Enforcement\) Act 2022 \(c. 10\), ss. 58\(7\)\(a\), 69\(3\)](#)
- F2** Words in s. 22(4)(a) omitted (15.3.2022) by virtue of [Economic Crime \(Transparency and Enforcement\) Act 2022 \(c. 10\), ss. 58\(7\)\(b\), 69\(3\)](#)
- F3** Word in s. 22(4)(b) substituted (15.3.2022) by [Economic Crime \(Transparency and Enforcement\) Act 2022 \(c. 10\), ss. 59\(10\)\(a\), 69\(3\)](#)
- F4** Words in s. 22(4)(b) omitted (15.3.2022) by virtue of [Economic Crime \(Transparency and Enforcement\) Act 2022 \(c. 10\), ss. 59\(10\)\(b\), 69\(3\)](#)

Modifications etc. (not altering text)

- C1** [S. 22](#) extended (British overseas territories) (with modifications) (31.12.2020 immediately after both S.I. 2020/950 and S.I. 2020/1289 have come into force) by [The Counter-Terrorism \(Sanctions\) \(Overseas Territories\) Order 2020 \(S.I. 2020/1564\), arts. 1\(1\), 4\(a\), Sch. 1, Sch. 3; S.I. 2020/1514, regs. 17, 21](#)

Commencement Information

- I1** [S. 22](#) in force at 22.11.2018 by [S.I. 2018/1213, reg. 2\(a\)](#)

23 Right to request variation or revocation of designation

- (1) At any time while a relevant designation has effect, the designated person may—
- (a) request the Minister to vary the designation, or
 - (b) request the Minister to revoke the designation.
- (2) But where a request under this section has been made in respect of a designation, no further request may be made under this section in respect of that designation unless the grounds on which the further request is made are or include that there is a significant matter which has not previously been considered by the Minister.
- (3) On a request under this section the Minister must decide whether to vary or revoke the designation or to take no action with respect to it (but see section 22(3)).
- (4) In this section—
- “the designated person” means the person named by the designation or, where the designation is of persons of a specified description, any person of that description;
- “the Minister” has the meaning given by section 22(1);
- “relevant designation” has the meaning given by section 22(1).

Modifications etc. (not altering text)

- C2** [S. 23](#) extended (British overseas territories) (with modifications) (31.12.2020 immediately after both S.I. 2020/950 and S.I. 2020/1289 have come into force) by [The Counter-Terrorism \(Sanctions\) \(Overseas Territories\) Order 2020 \(S.I. 2020/1564\), arts. 1\(1\), 4\(b\), Sch. 1, Sch. 3; S.I. 2020/1514, regs. 17, 21](#)

Commencement Information

- I2** [S. 23](#) in force at 22.11.2018 by [S.I. 2018/1213, reg. 2\(a\)](#)

Status: Point in time view as at 29/06/2023.

Changes to legislation: There are currently no known outstanding effects for the Sanctions and Anti-Money Laundering Act 2018, CHAPTER 2. (See end of Document for details)

F⁵24 Periodic review of certain designations

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Textual Amendments

- F5 S. 24 omitted (15.3.2022) by virtue of [Economic Crime \(Transparency and Enforcement\) Act 2022](#) (c. 10), ss. [62\(1\)\(a\)](#), [69\(3\)](#)

25 Right of UN-named person to request review

- (1) This section applies where—
- (a) the purpose, or a purpose, of a provision of regulations under section 1 is compliance with an obligation to take particular measures that the United Kingdom has by virtue of a UN Security Council Resolution (“the Resolution”),
 - (b) a person is a designated person for the purposes of that provision, and
 - (c) the person is such a designated person under provision included in the regulations by virtue of section 13 (persons named by or under UN Security Council Resolutions).
- (2) The person may request the Secretary of State to use the Secretary of State's best endeavours to secure that the person's name is removed from the relevant UN list.
- (3) But where a person has made a request under this section in respect of a designation, that person may make no further request under this section in respect of that designation unless the grounds on which the further request is made are or include that there is a significant matter which has not previously been considered by the Secretary of State.
- (4) On a request under this section the Secretary of State must decide whether or not to comply with the request.
- (5) For the purposes of this section a person's name is “removed from the relevant UN list” if the person ceases to be named (by the Security Council or a subsidiary organ of the Security Council) for the purposes of the Resolution so far as it provides for the taking of the measures in question.

Commencement Information

- I3 S. 25 in force at 22.11.2018 by [S.I. 2018/1213](#), [reg. 2\(a\)](#)

Revocation and review in relation to ships

26 Power to revoke specification of ship made under regulations

- (1) In this section and section 27—
- “a ship specification” means a specification of a ship made under a power contained in regulations under section 1 by virtue of section 14;
 - “the Minister”, in relation to a ship specification, means the appropriate Minister who made that specification.

Status: Point in time view as at 29/06/2023.

Changes to legislation: There are currently no known outstanding effects for the Sanctions and Anti-Money Laundering Act 2018, CHAPTER 2. (See end of Document for details)

- (2) A ship specification may at any time be revoked by the Minister.
- (3) If at any time the Minister considers that the required conditions are not met in respect of a ship specification, the Minister must revoke the specification.
- (4) In subsection (3) “the required conditions” means the conditions of the provision included in the regulations under section 14(6).

Commencement Information

I4 [S. 26](#) in force at 22.11.2018 by [S.I. 2018/1213](#), [reg. 2\(a\)](#)

27 Right to request revocation of specification of ship

- (1) At any time while a ship specification has effect, any person affected by it may request the Minister to revoke the specification.
- (2) But where a person has made a request under this section in respect of a specification, no further request may be made under this section by that person or any other person in respect of that specification unless the grounds on which the further request is made are or include that there is a significant matter which has not previously been considered by the Minister.
- (3) On a request under this section the Minister must decide whether to revoke the specification or to take no action with respect to it (but see section 26(3)).
- (4) In this section—
 “the Minister”, and
 “ship specification”,
 have the meaning given by section 26(1).

Commencement Information

I5 [S. 27](#) in force at 22.11.2018 by [S.I. 2018/1213](#), [reg. 2\(a\)](#)

^{F6}28 Periodic review where ships are specified

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Textual Amendments

F6 [S. 28](#) omitted (15.3.2022) by virtue of [Economic Crime \(Transparency and Enforcement\) Act 2022](#) (c. 10), [ss. 62\(1\)\(b\)](#), 69(3)

29 UN-designated ship: right to request review

- (1) This section applies where a provision of regulations under section 1 is made by virtue of section 7(6) or paragraph 15 of Schedule 1 in relation to ships designated by the Security Council or a subsidiary organ of the Security Council for any purposes of a UN Security Council Resolution (“the Resolution”).

Status: Point in time view as at 29/06/2023.

Changes to legislation: There are currently no known outstanding effects for the Sanctions and Anti-Money Laundering Act 2018, CHAPTER 2. (See end of Document for details)

- (2) Any person affected by that provision may request the Secretary of State to use the Secretary of State's best endeavours to secure that a ship so designated ceases to be designated for any purposes of the Resolution.
- (3) But where a person has made a request under this section in respect of the designation of a ship, no further request may be made under this section by that person or any other person in respect of that designation unless the grounds on which the further request is made are or include that there is a significant matter which has not previously been considered by the Secretary of State.
- (4) On a request under this section the Secretary of State must decide whether or not to comply with the request.

Commencement Information

I6 S. 29 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(a)

Review of regulations

F7 30 **Review by appropriate Minister of regulations under section 1**

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Textual Amendments

F7 S. 30 omitted (15.3.2022) by virtue of [Economic Crime \(Transparency and Enforcement\) Act 2022](#) (c. 10), ss. 62(1)(c), 69(3)

31 **Independent review of regulations with counter-terrorism purpose**

- (1) The Secretary of State must appoint a person to review the operation of such asset-freeze provisions of relevant regulations made by the Secretary of State as the Secretary of State may from time to time refer to that person.
- (2) The Treasury must appoint a person to review the operation of such asset-freeze provisions of relevant regulations made by the Treasury as the Treasury may from time to time refer to that person.
- (3) The persons appointed under subsections (1) and (2) may be the same person.
- (4) In each calendar year, by 31 January—
 - (a) the person appointed under subsection (1) must notify the Secretary of State of what (if any) reviews under that subsection that person intends to carry out in that year, and
 - (b) the person appointed under subsection (2) must notify the Treasury of what (if any) reviews under that subsection that person intends to carry out in that year.
- (5) Reviews of which notice is given under subsection (4) in a particular year—
 - (a) may not relate to any provisions that have not been referred before the giving of the notice, and

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- (b) must be completed during that year or as soon as reasonably practicable after the end of it.
- (6) The person who conducts a review under this section must as soon as reasonably practicable after completing the review send a report on its outcome to—
- (a) the Secretary of State, if the review is under subsection (1), or
 - (b) the Treasury, if the review is under subsection (2).
- (7) On receiving a report under this section the Secretary of State or (as the case may be) the Treasury must lay a copy of it before Parliament.
- (8) The Secretary of State may pay the expenses of a person who conducts a review under subsection (1) and also such allowances as the Secretary of State may determine.
- (9) The Treasury may pay the expenses of a person who conducts a review under subsection (2) and also such allowances as the Treasury may determine.
- (10) For the purposes of this section, regulations are “relevant regulations” if—
- (a) they are regulations under section 1, and
 - (b) they state under section 1(3) at least one purpose which—
 - (i) is not compliance with a UN obligation or other international obligation, and
 - (ii) relates to counter-terrorism.
- (11) A purpose “relates to counter-terrorism” if the report under section 2 in respect of the regulations indicated that, in the opinion of the appropriate Minister making them, the carrying out of that purpose would further the prevention of terrorism in the United Kingdom or elsewhere.
- (12) For the purposes of this section a provision of relevant regulations is an “asset-freeze provision” if and to the extent that it—
- (a) imposes a prohibition or requirement for a purpose mentioned in section 3(1) (a), (b) or (d), or
 - (b) makes provision in connection with such a prohibition or requirement.
- (13) If a provision is referred under this section which contains a designation power, any review under this section of the operation of that provision may not include a review of any decisions to designate under that power.

Commencement Information

I7 S. 31 in force at 22.11.2018 by [S.I. 2018/1213](#), [reg. 2\(a\)](#)

^{F8}32 Periodic reports on exercise of power to make regulations under section 1

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Textual Amendments

F8 S. 32 omitted (15.3.2022) by virtue of [Economic Crime \(Transparency and Enforcement\) Act 2022](#) (c. 10), [ss. 63\(1\)\(b\)](#), [69\(3\)](#)

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Procedure for requests to, and reviews by, appropriate Minister

33 Procedure for requests to ^{F9}... appropriate Minister

- (1) An appropriate Minister may by regulations make provision about the procedure to be followed in connection with a request under section 23, 25, 27 or 29 ^{F10}....
- (2) Regulations made under this section in relation to a request under section 23, 25, 27 or 29 must require—
 - (a) the decision on any such request to be made as soon as reasonably practicable after the receipt by the appropriate Minister dealing with the request of the information needed for making the decision, and
 - (b) the person who made the request to be informed of the decision and the reasons for it as soon as reasonably practicable after the decision is made.
- (3) The regulations may authorise matters to be excluded from the reasons given for the decision where the appropriate Minister who made the decision considers that those matters 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,(but the regulations may not authorise that Minister to provide no reasons).

Textual Amendments

F9 Words in s. 33 heading omitted (15.3.2022) by virtue of [Economic Crime \(Transparency and Enforcement\) Act 2022 \(c. 10\), ss. 62\(2\)\(a\), 69\(3\)](#)

F10 Words in s. 33(1) omitted (15.3.2022) by virtue of [Economic Crime \(Transparency and Enforcement\) Act 2022 \(c. 10\), ss. 62\(2\)\(b\), 69\(3\)](#)

Commencement Information

I8 [S. 33](#) in force at 22.11.2018 by [S.I. 2018/1213, reg. 2\(b\)](#)

Status:

Point in time view as at 29/06/2023.

Changes to legislation:

There are currently no known outstanding effects for the Sanctions and Anti-Money Laundering Act 2018, CHAPTER 2.