



Sanctions and Anti-Money Laundering Act 2018

2018 CHAPTER 13

PART 1

SANCTIONS REGULATIONS

CHAPTER 1

POWER TO MAKE SANCTIONS REGULATIONS

Contents of sanctions regulations: further provision

18 Report in respect of offences in regulations

- (1) In this section “relevant regulations” means regulations under section 1 which create any offence for the purposes of—
 - (a) the enforcement of any prohibitions or requirements imposed by or under regulations under section 1, or
 - (b) preventing any such prohibitions or requirements from being circumvented.
- (2) The appropriate Minister making any relevant regulations (“the Minister”) must at the required time lay before Parliament a report which—
 - (a) specifies the offences created by the regulations, indicating the prohibitions or requirements to which those offences relate,
 - (b) states that the Minister considers that there are good reasons for those prohibitions or requirements to be enforceable by criminal proceedings and explains why the Minister is of that opinion, and
 - (c) in the case of any of those offences which are punishable with imprisonment—
 - (i) states the maximum terms of imprisonment that apply to those offences,

Status: This is the original version (as it was originally enacted).

- (ii) states that the Minister considers that there are good reasons for those maximum terms, and
 - (iii) explains why the Minister is of that opinion.
- (3) Subsection (4) applies where an offence created by the regulations relates to a particular prohibition or requirement and the Minister considers that a good reason—
 - (a) for that prohibition or requirement to be enforceable by criminal proceedings, or
 - (b) for a particular maximum term of imprisonment to apply to that offence,is consistency with another enactment relating to the enforcement of a similar prohibition or requirement.
- (4) The report must identify that other enactment.
- (5) In subsection (3) “another enactment” means any provision of or made under an Act, other than a provision of the regulations to which the report relates.
- (6) In subsection (2) “the required time” means—
 - (a) in the case of regulations contained in a statutory instrument which is laid before Parliament after being made, the same time as the instrument is laid before Parliament;
 - (b) in the case of regulations contained in a statutory instrument a draft of which is laid before Parliament, the same time as the draft is laid.
- (7) This section applies to regulations which amend other regulations under section 1 so as to create an offence as it applies to regulations which otherwise create an offence.