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STATUTORY INSTRUMENTS

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**2019 No. 855**

**EXITING THE EUROPEAN UNION  
SANCTIONS**

**The Russia (Sanctions) (EU Exit) Regulations 2019**

*Made - - - - 10th April 2019*  
*Laid before Parliament 11th April 2019*  
*Coming into force in accordance with regulation 1(2)*  
*and (3)*

The Secretary of State <sup>M1</sup>, in exercise of the powers conferred by sections 1(1)(c) and (3)(b), 3(1)(a), (b)(ii) and (iii), (c)(ii) and (iii), (d), (e)(iii), (g)(iii), (2)(b) and (c), 4, 5, 7(2) and (5), 9(2)(a), 10(2)(a) and (c), (3) and (4), 11(2) to (9), 15(2)(a) and (b), (3), (4)(b), (5) and (6), 16, 17(2) to (9), 19, 20, 21(1), 54(1) and (2)(a), 62(4) to (6) of, and paragraphs 2(a)(iii) and (b), 3(a) and (b), 4(a)(iii), (b) and (c), 5(a)(ii) and (iii) and (b), 6(a)(ii) and (iii) and (b), 7(a)(iii) and (b), 9, 10(b), 11(a)(ii) and (iii), 13(a), (b), (c), (g), (h), (i), (k), (l), (m), (n), (p), (q), (t), (v) and (w), 14(a), (e), (f) and (k), 17, 19 to 23 and 27 of Schedule 1 to, the Sanctions and Anti-Money Laundering Act 2018 <sup>M2</sup>, and having decided, upon consideration of the matters set out in section 2(2) of that Act, that it is appropriate to do so, makes the following Regulations:

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**Modifications etc. (not altering text)**

- C1** Regulations extended (British overseas territories) (with modifications) (31.12.2020 immediately after both S.I. 2020/590 and S.I. 2020/951 have come into force) by [The Russia \(Sanctions\) \(Overseas Territories\) Order 2020](#) (S.I. 2020/1571), arts. 1(1), 2, Schs. 1, 2 (as amended (11.3.2021) by [The Russia \(Sanctions\) \(Overseas Territories\) \(Amendment\) Order 2021](#) (S.I. 2021/288), arts. 1(1), **2(2)**); S.I. 2020/1514, regs. 4, **18**

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**Marginal Citations**

- M1** The power to make regulations under Part 1 of the Sanctions and Anti-Money Laundering Act 2018 is conferred on an “appropriate Minister”. Section 1(9)(a) of the Act defines an “appropriate Minister” as including the Secretary of State.
- M2** [2018 c.13](#).

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

## PART 1

### General

#### Citation and commencement

- 1.—(1) These Regulations may be cited as the Russia (Sanctions) (EU Exit) Regulations 2019.
- (2) Subject to paragraph (3), these Regulations come into force on exit day.
- (3) The following provisions of these Regulations come into force on the day after the day on which the Regulations are made—
- (a) this regulation;
  - (b) regulation 2 (interpretation);
  - (c) regulation 4 (purposes);
  - (d) Part 2;
  - (e) Schedule 1 (rules for interpretation of regulations 7(2) and 16(7)).

#### Commencement Information

**II** Reg. 1 in force at 11.4.2019, see reg. 1(3)(a)

#### Interpretation

2. In these Regulations—
- “the Act” means the Sanctions and Anti-Money Laundering Act 2018;
- “arrangement” includes any agreement, understanding, scheme, transaction or series of transactions, whether or not legally enforceable (but see paragraph 12 of Schedule 1 for the meaning of that term in that Schedule);
- “CEMA” means the Customs and Excise Management Act 1979 <sup>M3</sup>;
- “the Commissioners” means the Commissioners for Her Majesty's Revenue and Customs;
- “conduct” includes acts and omissions;
- “Crimea” means the Autonomous Republic of Crimea and the city of Sevastopol;
- “document” includes information recorded in any form and, in relation to information recorded otherwise than in legible form, references to its production include producing a copy of the information in legible form;
- “the EU Russia Regulations” means the following, as they have effect in EU law—
- (a) Council Regulation (EU) No 269/2014 of 17 March 2014 (concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine) <sup>M4</sup>,
  - (b) Council Regulation (EU) No 692/2014 of 23 June 2014 (concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol) <sup>M5</sup>, and
  - (c) Council Regulation (EU) No 833/2014 of 31 July 2014 (concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine) <sup>M6</sup>;
- “trade licence” means a licence under regulation 65;
- “Treasury licence” means a licence under regulation 64(1); the “Ukraine Financial Sanctions Regulations” means—

- (a) The Ukraine (European Union Financial Sanctions) (No.2) Regulations 2014 <sup>M7</sup>, and
  - (b) The Ukraine (European Union Financial Sanctions) (No.3) Regulations 2014 <sup>M8</sup>;
- “United Kingdom person” has the same meaning as in section 21 of the Act;
- “working day” means any day other than—
- (a) Saturday or Sunday,
  - (b) Christmas Day or Good Friday, or
  - (c) a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom.

#### Commencement Information

**I2** Reg. 2 in force at 11.4.2019, see reg. 1(3)(b)

#### Marginal Citations

- M3** 1979 c.2. Amendments have been made to this Act and are cited, where relevant, in respect of the applicable regulations.
- M4** OJ L 78, 17.3.2014, p. 6–15.
- M5** OJ L 183 24.6.2014, p. 9.
- M6** OJ L 229, 31.7.2014, p. 1–11.
- M7** S.I. 2014/693, as modified by the [Wales Act 2014 \(c.29\)](#), [section 4\(4\)\(a\)](#) and amended by S.I. 2017/560, S.I. 2017/754 and S.I. 2018/682 and as prospectively amended by S.I. 2018/1149.
- M8** S.I. 2014/2054, as amended by S.I. 2014/2445, S.I. 2014/3230, S.I. 2017/560, S.I. 2017/754, 2018/682 and as prospectively amended by S.I. 2018/1149.

#### Application of prohibitions and requirements outside the United Kingdom

**3.—(1)** A United Kingdom person may contravene a relevant prohibition by conduct wholly or partly outside the United Kingdom.

(2) Any person may contravene a relevant prohibition by conduct in the territorial sea.

(3) In this regulation a “relevant prohibition” means any prohibition imposed—

- (a) by regulation 9(2) (confidential information),
- (b) by Part 3 (Finance),
- (c) by Part 5 (Trade),
- (d) under Part 6 (Ships), or
- (e) by a condition of a Treasury licence or a trade licence.

(4) A United Kingdom person may comply, or fail to comply, with a relevant requirement by conduct wholly or partly outside the United Kingdom.

(5) Any person may comply, or fail to comply, with a relevant requirement by conduct in the territorial sea.

(6) In this regulation a “relevant requirement” means any requirement imposed—

- (a) by or under Part 8 (Information and records), or by reason of a request made under a power conferred by [<sup>F1</sup>that Part,]
- (b) by a condition of a Treasury licence or a [<sup>F2</sup>trade licence, or]
- [<sup>F3</sup>(c) by a direction under regulation 57C (movement of ships).]

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

(7) Nothing in this regulation is to be taken to prevent a relevant prohibition or a relevant requirement from applying to conduct (by any person) in the United Kingdom.

#### Textual Amendments

- F1** Words in reg. 3(6)(a) substituted (1.3.2022 at 3.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/203), regs. 1(2), **3(a)**
- F2** Words in reg. 3(6)(b) substituted (1.3.2022 at 3.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/203), regs. 1(2), **3(b)**
- F3** Reg. 3(6)(c) inserted (1.3.2022 at 3.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/203), regs. 1(2), **3(c)**

#### Commencement Information

- I3** Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Purposes

4. The regulations contained in this instrument that are made under section 1 of the Act are for the purposes of encouraging Russia to cease actions destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine.

#### Commencement Information

- I4** Reg. 4 in force at 11.4.2019, see reg. 1(3)(c)

## PART 2

### Designation of persons

#### Power to designate persons

5.—(1) The Secretary of State may designate persons by name for the purposes of any of the following—

- (a) regulations 11 to 15 (asset-freeze etc.);
- [<sup>F4</sup>(aa) regulation 17A (correspondent banking relationships etc.);]
- (b) regulation 20 [<sup>F5</sup>(immigration);]
- [<sup>F6</sup>(ba) regulations 57A and 57C to 57E (ships: prohibition on port entry etc.).]

(2) The Secretary of State may designate different persons for the purposes of different provisions mentioned in paragraph (1).

#### Textual Amendments

- F4** Reg. 5(1)(aa) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **3**
- F5** Word in reg. 5(1)(b) substituted (1.3.2022 at 3.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/203), regs. 1(2), **4(a)**

**F6** Reg. 5(1)(ba) inserted (1.3.2022 at 3.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/203), regs. 1(2), 4(b)

**Commencement Information**

**I5** Reg. 5 in force at 11.4.2019, see reg. 1(3)(d)

**Designation criteria**

[<sup>F7</sup>6.—(1) The Secretary of State may not designate a person under regulation 5 (power to designate persons) unless the Secretary of State—

- (a) has reasonable grounds to suspect that that person is an involved person, and
- (b) considers that the designation of that person is appropriate, having regard to—
  - (i) the purposes stated in regulation 4 (purposes), and
  - (ii) the likely significant effects of the designation on that person (as they appear to the Secretary of State to be on the basis of the information that the Secretary of State has).

(2) In this regulation, an “involved person” means a person who—

- (a) is or has been involved in—
  - (i) destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine, or
  - (ii) obtaining a benefit from or supporting the Government of Russia,
- (b) is owned or controlled directly or indirectly (within the meaning of regulation 7) by a person who is or has been so involved,
- (c) is acting on behalf of or at the direction of a person who is or has been so involved, or
- (d) is a member of, or associated with, a person who is or has been so involved.

(3) For the purposes of this regulation, a person is “involved in destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine” if—

- (a) the person is responsible for, engages in, provides support for, or promotes any policy or action which destabilises Ukraine or undermines or threatens the territorial integrity, sovereignty or independence of Ukraine;
- (b) the person provides financial services, or makes available funds, economic resources, goods or technology, that could contribute to destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine;
- (c) the person provides financial services, or makes available funds, economic resources, goods or technology, to—
  - (i) a person who is responsible for a policy or action which falls within sub-paragraph (a), or
  - (ii) a person who provides financial services, or makes available funds, economic resources, goods or technology, as mentioned in sub-paragraph (b);
- (d) the person obstructs the work of international organisations in Ukraine;
- (e) the person conducts business with a separatist group in the Donbas region;
- (f) the person is a relevant person trading or operating in Crimea;
- (g) the person assists the contravention or circumvention of a relevant provision.

(4) For the purposes of this regulation, being “involved in obtaining a benefit from or supporting the Government of Russia” means—

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

- (a) carrying on business as a Government of Russia-affiliated entity;
  - (b) carrying on business of economic significance to the Government of Russia;
  - (c) carrying on business in a sector of strategic significance to the Government of Russia;
  - (d) owning or controlling directly or indirectly (within the meaning of regulation 7), or working as a director (whether executive or non-executive), trustee, or equivalent, of—
    - (i) a Government of Russia-affiliated entity;
    - (ii) a person, other than an individual, which falls within sub-paragraph (b) or (c).
- (5) In paragraph (3)(f), a person (“P”) is a “relevant person” if—
- (a) P is not an individual, and
  - (b) the ownership or control of P has been transferred contrary to the law of Ukraine;
- (6) In paragraph (2)(d), being “associated with” a person includes obtaining a financial benefit or other material benefit from that person.
- (7) In this regulation—
- “Government of Russia” means—
- (a) the Presidency of the Russian Federation;
  - (b) public bodies and agencies subordinate to the President of the Russian Federation, including the Administration of the President of the Russian Federation;
  - (c) the Chairman of the Government of the Russian Federation and the deputies of the Chairman of the Government;
  - (d) any Ministry of the Russian Federation;
  - (e) any other public body or agency of the Government of the Russian Federation, including the armed forces and law-enforcement organs of the Russian Federation;
  - (f) the Central Bank of the Russian Federation;
- “Government of Russia-affiliated entity” means a person, other than an individual—
- (a) which is owned or controlled directly or indirectly by the Government of Russia (within the meaning of regulation 7),
  - (b) in which the Government of Russia holds directly or indirectly a minority interest,
  - (c) which receives, or has received, financing, directly or indirectly, from the Russian Direct Investment Fund or the National Wealth Fund, or
  - (d) which otherwise obtains a financial benefit or other material benefit from the Government of Russia;
- “minority interest” means any shareholding, voting right or right to appoint or remove members of the board of directors which does not meet the condition set out in regulation 7(2);
- “relevant provision” means—
- (a) any provision of Part 3 (Finance) or Part 5 (Trade);
  - (b) any provision of the law of a country other than the United Kingdom made for purposes corresponding to a purpose of any provision of Part 3 or Part 5;
- “sector of strategic significance to the Government of Russia” means—
- (a) the Russian chemicals sector;
  - (b) the Russian construction sector;
  - (c) the Russian defence sector;
  - (d) the Russian electronics sector;

- (e) the Russian energy sector;
- (f) the Russian extractives sector;
- (g) the Russian financial services sector.
- (h) the Russian information, communications and digital technologies sector;
- (i) the Russian transport sector.

(8) Nothing in any sub-paragraph of paragraph (3) or (4) is to be taken to limit the meaning of any of the other sub-paragraphs of that paragraph.]

#### **Textual Amendments**

- F7** Reg. 6 substituted (10.2.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/123\)](#), regs. 1(2), 3

#### **Meaning of “owned or controlled directly or indirectly”**

7.—(1) A person who is not an individual (“C”) is “owned or controlled directly or indirectly” by another person (“P”) if either of the following two conditions is met (or both are met).

- (2) The first condition is that P—
- (a) holds directly or indirectly more than 50% of the shares in C,
  - (b) holds directly or indirectly more than 50% of the voting rights in C, or
  - (c) holds the right directly or indirectly to appoint or remove a majority of the board of directors of C.
- (3) Schedule 1 contains provision applying for the purpose of interpreting paragraph (2).

(4) The second condition is that it is reasonable, having regard to all the circumstances, to expect that P would (if P chose to) be able, in most cases or in significant respects, by whatever means and whether directly or indirectly, to achieve the result that affairs of C are conducted in accordance with P's wishes.

#### **Commencement Information**

- I6** Reg. 7 in force at 11.4.2019, see reg. 1(3)(d)

#### **Notification and publicity where designation power used**

- 8.—(1) Paragraph (2) applies where the Secretary of State—
- (a) has made a designation under regulation 5, or
  - (b) has by virtue of section 22 of the Act varied or revoked a designation made under that regulation.
- (2) The Secretary of State—
- (a) must without delay take such steps as are reasonably practicable to inform the designated person 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) where a designation is made must include a statement of reasons.

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

(4) In this regulation a “statement of reasons”, in relation to a designation, means a brief statement of the matters that the Secretary of State knows, or has reasonable grounds to suspect, in relation to the designated person which have led the Secretary of State to make the designation.

(5) Matters that would otherwise be required by paragraph (4) 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.

(6) The steps taken under paragraph (2)(b) must—

- (a) unless one or more of the restricted publicity conditions is met, be steps to publicise generally—
  - (i) the designation, variation or revocation, and
  - (ii) in the case of a designation, the statement of reasons;
- (b) if one or more of those conditions is met, be steps to inform only such persons as the Secretary of State considers appropriate of the designation, variation or revocation and (in the case of a designation) of the contents of the statement of reasons.

(7) The “restricted publicity conditions” are as follows—

- (a) the designation is of a person believed by the Secretary of State to be an individual under the age of 18;
- (b) the Secretary of State considers that disclosure of the designation, variation or revocation should be restricted—
  - (i) in the interests of national security or international relations,
  - (ii) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or
  - (iii) in the interests of justice.

(8) Paragraph (9) applies if—

- (a) when a designation is made one or more of the restricted publicity conditions is met, but
- (b) at any time when the designation has effect, it becomes the case that none of the restricted publicity conditions is met.

(9) The Secretary of State must—

- (a) take such steps as are reasonably practicable to inform the designated person that none of the restricted publicity conditions is now met, and
- (b) take steps to publicise generally the designation and the statement of reasons relating to it.

#### **Commencement Information**

**I7** Reg. 8 in force at 11.4.2019, see reg. 1(3)(d)

#### **Confidential information in certain cases where designation power used**

**9.—(1)** Where the Secretary of State in accordance with regulation 8(6)(b) informs only certain persons of a designation, variation or revocation and (in the case of a designation) of the contents



of the statement of reasons, the Secretary of State may specify that any of that information is to be treated as confidential.

(2) A person (“P”) who—

- (a) is provided with information that is to be treated as confidential in accordance with paragraph (1), or
- (b) otherwise obtains such information,

must not, subject to paragraph (3), disclose it if P knows, or has reasonable cause to suspect, that the information is to be treated as confidential.

(3) The prohibition in paragraph (2) does not apply to any disclosure made by P with lawful authority.

(4) For this purpose information is disclosed with lawful authority only if and to the extent that—

- (a) the disclosure is by, or is authorised by, the Secretary of State,
- (b) the disclosure is by or with the consent of the person who is or was the subject of the designation,
- (c) the disclosure is necessary to give effect to a requirement imposed under or by virtue of these Regulations or any other enactment, or
- (d) the disclosure is required, under rules of court, tribunal rules or a court or tribunal order, for the purposes of legal proceedings of any description.

(5) This regulation does not prevent the disclosure of information that is already, or has previously been, available to the public from other sources.

(6) A person who contravenes the prohibition in paragraph (2) commits an offence.

(7) The High Court (in Scotland, the Court of Session) may, on the application of—

- (a) the person who is the subject of the information, or
- (b) the Secretary of State,

grant an injunction (in Scotland, an interdict) to prevent a breach of the prohibition in paragraph (2).

(8) In paragraph (4)(c), “enactment” has the meaning given by section 54(6) of the Act.

#### **Commencement Information**

**I8** Reg. 9 in force at 11.4.2019, see reg. 1(3)(d)

## **PART 3**

### Finance

#### CHAPTER 1

[<sup>F8</sup>Asset-freeze etc.]

#### **Textual Amendments**

**F8** Pt. 3 Ch. 1 heading substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), 4

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

## Meaning of “designated person”

10. In this Chapter a “designated person” means a person who is designated under regulation 5 for the purposes of regulations 11 to 15.

### Commencement Information

**19** Reg. 10 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## Asset-freeze in relation to designated persons

11.—(1) A person (“P”) must not deal with funds or economic resources owned, held or controlled by a designated person if P knows, or has reasonable cause to suspect, that P is dealing with such funds or economic resources.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes the prohibition in paragraph (1) commits an offence.

(4) For the purposes of paragraph (1) a person “deals with” funds if the person—

- (a) uses, alters, moves, transfers or allows access to the funds,
- (b) deals with the funds in any other way that would result in any change in volume, amount, location, ownership, possession, character or destination, or
- (c) makes any other change, including portfolio management, that would enable use of the funds.

(5) For the purposes of paragraph (1) a person “deals with” economic resources if the person—

- (a) exchanges the economic resources for funds, goods or services, or
- (b) uses the economic resources in exchange for funds, goods or services (whether by pledging them as security or otherwise).

(6) The reference in paragraph (1) to funds or economic resources that are “owned, held or controlled” by a person includes, in particular, a reference to—

- (a) funds or economic resources in which the person has any legal or equitable interest, regardless of whether the interest is held jointly with any other person and regardless of whether any other person holds an interest in the funds or economic resources;
- (b) any tangible property (other than real property), or bearer security, that is comprised in funds or economic resources and is in the possession of the person.

(7) For the purposes of paragraph (1) funds or economic resources are to be treated as owned, held or controlled by a designated person if they are owned, held or controlled by a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.

(8) For the avoidance of doubt, the reference in paragraph (1) to a designated person includes P if P is a designated person.

### Commencement Information

**110** Reg. 11 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### **Making funds available to designated person**

**12.**—(1) A person (“P”) must not make funds available directly or indirectly to a designated person if P knows, or has reasonable cause to suspect, that P is making the funds so available.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes the prohibition in paragraph (1) commits an offence.

(4) The reference in paragraph (1) to making funds available indirectly to a designated person includes, in particular, a reference to making them available to a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.

#### **Commencement Information**

**I11** Reg. 12 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### **Making funds available for benefit of designated person**

**13.**—(1) A person (“P”) must not make funds available to any person for the benefit of a designated person if P knows, or has reasonable cause to suspect, that P is making the funds so available.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes the prohibition in paragraph (1) commits an offence.

(4) For the purposes of this regulation—

(a) funds are made available for the benefit of a designated person only if that person thereby obtains, or is able to obtain, a significant financial benefit, and

(b) “financial benefit” includes the discharge (or partial discharge) of a financial obligation for which the designated person is wholly or partly responsible.

#### **Commencement Information**

**I12** Reg. 13 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### **Making economic resources available to designated person**

**14.**—(1) A person (“P”) must not make economic resources available directly or indirectly to a designated person if P knows, or has reasonable cause to suspect—

(a) that P is making the economic resources so available, and

(b) that the designated person would be likely to exchange the economic resources for, or use them in exchange for, funds, goods or services.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes the prohibition in paragraph (1) commits an offence.

(4) The reference in paragraph (1) to making economic resources available indirectly to a designated person includes, in particular, a reference to making them available to a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

#### Commencement Information

**I13** Reg. 14 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Making economic resources available for benefit of designated person

**15.**—(1) A person (“P”) must not make economic resources available to any person for the benefit of a designated person if P knows, or has reasonable cause to suspect, that P is making the economic resources so available.

- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (3) A person who contravenes the prohibition in paragraph (1) commits an offence.
- (4) For the purposes of paragraph (1)—
  - (a) economic resources are made available for the benefit of a designated person only if that person thereby obtains, or is able to obtain, a significant financial benefit, and
  - (b) “financial benefit” includes the discharge (or partial discharge) of a financial obligation for which the designated person is wholly or partly responsible.

#### Commencement Information

**I14** Reg. 15 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

## CHAPTER 2

### Other financial and investment restrictions

#### Dealing with transferable securities or money-market instruments

**16.**—(1) A person (“P”) must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (2) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(2) A transferable security or money-market instrument falls within this paragraph if it has a maturity exceeding 30 days and is issued after 1 August 2014 by—

- (a) a person mentioned in any of paragraphs 1 to 5 of Schedule 2;
- (b) a person, other than an individual, which is—
  - (i) incorporated or constituted under the law of a non-UK country, and
  - (ii) owned by a person within sub-paragraph (a); or
- (c) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a) or sub-paragraph (b).

(3) A person (“P”) must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (4) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(4) A transferable security or money-market instrument falls within this paragraph if it has a maturity exceeding 30 days and is issued after 12 September 2014 by—

- (a) a person mentioned in any of paragraphs 6 to 11 of Schedule 2;
- (b) a person, other than an individual, which is—

- (i) incorporated or constituted under the law of a non-UK country, and
- (ii) owned by a person within sub-paragraph (a); or
- (c) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a) or sub-paragraph (b).

[<sup>F9</sup>(4A) A person (“P”) must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (4B) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(4B) A transferable security or money-market instrument falls within this paragraph if it has a maturity exceeding 30 days and is issued on or after 1st March 2022 by—

- (a) a person, other than an individual, which is—
  - (i) incorporated or constituted under the law of any part of the United Kingdom, and
  - (ii) owned by a person falling within Schedule 2; or
- (b) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a).

(4C) A person (“P”) must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (4D) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(4D) A transferable security or money-market instrument falls within this paragraph if it is issued on or after 1st March 2022 by—

- (a) a person connected with Russia, which is not—
  - (i) a person falling within Schedule 2,
  - (ii) a person, other than an individual, which on 1st March 2022 is domiciled in a country other than Russia, or
  - (iii) a person, other than an individual, which on 1st March 2022 is a branch or subsidiary, wherever located, of a person mentioned in paragraph (ii);
- (b) a person, other than an individual, which is owned by a person falling within sub-paragraph (a); or
- (c) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a) or sub-paragraph (b).

(4E) A person (“P”) must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (4F) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(4F) A transferable security or money-market instrument falls within this paragraph if it is issued on or after 1st March 2022 by, or on behalf of, the Government of Russia.]

[<sup>F10</sup>(5) Paragraphs (1), (3), (4A), (4C) and (4E) are subject to Part 7 (Exceptions and licences).]

(6) A person who contravenes a prohibition in paragraph [<sup>F11</sup>(1), (3), (4A), (4C) and (4E)] commits an offence.

(7) For the purposes of this regulation, and regulations 17 (loans and credit arrangements) and 59 (exceptions relating to loans and credit arrangements), a person (“C”) is “owned” by another person (“P”) if P—

- (a) holds directly or indirectly more than 50% of the shares in C, or
- (b) holds directly or indirectly more than 50% of the voting rights in C.

(8) Schedule 1 applies for the purpose of interpreting paragraph (7).

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

(9) For the purposes of this regulation, a reference to “dealing with” a transferable security or money-market instrument includes a reference to purchasing or selling the security or instrument, providing investment services relating to the security or instrument or assisting in the issuance of the security or instrument.

(10) In this regulation—

“investment services” means—

- (a) the reception and transmission of orders in relation to one or more financial instruments,
- (b) the execution of orders on behalf of clients,
- (c) dealing on own account,
- (d) portfolio management,
- (e) the provision of investment advice,
- (f) the underwriting of financial instruments or placing of financial instruments on a firm commitment basis,
- (g) the placing of financial instruments without a firm commitment basis, or
- (h) any service in relation to the admission to trading on a regulated market or trading on a multilateral trading facility;

“money-market instrument” means an instrument of a kind normally dealt in on the money market, such as treasury bills, certificates of deposit and commercial papers, excluding instruments of payment;

“non-UK country” means a country that is not the United Kingdom;

“transferable security” means a security, negotiable on the capital market, of any of the following kinds, but excluding instruments of payment—

- (a) shares in companies and other securities equivalent to shares in companies, partnerships or other entities, and depositary receipts in respect of shares;
- (b) bonds or other forms of securitised debt, including depositary receipts in respect of such securities;
- (c) any other securities giving the right to purchase or sell any security of a kind mentioned in paragraph (a) or (b).

#### Textual Amendments

- F9** Reg. 16(4A)-(4F) inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **5(a)**
- F10** Reg. 16(5) substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **5(b)**
- F11** Words in reg. 16(6) substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **5(c)**

#### Commencement Information

- I15** Reg. 16 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### Loans and credit arrangements

**17.—(1)** A person (“P”) must not directly or indirectly grant a relevant loan if P knows, or has reasonable cause to suspect, that P is granting a relevant loan.

(2) A person must not directly or indirectly enter into any arrangement to grant a relevant loan if the person knows, or has reasonable cause to suspect, that the arrangement relates to a relevant loan.

(3) Paragraphs (1) and (2) are subject to <sup>F12</sup>Part 7 (Exceptions and licences)].

(4) A person who contravenes a prohibition in paragraph (1) or (2) commits an offence.

(5) In this regulation—

<sup>F13</sup>“category 1 loan” means a loan or credit—

- (a) with a maturity exceeding 30 days,
- (b) made or granted to—
  - (i) a person falling within Schedule 2,
  - (ii) a person, other than an individual, which is—
    - (aa) incorporated or constituted under the law of a non-UK country, and
    - (bb) owned (within the meaning of regulation 16(7)) by a person within paragraph (i), or
  - (iii) a person, other than an individual, acting on behalf or at the direction of a person within paragraph (i) or paragraph (ii), and
- (c) which is first made or granted at any time after IP completion day;

“category 2 loan” means a loan or credit—

- (a) with a maturity exceeding 30 days,
- (b) made or granted to a person, other than an individual, which is—
  - (i) incorporated or constituted under the law of any part of the United Kingdom, and
  - (ii) owned (within the meaning of regulation 16(7)) by a person falling within Schedule 2, and
- (c) which is first made or granted at any time on or after 1st March 2022;

“category 3 loan” means a loan or credit—

- (a) with a maturity exceeding 30 days,
- (b) made or granted to a person, other than an individual, which is—
  - (i) connected with Russia,
  - (ii) owned (within the meaning of regulation 16(7)) by a person within sub-paragraph (i), or
  - (iii) a person, other than an individual, acting on behalf or at the direction of a person within paragraph (i) or paragraph (ii),
- (c) which is first made or granted at any time on or after 1st March 2022, and
- (d) which is not—

- (i) a category 1 loan, a category 2 loan or a category 4 loan, or
- (ii) a loan made or granted to—
  - (aa) a person, other than an individual, which on 1st March 2022 is domiciled in a country other than Russia,
  - (bb) a person, other than an individual, which is owned by a person falling within sub-paragraph (aa), or
  - (cc) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (aa) or sub-paragraph (bb);

“category 4 loan” means a loan or credit—

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

- (a) made or granted to the Government of Russia,
  - (b) which is first made or granted at any time on or after 1st March 2022;]
- “non-UK country” means a country that is not the United Kingdom;
- [<sup>F14</sup>“relevant loan” means a category 1 loan, a category 2 loan, a category 3 loan or a category 4 loan;]
- <sup>F15</sup> ...

#### Textual Amendments

- F12** Words in reg. 17(3) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **6(a)**
- F13** Words in reg. 17(5) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **6(b)(i)**
- F14** Words in reg. 17(5) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **6(b)(ii)**
- F15** Words in reg. 17(5) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **6(b)(iii)**

#### Commencement Information

- I16** Reg. 17 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(I)**), see reg. 1(2)

#### [<sup>F16</sup>Correspondent banking relationships etc.

**17A.**—(1) A UK credit or financial institution (“C”) (“the correspondent”) must not establish or continue a correspondent banking relationship with the following (“the respondent”)—

- (a) a designated person (“D”),
- (b) a UK credit or financial institution, which is owned or controlled directly or indirectly (within the meaning of regulation 7) by D, or
- (c) a non-UK credit or financial institution, which is owned or controlled directly or indirectly (within the meaning of regulation 7) by D,

if C knows, or has reasonable cause to suspect, that the correspondent banking relationship is with a designated person.

(2) C must not process a sterling payment to, from or via –

- (a) D,
- (b) a UK credit or financial institution, which is owned or controlled directly or indirectly (within the meaning of regulation 7) by D, or
- (c) a non-UK credit or financial institution, which is owned or controlled directly or indirectly (within the meaning of regulation 7) by D,

if C knows, or has reasonable cause to suspect, that the sterling payment is to, from or via such a person.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

(4) A person who contravenes a prohibition in paragraph (1) or (2) commits an offence.

(5) For the purposes of this regulation, a reference to ‘processing’ a sterling payment includes the clearing and settlement of such a payment.

(6) In this regulation—



“correspondent banking relationship” means the provision of banking services by a correspondent to a respondent including providing a current or other liability account and related services, such as cash management, international funds transfers, cheque clearing, providing customers of the respondent with direct access to accounts with the correspondent (and vice versa) and providing foreign exchange services;

“designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of this regulation;

“non-UK credit or financial institution” means—

- (a) a person, other than an individual, which would satisfy the threshold conditions for permission under Part 4A of the Financial Services and Markets Act 2000 if it had its registered office (or if it does not have one, its head office) in the United Kingdom, or
- (b) an undertaking, other than a UK credit or financial institution, which by way of business—
  - (i) operates a currency exchange office,
  - (ii) transmits money (or any representation of monetary value) by any means, or
  - (iii) cashes cheques that are made payable to customers;

“UK credit or financial institution” means—

- (a) a person that has permission under Part 4A of the Financial Services and Markets Act 2000 (permission to carry on regulated activities), or
- (b) an undertaking domiciled in the United Kingdom which by way of business—
  - (i) operates a currency exchange office,
  - (ii) transmits money (or any representation of monetary value) by any means, or
  - (iii) cashes cheques that are made payable to customers.]

#### Textual Amendments

**F16** Reg. 17A inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), 7

#### Investments in relation to Crimea

**18.**—(1) A person (“P”) must not carry on an activity mentioned in paragraph (2) if P knows, or has reasonable cause to suspect, that P is carrying on such an activity.

(2) The activities in this paragraph are—

- (a) directly or indirectly acquiring or extending a participation, or acquiring any ownership interest, in land located in Crimea;
- (b) directly or indirectly acquiring or extending a participation, or acquiring any ownership interest in or control over, a relevant entity;
- (c) directly or indirectly granting any loan or credit, entering into any arrangement to grant any loan or credit, or otherwise providing funds, including for example equity capital—
  - (i) to a relevant entity, or
  - (ii) for the documented purpose of financing any such entity;
- (d) directly or indirectly establishing any joint venture—
  - (i) in Crimea, or
  - (ii) with a relevant entity;

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

- (e) providing investment services directly related to an activity referred to in sub-paragraphs (a) to (d) above.
- (3) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (4) A person who contravenes a prohibition in paragraph (1) commits an offence.
- (5) In this regulation—
  - “investment services” has the same meaning as it has in regulation 16;
  - “relevant entity” means a person, other than an individual, which has a place of business located in Crimea.

#### Commencement Information

**I17** Reg. 18 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### [<sup>F17</sup>Provision of financial services relating to foreign exchange reserve and asset management

**18A.**—(1) A person (“P”) must not provide financial services to a person mentioned in paragraph (2) where—

- (a) the financial services are for the purpose of foreign exchange reserve and asset management; and
- (b) P knows, or has reasonable cause to suspect, that the financial services are provided to such a person.
- (2) The persons mentioned in this paragraph are—
  - (a) the Central Bank of the Russian Federation,
  - (b) the National Wealth Fund of the Russian Federation,
  - (c) the Ministry of Finance of the Russian Federation,
  - (d) a person owned or controlled directly or indirectly (within the meaning of regulation 7) by a person mentioned in sub-paragraphs (a) to (c), or
  - (e) a person acting on behalf of or at the direction of a person mentioned in sub-paragraphs (a) to (c).
- (3) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (4) A person who contravenes the prohibition in paragraph (1) commits an offence.]

#### Textual Amendments

**F17** Reg. 18A inserted (1.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2022 (S.I. 2022/205), regs. 1(2), 3(1)

## CHAPTER 3

### Further provision

#### Circumventing etc. prohibitions

**19.**—(1) A person must not intentionally participate in activities knowing that the object or effect of them is (whether directly or indirectly)—

- (a) to circumvent any of the prohibitions in regulations 11 to 18, or

- (b) to enable or facilitate the contravention of any such prohibition.
- (2) A person who contravenes the prohibition in paragraph (1) commits an offence.

**Commencement Information**

**I18** Reg. 19 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

**[<sup>F18</sup> Interpretation of Part 3**

**19A.—**(1) In this Part—

“branch” means, in relation to a credit or financial institution, a place of business which forms a legally dependent part of that institution and which carries out all or some of the transactions inherent in the business of that institution;

“credit or financial institution” means a “UK credit or financial institution” or a “non-UK credit or financial institution”;

[<sup>F19</sup>“foreign exchange reserve and asset management” means activities relating to the reserves or assets of the persons mentioned in paragraph (2) of regulation 18A, such reserves or assets to include the following—

- (a) money market instruments (including cheques, bills and certificates of deposit);
- (b) foreign exchange;
- (c) derivative products (including futures and options);
- (d) exchange rate and interest rate instruments (including products such as swaps and forward rate agreements);
- (e) transferable securities;
- (f) other negotiable instruments and financial assets (including bullion);
- (g) special drawing rights.]

“Government of Russia” has the same meaning as in regulation 6;

“subsidiary” has the meaning given by section 1159 of the Companies Act 2006;

(2) For the purposes of this Part, a person is to be regarded as “connected with” Russia if the person is—

- (a) an individual who is, or an association or combination of individuals who are, ordinarily resident in Russia,
- (b) an individual who is, or an association or combination of individuals who are, located in Russia,
- (c) a person, other than an individual, which is incorporated or constituted under the law of Russia, or
- (d) a person, other than an individual, which is domiciled in Russia.

(3) In this Part, the definitions of—

- (a) “non-UK credit or financial institution”, and
- (b) “UK credit or financial institution”,

are to be read with section 22 of the Financial Services and Markets Act 2000, any relevant order under that section and Schedule 2 to that Act.]

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

#### Textual Amendments

- F18** Reg. 19A inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **8**
- F19** Words in reg. 19A(1) inserted (1.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2022 (S.I. 2022/205), regs. 1(2), **3(2)**

## PART 4

### Immigration

#### Immigration

**20.** A person who is designated under regulation 5 for the purposes of this regulation is an excluded person for the purposes of section 8B of the Immigration Act 1971 <sup>M9</sup>.

#### Commencement Information

- I19** Reg. 20 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### Marginal Citations

- M9** 1971 c. 77, as amended by the Immigration and Asylum Act 1999 (c.33), **s.8** and the Immigration Act 2016 (c.19), **s.76**.

## PART 5

### Trade

#### CHAPTER 1

#### Interpretation

#### Interpretation of this Part

**21.—(1)** In this Part—

“brokering service” means any service to secure, or otherwise in relation to, an arrangement, including (but not limited to)—

- (a) the selection or introduction of persons as parties or potential parties to the arrangement,
- (b) the negotiation of the arrangement,
- (c) the facilitation of anything that enables the arrangement to be entered into, and
- (d) the provision of any assistance that in any way promotes or facilitates the arrangement;

[<sup>F20</sup>“critical-industry goods” means—

- (a) any thing specified in Schedule 2A, other than—
  - (i) any thing which is critical-industry technology, or
  - (ii) any thing for the time being specified in—

- (aa) Schedule 2 or 3 to the Export Control Order 2008, or
- (bb) Annex I of the Dual-Use Regulation, and
- (b) any tangible storage medium on which critical-industry technology is recorded or from which it can be derived;

“critical-industry technology” means any thing described in Schedule 2A as software or technology, other than any thing for the time being specified in—

- (a) Schedule 2 or 3 to the Export Control Order 2008, or
- (b) Annex I of the Dual-Use Regulation;]

“dual-use goods” means—

- (a) any thing for the time being specified in Annex I of the Dual-Use Regulation, other than any thing which is dual-use technology, and
- (b) any tangible storage medium on which dual-use technology is recorded or from which it can be derived;

“the Dual-Use Regulation” means Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items;

“dual-use technology” means any thing for the time being specified in Annex I of the Dual-Use Regulation which is described as software or technology;

“energy-related goods” means any thing falling within Part 2 of Schedule 3;

“infrastructure-related goods” means any thing falling within Part 3 of Schedule 3;

“military goods” means—

- (a) any thing for the time being specified in Schedule 2 to the Export Control Order 2008<sup>M10</sup>, other than any thing which is military technology, and
- (b) any tangible storage medium on which military technology is recorded or from which it can be derived;

“military technology” means any thing for the time being specified in Schedule 2 to the Export Control Order 2008 which is described as software or technology;

[<sup>F21</sup>restricted goods” means—

- (a) critical-industry goods;
- (b) dual-use goods;
- (c) military goods;

“restricted technology” means—

- (a) critical-industry technology;
- (b) dual-use technology;
- (c) military technology;]

“technical assistance”, in relation to goods or technology, means—

- (a) technical support relating to the repair, development, production, assembly, testing, use or maintenance of the goods or technology, or
- (b) any other technical service relating to the goods or technology;

<sup>F22</sup>...

“transfer” has the meaning given in paragraph 37 of Schedule 1 to the Act.

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

- (2) For the purposes of this Part, a person is to be regarded as “connected with” Russia if the person is—
- (a) an individual who is, or an association or combination of individuals who are, ordinarily resident in Russia,
  - (b) an individual who is, or an association or combination of individuals who are, located in Russia,
  - (c) a person, other than an individual, which is incorporated or constituted under the law of Russia, or
  - (d) a person, other than an individual, which is domiciled in Russia.
- (3) For the purposes of this Part, a person is to be regarded as “connected with” Crimea if the person is—
- (a) an individual who is, or an association or combination of individuals who are, ordinarily resident in Crimea,
  - (b) an individual who is, or an association or combination of individuals who are, located in Crimea, or
  - (c) a person, other than an individual, which has its registered office, central administration or principal place of business located in Crimea.
- (4) Paragraphs 32 to 36 of Schedule 1 to the Act (trade sanctions) apply for the purpose of interpreting expressions in this Part.
- (5) In this Part, any reference to the United Kingdom includes a reference to the territorial sea.

#### Textual Amendments

- F20** Words in reg. 21 inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **3(a)** (with reg. 11)
- F21** Words in reg. 21 inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **3(b)** (with reg. 11)
- F22** Words in reg. 21(1) omitted (31.12.2020 immediately after IP completion day) by virtue of [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **10(3)**; [S.I. 2020/1514](#), reg. 4

#### Commencement Information

- I20** Reg. 21 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Marginal Citations

- M10** [S.I. 2008/3231](#). Schedule 2 was substituted by [S.I. 2017/85](#) and subsequently amended by [S.I. 2017/697](#) and [S.I. 2018/165](#). There are other instruments which amend other parts of the Order.

## CHAPTER 2

[<sup>F23</sup>Restricted goods, restricted technology] and related activities

#### Textual Amendments

- F23** Words in [Pt. 5 Ch. 2](#) heading substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(1)** (with reg. 11)

### Export of [<sup>F24</sup>restricted goods]

- 22.—(1) The export of [<sup>F24</sup>restricted goods] to, or for use in, Russia is prohibited.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

#### Textual Amendments

- F24** Words in reg. 22 substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), 4(2)(a) (with reg. 11)

#### Commencement Information

- I21** Reg. 22 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### Import of arms and related materiel

- 23.—(1) The import of arms and related materiel which are consigned from Russia is prohibited.
- (2) The import of arms and related materiel which originate in Russia is prohibited.
- (3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).
- (4) In this regulation “arms and related materiel” means—
- (a) military goods, and
  - (b) any thing which falls within chapter 93 of the Goods Classification Table, other than military goods.
- (5) For the purposes of the definition of “arms and related materiel”, whether a thing “falls within chapter 93 of the Goods Classification Table” is to be interpreted in accordance with paragraph 1 of Schedule 3.

#### Commencement Information

- I22** Reg. 23 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### Supply and delivery of [<sup>F25</sup>restricted goods]

- 24.—(1) A person must not—
- (a) directly or indirectly supply or deliver [<sup>F26</sup>restricted goods] from a third country to a place in Russia;
  - (b) directly or indirectly supply or deliver military goods from a place in Russia to a third country.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (3) A person who contravenes a prohibition in paragraph (1) commits an offence, but—
- (a) it is a defence for a person charged with the offence of contravening paragraph (1)(a) to show that the person did not know and had no reasonable cause to suspect that the goods were destined (or ultimately destined) for Russia;
  - (b) it is a defence for a person charged with the offence of contravening paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the supply or delivery was from a place in Russia, whether directly or indirectly.

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

(4) In this regulation “third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

**Textual Amendments**

- F25** Words in [reg. 24](#) heading substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(2)(b)** (with reg. 11)
- F26** Words in [reg. 24\(1\)\(a\)](#) substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(2)(b)** (with reg. 11)

**Commencement Information**

- I23** Reg. 24 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

**Making available or acquiring [<sup>F27</sup>restricted goods] and [<sup>F28</sup>restricted technology]**

25.—(1) A person must not—

- (a) directly or indirectly make [<sup>F29</sup>restricted goods] or [<sup>F30</sup>restricted technology] available to a person connected with Russia;
- (b) directly or indirectly make [<sup>F31</sup>restricted goods] or [<sup>F32</sup>restricted technology] available for use in Russia;
- (c) directly or indirectly acquire military goods or military technology from a person connected with Russia;

<sup>F33</sup>(d) .....

(e) directly or indirectly acquire military goods or military technology located in Russia.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but—

- (a) it is a defence for a person charged with an offence of contravening paragraph (1)(a) or (c) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
- (b) it is a defence for a person charged with the offence of contravening paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the goods or technology were for use in Russia;

<sup>F34</sup>(c) .....

(d) it is a defence for a person charged with the offence of contravening paragraph (1)(e) to show that the person did not know and had no reasonable cause to suspect that the goods or technology were located in Russia.

**Textual Amendments**

- F27** Words in [reg. 25](#) heading substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(2)(c)** (with reg. 11)
- F28** Words in [reg. 25](#) heading substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(3)(a)** (with reg. 11)
- F29** Words in [reg. 25\(1\)\(a\)](#) substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(2)(c)** (with reg. 11)



- F30** Words in reg. 25(1)(a) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(3)(a)** (with reg. 11)
- F31** Words in reg. 25(1)(b) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(2)(c)** (with reg. 11)
- F32** Words in reg. 25(1)(b) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(3)(a)** (with reg. 11)
- F33** Reg. 25(1)(d) omitted (31.12.2020 immediately after IP completion day) by virtue of The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), **10(4)(a)**; S.I. 2020/1514, reg. 4
- F34** Reg. 25(3)(c) omitted (31.12.2020 immediately after IP completion day) by virtue of The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), **10(4)(b)**; S.I. 2020/1514, reg. 4

#### Commencement Information

- I24** Reg. 25 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### Transfer of <sup>F35</sup>restricted technology]

- 26.—(1) A person must not—
- (a) transfer <sup>F36</sup>restricted technology] to a place in Russia;
  - (b) transfer <sup>F37</sup>restricted technology] to a person connected with Russia;
  - (c) transfer military technology to persons outside the United Kingdom or to a place outside the United Kingdom, where the transfer is from a place in Russia.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (3) A person who contravenes a prohibition in paragraph (1) commits an offence, but—
- (a) it is a defence for a person charged with the offence of contravening paragraph (1)(a) to show that the person did not know and had no reasonable cause to suspect that the transfer was to a place in Russia;
  - (b) it is a defence for a person charged with the offence of contravening paragraph (1)(b) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
  - (c) it is a defence for a person charged with the offence of contravening paragraph (1)(c) to show that the person did not know and had no reasonable cause to suspect that the transfer was from a place in Russia.

#### Textual Amendments

- F35** Words in reg. 26 heading substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(3)(b)** (with reg. 11)
- F36** Words in reg. 26(1)(a) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(3)(b)** (with reg. 11)
- F37** Words in reg. 26(1)(b) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(3)(b)** (with reg. 11)

#### Commencement Information

- I25** Reg. 26 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

### Technical assistance relating to <sup>F38</sup>restricted goods] and <sup>F39</sup>restricted technology]

27.—(1) A person must not directly or indirectly provide technical assistance relating to <sup>F38</sup>restricted goods] or <sup>F39</sup>restricted technology]—

- (a) to a person connected with Russia, or
- (b) for use in Russia.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but—

- (a) it is a defence for a person charged with an offence of contravening paragraph (1)(a) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
- (b) it is a defence for a person charged with an offence of contravening paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the goods or technology were for use in Russia.

#### Textual Amendments

**F38** Words in regs. 27-29 substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(2)(d)** (with reg. 11)

**F39** Words in regs. 27-29 substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(3)(c)** (with reg. 11)

#### Commencement Information

**I26** Reg. 27 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### Financial services and funds relating to <sup>F38</sup>restricted goods] and <sup>F39</sup>restricted technology]

28.—(1) A person must not directly or indirectly provide, to a person connected with Russia, financial services in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of <sup>F38</sup>restricted goods],
- (b) the direct or indirect supply or delivery of <sup>F38</sup>restricted goods],
- (c) directly or indirectly making <sup>F38</sup>restricted goods] or <sup>F39</sup>restricted technology] available to a person,
- (d) the transfer of <sup>F39</sup>restricted technology], or
- (e) the direct or indirect provision of technical assistance relating to <sup>F38</sup>restricted goods] or <sup>F39</sup>restricted technology].

(2) A person must not directly or indirectly make funds available to a person connected with Russia in pursuance of or in connection with an arrangement mentioned in paragraph (1).

(3) A person must not directly or indirectly provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of <sup>F38</sup>restricted goods] to, or for use in, Russia;
- (b) the direct or indirect supply or delivery of <sup>F38</sup>restricted goods] to a place in Russia;
- (c) directly or indirectly making <sup>F38</sup>restricted goods] or <sup>F39</sup>restricted technology] available—
  - (i) to a person connected with Russia, or

- (ii) for use in Russia;
- (d) the transfer of [<sup>F39</sup>restricted technology]—
  - (i) to a person connected with Russia, or
  - (ii) to a place in Russia; or
- (e) the direct or indirect provision of technical assistance relating to [<sup>F38</sup>restricted goods] or [<sup>F39</sup>restricted technology]—
  - (i) to a person connected with Russia, or
  - (ii) for use in Russia.
- <sup>F40</sup>(4) .....
- <sup>F41</sup>(5) .....
- (6) Paragraphs (1) to [<sup>F42</sup>(3)] are subject to Part 7 (Exceptions and licences).
- (7) A person who contravenes a prohibition in any of paragraphs (1) [<sup>F43</sup>to (3)] commits an offence, but—
  - (a) it is a defence for a person charged with an offence of contravening paragraph (1) [<sup>F44</sup>or (2)] (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
  - (b) it is a defence for a person charged with the offence of contravening paragraph (3) to show that the person did not know and had no reasonable cause to suspect that the financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph [<sup>F45</sup>.]
  - <sup>F46</sup>(c) .....

**Textual Amendments**

- F38** Words in regs. 27-29 substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(2)(d)** (with reg. 11)
- F39** Words in regs. 27-29 substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(3)(c)** (with reg. 11)
- F40** Reg. 28(4) omitted (31.12.2020 immediately after IP completion day) by virtue of The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), **10(5)(a)**; S.I. 2020/1514, reg. 4
- F41** Reg. 28(5) omitted (31.12.2020 immediately after IP completion day) by virtue of The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), **10(5)(a)**; S.I. 2020/1514, reg. 4
- F42** Word in reg. 28(6) substituted (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), **10(5)(b)**; S.I. 2020/1514, reg. 4
- F43** Words in reg. 28(7) substituted (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), **10(5)(c)(i)**; S.I. 2020/1514, reg. 4
- F44** Words in reg. 28(7)(a) substituted (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), **10(5)(c)(ii)**; S.I. 2020/1514, reg. 4
- F45** Full stop in reg. 28(7)(b) substituted for semicolon (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), **10(5)(c)(iii)**; S.I. 2020/1514, reg. 4

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

**F46** Reg. 28(7)(c) omitted (31.12.2020 immediately after IP completion day) by virtue of [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **10(5)(c)** (iv); S.I. 2020/1514, reg. 4

#### Commencement Information

**I27** Reg. 28 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### Brokering services: non-UK activity relating to [<sup>F38</sup>restricted goods] and [<sup>F39</sup>restricted technology]

**29.**—(1) A person must not directly or indirectly provide brokering services in relation to an arrangement (“arrangement A”) whose object or effect is—

- (a) the direct or indirect supply or delivery of [<sup>F38</sup>restricted goods] from a third country to a place in Russia;
- (b) directly or indirectly making [<sup>F38</sup>restricted goods] available in a third country for direct or indirect supply or delivery—
  - (i) to a person connected with Russia, or
  - (ii) to a place in Russia;
- (c) directly or indirectly making [<sup>F39</sup>restricted technology] available in a third country for transfer—
  - (i) to a person connected with Russia, or
  - (ii) to a place in Russia;
- (d) the transfer of [<sup>F39</sup>restricted technology] from a place in a third country—
  - (i) to a person connected with Russia, or
  - (ii) to a place in Russia;
- (e) the direct or indirect provision, in a non-UK country, of technical assistance relating to [<sup>F38</sup>restricted goods] or [<sup>F39</sup>restricted technology]—
  - (i) to a person connected with Russia, or
  - (ii) for use in Russia;
- (f) the direct or indirect provision, in a non-UK country, of financial services—
  - (i) to a person connected with Russia, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 28(1), or
  - (ii) where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 28(3);
- (g) directly or indirectly making funds available, in a non-UK country, to a person connected with Russia, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 28(1); or
- (h) the direct or indirect provision of funds from a non-UK country, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 28(3).

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no

reasonable cause to suspect that the brokering services were provided in relation to an arrangement mentioned in that paragraph.

(4) In this regulation—

“non-UK country” means a country that is not the United Kingdom;

“third country” means—

- (a) for the purposes of paragraph (1)(a) and (b), a country that is not the United Kingdom, the Isle of Man or Russia,
- (b) for the purposes of any other provision of paragraph (1), a country that is not the United Kingdom or Russia.

#### Textual Amendments

**F38** Words in regs. 27-29 substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(2)(d)** (with reg. 11)

**F39** Words in regs. 27-29 substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(3)(c)** (with reg. 11)

#### Commencement Information

**I28** Reg. 29 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### Enabling or facilitating military activities

**30.**—(1) A person must not directly or indirectly provide—

- (a) technical assistance,
- (b) armed personnel,
- (c) financial services or funds, or
- (d) brokering services in relation to an arrangement whose object or effect is to provide, in a non-UK country, anything mentioned in sub-paragraphs (a) to (c),

where such provision enables or facilitates the conduct of military activities carried on or proposed to be carried on by the Russian military or any other military end-user who is a person connected with Russia.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes the prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that the provision as mentioned in paragraph (1) would enable or facilitate the conduct of military activities carried on or proposed to be carried on by the Russian military or any other military end-user who is a person connected with Russia.

(4) In this regulation—

“non-UK country” means a country that is not the United Kingdom;

“technical assistance” means the provision of technical support or any other technical service.

(5) Nothing in this regulation is to be taken to limit the meaning of any of the prohibitions contained in this Part.

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

**Commencement Information**

**I29** Reg. 30 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

<sup>F47</sup>CHAPTER 3

Dual-use goods, dual-use technology and related activities

**Textual Amendments**

**F47** Pt. 5 Ch. 3 omitted (1.3.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **5** (with reg. 11)

**Interpretation of this Chapter**

**31.** .....

**Export of dual-use goods**

**32.** .....

**Supply and delivery of dual-use goods**

**33.** .....

**Making dual-use goods and dual-use technology available**

**34.** .....

**Transfer of dual-use technology**

**35.** .....

**Technical assistance relating to dual-use goods and dual-use technology**

**36.** .....

**Financial services and funds relating to dual-use goods and dual-use technology**

**37.** .....

**Brokering services: non-UK activity relating to dual-use goods and dual-use technology**

**38.** .....

## CHAPTER 4

### Energy-related goods and related activities

#### Interpretation of this Chapter

**39.** For the purposes of this Chapter “Russia” includes Russia's exclusive economic zone and continental shelf (which terms are to be interpreted in accordance with the United Nations Convention on the Law of the Sea) <sup>M11</sup>.

#### Commencement Information

**I30** Reg. 39 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Marginal Citations

**M11** Command 8941.

#### Export of energy-related goods

- 40.**—(1) The export of energy-related goods for use in Russia is prohibited.  
(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

#### Commencement Information

**I31** Reg. 40 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Supply and delivery of energy-related goods

**41.**—(1) A person must not directly or indirectly supply or deliver energy-related goods for use in Russia from a third country to a place in Russia.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes the prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that—

- (a) the goods were destined (or ultimately destined) for Russia, or
- (b) the goods were for use in Russia.

(4) In this regulation “third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

#### Commencement Information

**I32** Reg. 41 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

**Making energy-related goods available**

**42.**—(1) A person must not directly or indirectly make energy-related goods available for use in Russia.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that the goods were for use in Russia.

**Commencement Information**

**I33** Reg. 42 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

**Technical assistance relating to energy-related goods**

**43.**—(1) A person must not directly or indirectly—

- (a) provide technical assistance relating to energy-related goods for use in Russia; or
- (b) provide, to a person connected with Russia, technical assistance relating to energy-related goods.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but—

- (a) it is a defence for a person charged with the offence in paragraph (1)(a) to show that the person did not know and had no reasonable cause to suspect that the goods were for use in Russia;
- (b) it is a defence for a person charged with the offence in paragraph (1)(b) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia.

**Commencement Information**

**I34** Reg. 43 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

**Financial services and funds relating to energy-related goods and energy-related technology**

**44.**—(1) A person must not directly or indirectly provide, to a person connected with Russia, financial services in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of energy-related goods,
- (b) the direct or indirect supply or delivery of energy-related goods,
- (c) directly or indirectly making energy-related goods available to a person, or
- (d) the direct or indirect provision of technical assistance relating to energy-related goods.

(2) A person must not directly or indirectly make funds available to a person connected with Russia in pursuance of or in connection with an arrangement mentioned in paragraph (1).

(3) A person must not directly or indirectly provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export to Russia of energy-related goods for use in Russia;



- (b) the direct or indirect supply or delivery of energy-related goods for use in Russia;
  - (c) directly or indirectly making energy-related goods available for use in Russia;
  - (d) the direct or indirect provision of technical assistance relating to energy-related goods to a person connected with Russia;
  - (e) the direct or indirect provision of technical assistance relating to energy-related goods for use in Russia;
- (4) Paragraphs (1) to (3) are subject to Part 7 (Exceptions and licences).
- (5) A person who contravenes a prohibition in any of paragraphs (1) to (3) commits an offence, but—
- (a) it is a defence for a person charged with an offence of contravening a prohibition in paragraph (1) or (2) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
  - (b) it is a defence for a person charged with an offence of contravening a prohibition in paragraph (3) to show that the person did not know and had no reasonable cause to suspect that the financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned that paragraph.

#### Commencement Information

**I35** Reg. 44 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Brokering services: non-UK activity relating to energy-related goods and energy-related technology

**45.**—(1) A person (“P”) must not directly or indirectly provide brokering services in relation to an arrangement (“arrangement A”) whose object or effect is—

- (a) the direct or indirect supply or delivery of energy-related goods for use in Russia from a third country to a place in Russia;
- (b) directly or indirectly making energy-related goods available for use in Russia;
- (c) the direct or indirect provision, in a non-UK country, of technical assistance relating to energy-related goods—
  - (i) to a person connected with Russia, or
  - (ii) for use in Russia;
- (d) the direct or indirect provision, in a non-UK country, of financial services—
  - (i) to a person connected with Russia, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 44(1), or
  - (ii) where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 44(3);
- (e) directly or indirectly making funds available, in a non-UK country, to a person connected with Russia, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 44(1); or
- (f) the direct or indirect provision of funds from a non-UK country, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 44(3).

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that the brokering services were provided in relation to an arrangement mentioned in that paragraph.

(4) In this regulation—

“non-UK country” means a country that is not the United Kingdom;

“third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

#### **Commencement Information**

**I36** Reg. 45 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### **Prohibition on providing other energy-related services**

**46.**—(1) A person must not provide, directly or indirectly, relevant energy services.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes the prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that the person was providing relevant energy services.

(4) In this regulation—

“relevant energy services” means specified services necessary for a relevant oil exploration or production project;

“relevant oil exploration or production project” means a project in Russia within any of the following descriptions—

- (a) oil exploration and production in waters deeper than 150 metres;
- (b) oil exploration and production in the offshore area north of the Arctic Circle; or
- (c) a project that has the potential to produce oil from resources located in shale formations by way of hydraulic fracturing, excluding exploration and production through shale formations to locate or extract oil from non-shale reservoirs;

“specified services” means any of the following—

- (a) drilling;
- (b) well testing;
- (c) logging and completion services;
- (d) supply of specialised floating vessels.

#### **Commencement Information**

**I37** Reg. 46 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

## CHAPTER 5

### Exports and imports, and related activities, in relation to Crimea

#### Imports from Crimea

- 47.—(1) The import of goods which originate in Crimea is prohibited.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

##### Commencement Information

- I38 Reg. 47 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Export of infrastructure-related goods to Crimea

- 48.—(1) The export of infrastructure-related goods to, or for use in, Crimea, is prohibited.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

##### Commencement Information

- I39 Reg. 48 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Supply and delivery of infrastructure-related goods

- 49.—(1) A person must not directly or indirectly supply or deliver infrastructure-related goods from a third country to a place in Crimea.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (3) A person who contravenes the prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that the goods were destined (or ultimately destined) for Crimea.
- (4) In this regulation, “third country” means a country that is not the United Kingdom, the Isle of Man or Crimea.

##### Commencement Information

- I40 Reg. 49 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Making infrastructure-related goods available

- 50.—(1) A person must not—
- (a) directly or indirectly make infrastructure-related goods available to a person connected with Crimea;
  - (b) directly or indirectly make infrastructure-related goods available for use in Crimea.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (3) A person who contravenes a prohibition in paragraph (1) commits an offence, but—

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

- (a) it is a defence for a person charged with the offence of contravening paragraph (1)(a) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Crimea;
- (b) it is a defence for a person charged with the offence of contravening paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the goods were for use in Crimea.

#### Commencement Information

**I41** Reg. 50 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Technical assistance relating to infrastructure-related goods

**51.**—(1) A person must not directly or indirectly provide technical assistance relating to infrastructure-related goods—

- (a) to a person connected with Crimea, or
  - (b) for use in Crimea.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (3) A person who contravenes a prohibition in paragraph (1) commits an offence, but—
- (a) it is a defence for a person charged with the offence of contravening paragraph (1)(a) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Crimea;
  - (b) it is a defence for a person charged with the offence of contravening paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the goods were for use in Crimea.

#### Commencement Information

**I42** Reg. 51 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Financial services and funds relating to infrastructure-related goods etc.

**52.**—(1) A person must not directly or indirectly provide, to a person connected with Crimea, financial services in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of infrastructure-related goods,
  - (b) the direct or indirect supply or delivery of infrastructure-related goods,
  - (c) directly or indirectly making infrastructure-related goods available to a person, or
  - (d) the direct or indirect provision of technical assistance relating to infrastructure-related goods.
- (2) A person must not directly or indirectly make funds available to a person connected with Crimea in pursuance of or in connection with an arrangement mentioned in paragraph (1).
- (3) A person must not directly or indirectly provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is—
- (a) the import of goods which originate in Crimea;

- (b) the export of infrastructure-related goods to, or for use in, Crimea,
  - (c) the direct or indirect supply or delivery of infrastructure-related goods to a place in Crimea,
  - (d) directly or indirectly making infrastructure-related goods available—
    - (i) to a person connected with Crimea, or
    - (ii) for use in Crimea,
  - (e) the direct or indirect provision of technical assistance relating to infrastructure-related goods—
    - (i) to a person connected with Crimea, or
    - (ii) for use in Crimea.
- (4) Paragraphs (1) to (3) are subject to Part 7 (Exceptions and licences).
- (5) A person who contravenes a prohibition in any of paragraphs (1) to (3) commits an offence, but—
- (a) it is a defence for a person charged with an offence of contravening paragraph (1) or (2) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Crimea;
  - (b) it is a defence for a person charged with an offence of contravening a prohibition in paragraph (3) to show that the person did not know and had no reasonable cause to suspect that the financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

#### Commencement Information

**I43** Reg. 52 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Brokering services: non-UK activity relating to infrastructure-related goods and goods from Crimea

**53.**—(1) A person must not directly or indirectly provide brokering services in relation to an arrangement (“arrangement A”) whose object or effect is—

- (a) the import of goods which originate in Crimea;
- (b) the direct or indirect supply or delivery of infrastructure-related goods from a third country to a place in Crimea,
- (c) directly or indirectly making infrastructure-related goods available in a third country for direct or indirect supply or delivery—
  - (i) to a person connected with Crimea, or
  - (ii) to a place in Crimea,
- (d) the direct or indirect provision, in a non-UK country, of technical assistance relating to infrastructure-related goods—
  - (i) to a person connected with Crimea, or
  - (ii) for use in Crimea,
- (e) the direct or indirect provision, in a non-UK country, of financial services—
  - (i) to a person connected with Crimea, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 52(1), or

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

- (ii) where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 52(3) in relation to infrastructure-related goods,
  - (f) directly or indirectly making funds available, in a non-UK country, to a person connected with Crimea, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 52(1), or
  - (g) the direct or indirect provision of funds from a non-UK country, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 52(3) in relation to infrastructure-related goods.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (3) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that the brokering services were provided in relation to an arrangement mentioned in that paragraph.
- (4) In this regulation—
- “non-UK country” means a country that is not the United Kingdom;
  - “third country” means a country that is not the United Kingdom, the Isle of Man or Crimea.

#### **Commencement Information**

**I44** Reg. 53 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

## CHAPTER 6

### Other services relating to Crimea

#### **Prohibition on providing certain services relating to Crimea**

- 54.**—(1) A person must not provide—
- (a) services relating to a relevant infrastructure sector in Crimea; or
  - (b) services relating to tourism in Crimea.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (3) A person who contravenes the prohibition in paragraph (1) commits an offence, but—
- (a) it is a defence for a person charged with the offence in paragraph (1)(a) (“P”) to show that P did not know and had no reasonable cause to suspect that P was providing services relating to a relevant infrastructure sector in Crimea;
  - (b) it is a defence for a person charged with the offence in paragraph (1)(b) (“P”) to show that P did not know and had no reasonable cause to suspect that P was providing services relating to tourism in Crimea.
- (4) In this regulation—
- “services relating to a relevant infrastructure sector in Crimea” means technical assistance, brokering, construction or engineering services directly relating to infrastructure in Crimea in any of the following sectors—
- (a) transport;
  - (b) telecommunications;
  - (c) energy;

- (d) the prospection, exploration and production of oil, gas and mineral resources;  
“technical assistance” means the provision of technical support or any other technical service.

**Commencement Information**

**I45** Reg. 54 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

CHAPTER 7

Further provision

**Circumventing etc. prohibitions**

**55.**—(1) A person must not intentionally participate in activities knowing that the object or effect of them is, whether directly or indirectly—

- (a) to circumvent any of the prohibitions in Chapters 2 to 6 of this Part, or  
(b) to enable or facilitate the contravention of any such prohibition.

(2) A person who contravenes a prohibition in paragraph (1) commits an offence.

**Commencement Information**

**I46** Reg. 55 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

**Defences**

**56.**—(1) Paragraph (2) applies where a person relies on a defence under any of Chapters 2 to 6 of this Part.

(2) If evidence is adduced which is sufficient to raise an issue with respect to the defence, the court must assume that the defence is satisfied unless the prosecution proves beyond reasonable doubt that it is not.

**Commencement Information**

**I47** Reg. 56 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

**PART 6**

Ships

**[<sup>F48</sup>Crimean ports direction]**

**57.**—(1) The Secretary of State may give a Crimean ports direction to a master or pilot of a British ship which is a cruise ship.

(2) In this regulation, a “Crimean ports direction” is a direction prohibiting a ship from entering a port or any ports located in Crimea.

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

(3) It is an offence for a person to whom a direction under this regulation is given to fail to comply with the direction.

(4) A Crimean ports direction—

(a) may be given to any master or pilot of a British ship which is a cruise ship, or to masters and pilots of British ships which are cruise ships generally;

(b) may be of indefinite duration or a defined duration.

(5) The Secretary of State may vary, revoke or suspend a Crimean ports direction at any time.

(6) In this regulation, “cruise ship” means a ship providing cruise services.

(7) Any expression used in this Part and in section 7 of the Act (shipping sanctions) has the same meaning in this Part as it has in that section.

#### Textual Amendments

**F48** Reg. 57 heading substituted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 5

#### Commencement Information

**I48** Reg. 57 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### [<sup>F49</sup>Prohibition on port entry

**57A.**—(1) A person must not provide a ship to which this paragraph applies with access to a port in the United Kingdom, if the person knows, or has reasonable cause to suspect, that the ship is a ship to which this paragraph applies.

(2) The master or pilot of a ship to which this paragraph applies must not cause or permit the ship to enter a port in the United Kingdom if the master or pilot knows, or has reasonable cause to suspect, that the ship is a ship to which this paragraph applies.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions) (see, in particular, regulation 61A (ships: exceptions from prohibitions on port entry)).

(4) A person who contravenes a prohibition in paragraph (1) or (2) commits an offence.

(5) Paragraphs (1) and (2) apply to—

(a) a ship owned, controlled, chartered or operated by a designated person,

(b) a ship owned, controlled, chartered or operated by persons connected with Russia,

(c) a ship flying the flag of Russia,

(d) a ship registered in Russia, or

(e) a specified ship.

(6) In paragraph (5), a “designated person” means a person who is designated under regulation 5 for the purposes of the relevant regulations under this Part.

#### Textual Amendments

**F49** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6



## Directions prohibiting port entry

**57B.**—(1) A port barring direction may be given to the master or pilot of a specified ship.

(2) A port barring direction may be given by—

- (a) the Secretary of State, or
- (b) a harbour authority.

(3) The Secretary of State may direct a harbour authority to take such steps as are reasonably practicable to secure that a ship mentioned in a port barring direction does not enter a port or ports specified in the direction, or any port in the United Kingdom.

(4) It is an offence for a person to whom a direction is given under this regulation to fail to comply with the direction.

(5) The Secretary of State may notify a person that the existence of a port barring direction, any part of the content of the direction, or anything done under the direction, is to be treated as confidential.

(6) It is an offence for a person to disclose information if the Secretary of State has notified that person under paragraph (5) that the information is to be treated as confidential.

(7) In this regulation, a “port barring direction” means a direction prohibiting a ship from entering a port or ports specified in the direction, or any port in the United Kingdom.

### Textual Amendments

**F49** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6

## Movement of ships

**57C.**—(1) A port entry direction or a movement direction may be given by the Secretary of State to the master or pilot of—

- (a) a ship owned, controlled, chartered or operated by a designated person,
- (b) a ship owned, controlled, chartered or operated by persons connected with Russia,
- (c) a ship registered in Russia,
- (d) a ship flying the flag of Russia, or
- (e) a specified ship.

(2) The Secretary of State may direct a harbour authority to take such steps as are reasonably practicable to secure that a ship mentioned in paragraph (1)—

- (a) proceeds to or enters a port specified in the direction,
- (b) leaves a port specified in the direction,
- (c) proceeds to a place specified in the direction, or
- (d) remains where it is.

(3) It is an offence for a person to whom a direction is given under this regulation to fail to comply with the direction.

(4) The Secretary of State may notify a person that the existence of a port entry direction or a movement direction, any part of the content of the direction, or anything done under the direction, is to be treated as confidential.

(5) It is an offence for a person to disclose information if the Secretary of State has notified that person under paragraph (4) that the information is to be treated as confidential.

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

(6) In this regulation—

a “designated person” means a person who is designated under regulation 5 for the purposes of the relevant regulations under this Part;

a “movement direction” means a direction requiring a ship—

- (a) to leave a port specified in the direction,
- (b) to proceed to a place specified in the direction, or
- (c) to remain where it is;

a “port entry direction” means a direction requiring a ship to proceed to or enter a port specified in the direction.

#### Textual Amendments

**F49** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6

#### Detention of ships

**57D.**—(1) A detention direction may be given to the master of a ship referred to in paragraph (3) by—

- (a) the Secretary of State, or
- (b) a harbour authority.

(2) A detention direction under paragraph (1)(b) may only be given by a harbour authority to the master of a specified ship if it has received a direction from the Secretary of State in accordance with paragraph (3)(d).

(3) The Secretary of State may direct a harbour authority to give a detention direction to the master of—

- (a) a ship owned, controlled, chartered or operated by a designated person,
- (b) a ship owned, controlled, chartered or operated by persons connected with Russia,
- (c) a ship flying the flag of Russia, or
- (d) a specified ship.

(4) A “detention direction” means a direction requiring the detention of a ship at a port or anchorage in the United Kingdom.

(5) A detention direction given in relation to a ship—

- (a) must be in writing,
- (b) must be delivered to the master of the ship by the person who detains the ship,
- (c) must state the grounds on which the ship is detained, and
- (d) must state that—
  - (i) it is given under this regulation, and
  - (ii) any requirements imposed by the direction must be complied with.

(6) Paragraph (5) applies if—

- (a) the ship is not a British ship, and
- (b) there is in the United Kingdom a consular officer for the country to which the ship belongs.

(7) A copy of the detention direction must be sent as soon as practicable to the nearest consular officer for the country to which the ship belongs.

(8) Section 284(1), (2), (2A), (2B), (3) and (8) of the Merchant Shipping Act 1995 (enforcement of detention of ships) applies in the case of detention under a detention direction as it applies in the case of detention authorised or ordered by that Act, but as if—

- (a) any reference in that section to a notice of detention were to the detention direction, and
- (b) the reference in subsection (2A) of that section to a direction given under subsection (1A) (a) of that section were to any requirement imposed by the detention direction.

(9) In this regulation, “consular officer”, in relation to a foreign country, means the officer recognised by Her Majesty as a consular officer of that foreign country.

(10) In this regulation, “designated persons” means a person who is designated under regulation 5 for the purposes of the relevant regulations under this Part.

#### Textual Amendments

**F49** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6

### Registration of ships in the United Kingdom

**57E.**—(1) The Registrar must refuse to register a ship if, on the basis of the information given to the Registrar by the Secretary of State or accompanying the application for registration, the ship appears to the Registrar to be owned, controlled, chartered or operated by—

- (a) designated persons; or
- (b) persons connected with Russia.

(2) The Secretary of State may direct the Registrar to terminate the registration of—

- (a) a ship that is owned, controlled, chartered or operated by;
  - (i) designated persons;
  - (ii) persons connected with Russia; or
- (b) a specified ship.

(3) For the purposes of this regulation—

- (a) any reference to registering a ship is to registering the ship in the register of British ships maintained by the Registrar,
- (b) “designated persons” means a person who is designated under regulation 5 for the purposes of the relevant regulations under this Part, and
- (c) a ship is “chartered” by a person if it is chartered on bareboat charter terms within the meaning given by section 17(11) of the Merchant Shipping Act 1995.

#### Textual Amendments

**F49** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

## Specification of ships

**57F.**—(1) The Secretary of State may specify ships within the meaning of section 7 of the Act for the purposes of—

- (a) regulation 57A (prohibition on port entry),
- (b) regulation 57B (directions prohibiting port entry),
- (c) regulation 57C (movement of ships),
- (d) regulation 57D (detention of ships), and
- (e) regulation 57E (registration of ships in the United Kingdom).

(2) The Secretary of State must specify a ship by its International Maritime Organization number or, where it is not reasonably practicable to identify it by that number, by any other means that the Secretary of State considers appropriate.

(3) The Secretary of State may not specify a ship unless the Secretary of State—

- (a) has reasonable grounds to suspect that the ship is, has been, or is likely to be, involved in a relevant activity, and
- (b) considers that it is appropriate for that ship to be specified, having regard to the purposes stated in regulation 4.

(4) For the purposes of this regulation a ship is “involved in a relevant activity” if the ship is used for any activity whose object or effect is to contravene or circumvent, or to enable or facilitate the contravention or circumvention of, any provision of these Regulations.

### Textual Amendments

**F49** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6

## Notification and publicity where specification power used

**57G.**—(1) Paragraph (2) applies where the Secretary of State—

- (a) has specified a ship under regulation 57F(1) or (2) (specification of ships), or
- (b) has by virtue of section 26 of the Act revoked a specification made under that regulation.

(2) The Secretary of State—

- (a) must without delay take such steps as are reasonably practicable to inform such persons as the Secretary of State considers appropriate of the specification or revocation, and
- (b) except where one or more of the restricted publicity conditions is met, must take steps to publicise the specification or revocation generally.

(3) The “restricted publicity conditions” are that the Secretary of State considers that disclosure of the specification or revocation should be restricted—

- (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.

(4) Paragraph (5) applies if—

- (a) when a specification is made one or more of the restricted publicity conditions is met, but

- (b) at any time when the specification has effect, it becomes the case that none of the restricted publicity conditions is met.
- (5) The Secretary of State must take steps to publicise the specification generally.

**Textual Amendments**

**F49** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6

**Directions under this Part: general**

**57H.**—(1) Paragraphs (2) to (4) apply in relation to a direction given by the Secretary of State under this Part.

- (2) A person to whom a direction is given has a duty to comply with it.
- (3) A direction may be of indefinite duration or a defined duration.
- (4) A person who gives a direction may vary, revoke or suspend it at any time.
- (5) A direction under regulation 57C(2) (movement of ships) may be given to any harbour authority or to harbour authorities generally.

**Textual Amendments**

**F49** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6

**Interpretation of Part 6**

**57I.**—(1) For the purposes of regulations 57A to 57H, a ship is—

- (a) “owned” by a person if—
    - (i) the legal title to the ship, or to any share in the ship, is vested in the person, or
    - (ii) the person has a beneficial interest in the ship or in any share in the ship; and
  - (b) “controlled” by a person who is able to take decisions about its operation, including (but not limited to) decisions about the route the ship may take and the appointment of master or crew.
- (2) For the purposes of paragraph (1)(b), a ship is not “controlled” by its master or crew, unless that master or crew are designated persons under the relevant regulations of this Part.
- (3) Any reference in this Part to a legal title or other interest includes one held jointly with any other person or persons.
- (4) For the purposes of this Part—  
“beneficial interest” means any beneficial interest, however arising (whether held by trustee or nominee or arising under a contract or otherwise), other than an interest held by any person as mortgagee;  
“specified ship” means a ship specified by the Secretary of State under regulation 57F (specification of ships);  
“the relevant regulations of this Part” means regulations 57A, 57C, 57D and 57E.
- (5) For the purposes of this Part, a person is to be regarded as “connected with Russia” if the person is—

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*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

- (a) an individual who is, or an association or combination of individuals who are, ordinarily resident in Russia,
  - (b) an individual who is, or an association or combination of individuals who are, located in Russia,
  - (c) a person, other than an individual, which is incorporated or constituted under the law of Russia, or
  - (d) a person, other than an individual, which is domiciled in Russia.
- (6) Any expression used in this Part and in section 7 of the Act (shipping sanctions) has the same meaning in this Part as it has in that section.]

#### Textual Amendments

**F49** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6

## PART 7

### Exceptions and licences

#### Asset-freeze etc.: exceptions from prohibitions

**58.**—(1) The prohibition in regulation 11 (asset-freeze in relation to designated persons) is not contravened by an independent person (“P”) transferring to another person a legal or equitable interest in funds or economic resources where, immediately before the transfer, the interest—

- (a) is held by P, and
- (b) is not held jointly with the designated person.

(2) In paragraph (1) “independent person” means a person who—

- (a) is not the designated person, and
- (b) is not owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.

(3) The prohibitions in regulations 11 to 13 (asset-freeze in relation to, and making funds available to or for the benefit of, designated persons) are not contravened by a relevant institution crediting a frozen account with interest or other earnings due on the account.

(4) The prohibitions in regulations 12 and 13 (making funds available to, or for the benefit of, designated persons) are not contravened by a relevant institution crediting a frozen account where it receives funds transferred to that institution for crediting to that account.

(5) The prohibitions in regulations 12 and 13 are not contravened by the transfer of funds to a relevant institution for crediting to an account held or controlled (directly or indirectly) by a designated person, where those funds are transferred in discharge (or partial discharge) of an obligation which arose before the date on which the person became a designated person.

(6) The prohibitions in regulations 11 to 13 are not contravened in relation to a designated person (“P”) by a transfer of funds from account A to account B, where—

- (a) account A is with a relevant institution which carries on an excluded activity within the meaning of section 142D of the Financial Services and Markets Act 2000 <sup>M12</sup>,
- (b) account B is with a ring-fenced body within the meaning of section 142A of the Financial Services and Markets Act 2000 <sup>M13</sup>, and

(c) accounts A and B are held or controlled (directly or indirectly) by P.

(7) In this regulation—

“designated person” has the same meaning as it has in Chapter 1 Part 3 (Finance);

“frozen account” means an account with a relevant institution which is held or controlled (directly or indirectly) by a designated person;

“relevant institution” means a person that has permission under Part 4A of the Financial Services and Markets Act 2000 <sup>M14</sup> (permission to carry on regulated activity).

(8) The definition of “relevant institution” in paragraph (7) is to be read with section 22 of the Financial Services and Markets Act 2000 <sup>M15</sup>, any relevant order under that section <sup>M16</sup> and Schedule 2 to that Act <sup>M17</sup>.

**Commencement Information**

**I49** Reg. 58 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**Marginal Citations**

**M12** 2000 c.8. Section 142D was inserted by section 4(1) of the **Financial Services (Banking Reform) Act 2013 (c.33)**.

**M13** Section 142A was inserted by section 4(1) of the **Financial Services (Banking Reform) Act 2013 (c.33)**.

**M14** Part 4A was inserted by the **Financial Services Act 2012 (c.21)**, **section 11(2)** and amended by **S.I. 2018/135**.

**M15** Section 22 was amended by; the **Financial Guidance and Claims Act 2018 (c.10)**, **Part 2, s.27(4)**; the **Financial Services Act 2012**, section 7(1); and **S.I. 2018/135**.

**M16** **S.I. 2001/544**, as amended by **S.I. 2017/500**.

**M17** Schedule 2 was amended by; the **Dormant Bank and Building Society Accounts Act 2008 (c.31)**, **section 15**, **Schedule 2, para. 1**; the **Regulation of Financial Services (Land Transactions) Act 2003 (c.24)**, **section 1**; the **Financial Services Act 2012**, section 7(2) to (5) and section 8; **S.I. 2013/1881**; and it is prospectively amended by **S.I. 2018/135**.

**Exceptions relating to loans and credit arrangements**

**59.—(1)** The prohibitions in regulation 17 (loans and credit arrangements) are not contravened by the grant of—

<sup>F50</sup>(a) .....

(b) a relevant loan that has a specific and documented objective of making emergency funds available to meet applicable solvency or liquidity criteria for a relevant subsidiary;

<sup>F51</sup>(c) a relevant loan consisting of a drawdown or disbursement made under an arrangement entered into before—

(i) in the case of a category 1 loan, 15th September 2014;

(ii) in the case of a category 2 loan, a category 3 loan or a category 4 loan, 1st March 2022;

where the conditions in paragraph (2) are met.]

(2) The conditions referred to in paragraph (1)(c) are that—

(a) all the terms and conditions of such drawdowns or disbursements—

<sup>F52</sup>(i) were agreed before—

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

- (aa) in the case of a category 1 loan, 15th September 2014;
- (bb) in the case of a category 2 loan, a category 3 loan or a category 4 loan, 1st March 2022;]
- (ii) have not been modified on or after that date; and
- (b) a contractual maturity date has been fixed for the repayment in full of all funds made available and for the cancellation of all the rights and obligations under the arrangement.
- (3) In this regulation—
- [<sup>F53</sup>“category 1 loan” has the meaning given to it in regulation 17;
- “category 2 loan” has the meaning given to it in regulation 17;
- “category 3 loan” has the meaning given to it in regulation 17;
- “category 4 loan” has the meaning given to it in regulation 17;]
- <sup>F54</sup>  
...
- [<sup>F55</sup>“non-UK country” means a country that is not the United Kingdom;]
- “relevant loan” has the meaning given to it in regulation 17;
- “relevant subsidiary” means a person, other than an individual, which is—
- (a) incorporated or constituted under the law of any part of the United Kingdom, and
- (b) [<sup>F56</sup>owned (within the meaning of regulation 16(7)) by a person, other than an individual, that is connected with Russia.]

#### Textual Amendments

- F50** Reg. 59(1)(a) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(a)(i)**
- F51** Reg. 59(1)(c) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(a)(ii)**
- F52** Reg. 59(2)(a)(i) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(b)**
- F53** Words in reg. 59(3) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(c)(i)**
- F54** Words in reg. 59(3) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(c)(ii)**
- F55** Words in reg. 59(3) inserted (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), **10(6)(b)**; S.I. 2020/1514, reg. 4
- F56** Words in reg. 59(3) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(c)(iii)**

#### Commencement Information

- I50** Reg. 59 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### [<sup>F57</sup>Exception relating to correspondent banking relationships etc.

**59A.** The prohibition in regulation 17A(2) (processing sterling payments) does not apply to the processing of a sterling payment for any fee or charge required to permit an aircraft to overfly, land in or take off from Russia.]



### Textual Amendments

**F57** Reg. 59A inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), 10

### Exceptions relating to investments in relation to Crimea

**60.**—(1) The prohibitions in regulation 18 (investments in relation to Crimea) are not contravened by any act done by a person (“P”) in satisfaction of an obligation of P arising under a contract concluded before 20 December 2014, or an ancillary contract necessary for the satisfaction of such a contract, provided that P has notified the Treasury no later than the day five working days before the day on which the act is carried out.

(2) The prohibitions in regulation 18 are not contravened by activities carried on by a person with entities outside Crimea where the related investment is not destined for an entity in Crimea.

### Commencement Information

**I51** Reg. 60 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### <sup>F58</sup>Trade: exceptions in relation to personal effects etc.

**60A.**—(1) The prohibitions in regulations 22 (export of restricted goods), 24(1)(a) (supply and delivery of restricted goods), 25(1)(a) and (b) (making restricted goods and restricted technology available), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) are not contravened by a relevant activity in relation to any critical-industry goods or critical-industry technology which are—

- (a) the personal effects of a person travelling to Russia,
- (b) of a non-commercial nature for the personal use of a person travelling to Russia and contained in that person’s luggage, or
- (c) necessary for the official purposes of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law.

(2) For the purposes of paragraph (1)—

“consular post” has the same meaning as in the Vienna Convention on Consular Relations done at Vienna on 24 April 1963<sup>F59</sup>, and any reference to the functions of a consular post is to be read in accordance with that Convention;

“critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5);

“critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);

“diplomatic mission”, and any reference to the functions of a diplomatic mission, is to be read in accordance with the Vienna Convention on Diplomatic Relations done at Vienna on 18 April 1961<sup>F60</sup>;

“relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions specified in paragraph (1).

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

#### Textual Amendments

- F58** Regs. 60A-60C inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), 6 (with reg. 11)
- F59** United Nations Treaty Series, vol. 596, p.261.
- F60** United Nations Treaty Series, vol. 500, p.95.

#### Trade: exceptions in relation to consumer communication devices and software updates

**60B.**—(1) The prohibitions in regulations 22 (export of restricted goods), 24(1)(a) (supply and delivery of restricted goods), 25(1)(a) and (b) (making restricted goods and restricted technology available), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) are not contravened by a relevant activity in relation to critical-industry goods or critical-industry technology which are—

- (a) consumer communication devices for civilian use, or
  - (b) software updates for civilian use.
- (2) For the purposes of paragraph (1)—
- (a) “consumer communication devices” has the meaning given in Schedule 2B;
    - “critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5);
    - “critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);
    - “relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions specified in that paragraph;
  - (b) goods are “for civilian use” if they are not—
    - (i) for use by the Russian military or any other military end-user, or
    - (ii) for any military use;
  - (c) technology is “for civilian use” if it—
    - (i) does not relate to activities carried on or proposed to be carried on by the Russian military or any other military end user, and
    - (ii) is not for any military use.

#### Textual Amendments

- F58** Regs. 60A-60C inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), 6 (with reg. 11)

#### Trade: exceptions in relation to aircraft and vessels

**60C.**—(1) For the purposes of regulations 22 (export of restricted goods) and 28 (financial services and funds), the removal of an aircraft or vessel from the United Kingdom to Russia is not an export of critical-industry goods, provided that the following conditions are met—

- (a) the aircraft or vessel is removed under its own power,
- (b) in the case of an aircraft, it—
  - (i) is carrying goods or passengers when removed, or

- (ii) is removed in order to undertake a journey carrying goods or passengers, and
- (c) the removal of the aircraft or vessel is not for the purpose of—
  - (i) a transfer of ownership of the aircraft or vessel or any of its component parts, or
  - (ii) a change of the operator of the aircraft or vessel.

(2) The prohibitions in regulations 24(1)(a) (supply and delivery of restricted goods), 25(1)(a) and (b) (making restricted goods and restricted technology available), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) are not contravened by any of the following activities, to the extent that the activity is done in connection with a qualifying removal—

- (a) the supply or delivery of critical-industry goods;
- (b) making critical-industry goods or critical-industry technology available;
- (c) the transfer of critical-industry technology;
- (d) the provision of technical assistance or financial services;
- (e) the making available of funds;
- (f) the provision of any brokering service.

(3) In this regulation—

“critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5);

“critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);

“operator”, in relation to an aircraft or vessel, means the person having the management of the aircraft;

“qualifying removal” means a removal of an aircraft or vessel from the United Kingdom to Russia in relation to which the conditions set out in paragraph (1) are met.]

#### Textual Amendments

**F58** Regs. 60A-60C inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), 6 (with reg. 11)

#### Trade: exception for emergencies in certain cases

**61.**—<sup>F61</sup>(1) The prohibitions specified in paragraph (1A) are not contravened by any act done by a person (“P”), where P provides justification to the Secretary of State within the relevant period that the act is an act dealing with an emergency.

(1A) Paragraph (1) applies to the prohibitions—

- (a) in regulations 40 to 46 (prohibitions relating to energy-related goods etc.) and regulations 48 to 54 (prohibitions relating to infrastructure in Crimea);
- (b) in regulations 22 (export of restricted goods), 24(1)(a), (supply and delivery of restricted goods), 25(1)(a) and (b) (making available of restricted goods and restricted technology), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) so far as they apply to critical-industry goods or critical-industry technology.]

(2) In this regulation—

“an act dealing with an emergency” means an act assisting with the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health or safety, infrastructure or the environment;

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

[<sup>F62</sup>“critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5); “critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);]  
 “relevant period”, in relation to an act, means the period of 5 working days beginning with the day on which the act is done.

#### Textual Amendments

- F61** Reg. 61(1)(1A) substituted for reg. 61(1) (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **7(1)** (with reg. 11)  
**F62** Words in reg. 61(2) inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **7(2)** (with reg. 11)

#### Commencement Information

- I52** Reg. 61 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### [<sup>F63</sup>Ships: exceptions from prohibition on port entry

**61A.**—(1) The prohibition in regulation 57A(1) (prohibition on port entry) is not contravened by providing a ship with access to a port if—

- (a) a port entry direction has been given in relation to the ship under regulation 57C (movement of ships), or
- (b) the access is needed by the ship in a case of emergency.

(2) The prohibition in regulation 57A(2) is not contravened by the entry into port of a ship if—

- (a) a port entry direction has been given in relation to the ship under regulation 57C, or
- (b) the entry is needed by the ship in a case of emergency.]

#### Textual Amendments

- F63** [Reg. 61A](#) inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 7

#### Exception relating to trade restrictions in relation to Crimea

**62.**—(1) A prohibition in regulation 47 (imports from Crimea) or regulation 52(3)(a) (financial services and funds in relation to imports from Crimea) is not contravened by any action in relation to goods which—

- (a) originate in Crimea, and
- (b) are the subject of a certificate of origin.

(2) In this regulation a “certificate of origin” means a document issued by the Government of Ukraine or a person acting on behalf of the Government of Ukraine confirming that the goods originate in Ukraine.

### Commencement Information

**I53** Reg. 62 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### [<sup>F64</sup>Exception for authorised conduct in a relevant country

**62A.**—(1) Where a person's conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) [<sup>F65</sup>, 16 (securities and money market instruments), 17 (loans and credit arrangements), 17A (correspondent banking relationships etc.)] and [<sup>F66</sup>, 18 (investments in relation to Crimea) and 18A (provision of foreign reserve and asset management services)] or Chapters 2 to 6 of Part 5 (Trade) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(2) In this regulation—  
“relevant country” means—

- (a) any of the Channel Islands,
- (b) the Isle of Man, or
- (c) any British overseas territory.]

### Textual Amendments

**F64** Reg. 62A inserted (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 4) Regulations 2020 (S.I. 2020/951), regs. 1(2), **10(2)**; S.I. 2020/1514, reg. 18

**F65** Words in reg. 62A(1) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **11**

**F66** Words in reg. 62A(1) substituted (1.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2022 (S.I. 2022/205), regs. 1(2), **4**

### Exception for acts done for purposes of national security or prevention of serious crime

**63.**—(1) Where an act would, in the absence of this paragraph, be prohibited by regulation 9(2) (confidentiality) or any prohibition in Part 3 (Finance) or 5 (Trade), or under or by virtue of Part 6 (Ships) that prohibition does not apply to the act if the act is one which a responsible officer has determined would be in the interests of—

- (a) national security, or
- (b) the prevention or detection of serious crime in the United Kingdom or elsewhere.

(2) Where, in the absence of this paragraph, a thing would be required to be done under or by virtue of a provision of Part 8 (Information and records) or Part 10 (Maritime enforcement), that requirement does not apply if a responsible officer has determined that not doing the thing in question would be in the interests of—

- (a) national security, or
- (b) the prevention or detection of serious crime in the United Kingdom or elsewhere.

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

(3) In this regulation “responsible officer” means a person in the service of the Crown or holding office under the Crown, acting in the course of that person's duty.

#### Commencement Information

**I54** Reg. 63 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### Treasury licences

**64.**—(1) The prohibitions in regulations 11 to 15 (asset-freeze etc.) [<sup>F67</sup>, 16 (securities and money market instruments), 17 (loans and credit arrangements), 17A (correspondent banking relationships etc.)][<sup>F68</sup>, 18 (investments in relation to Crimea) and 18A (provision of foreign reserve and asset management services)] do not apply to anything done under the authority of a licence issued by the Treasury under this paragraph.

[<sup>F69</sup>(1A) Without prejudice to the generality of the powers conferred by paragraph (1), a licence issued by the Treasury under paragraph (1) may, in particular, authorise acts which would otherwise be prohibited by any of regulations 11 to 17A for a particular period beginning with—

- (a) the coming into force of the prohibition, or
- (b) where the prohibition relates to a person designated for the purposes of regulations 11 to 15, or regulation 17A, the date on which the person was designated.]

(2) The Treasury may issue a licence which authorises acts by a particular person only—

- (a) in the case of acts which would otherwise be prohibited by regulations 11 to 15, where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1 of Schedule 5, <sup>F70</sup> ...

[<sup>F71</sup>(aa) in the case of acts which would otherwise be prohibited by regulation 17, where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1A of Schedule 5,

(ab) in the case of acts which would otherwise be prohibited by regulation 17A, where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1B of Schedule 5,

(ac) in the case of acts which would otherwise be prohibited by regulation 17A(2) (processing sterling payments), where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1C of Schedule 5, <sup>F72</sup> ...]

- (b) in the case of acts which would otherwise be prohibited by regulation 18, where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 2 of Schedule 5 [<sup>F73</sup>, and]

[<sup>F74</sup>(c) in the case of acts which would otherwise be prohibited by regulation 18A (provision of foreign exchange reserve and asset management services), where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1D of Schedule 5.]

#### Textual Amendments

**F67** Words in reg. 64(1) inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **12(a)**

**F68** Words in reg. 64(1) substituted (1.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/205\)](#), regs. 1(2), **5(a)**

- F69** Reg. 64(1A) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **12(b)**
- F70** Word in reg. 64(2) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **12(c)(i)**
- F71** Reg. 64(2)(aa)-(ac) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **12(c)(ii)**
- F72** Word in reg. 64(2) omitted (1.3.2022 at 5.00 p.m.) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2022 (S.I. 2022/205), regs. 1(2), **5(b)**
- F73** Word in reg. 64(2)(b) substituted (1.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2022 (S.I. 2022/205), regs. 1(2), **5(c)**
- F74** Reg. 64(2)(c) inserted (1.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2022 (S.I. 2022/205), regs. 1(2), **5(d)**

#### Commencement Information

- I55** Reg. 64 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

### Trade licences

**65.** The prohibitions in Chapters 2 to 6 of Part 5 (Trade) do not apply to anything done under the authority of a licence issued by the Secretary of State under this regulation.

#### Commencement Information

- I56** Reg. 65 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

### Licences: general provisions

- 66.**—(1) This regulation applies in relation to Treasury licences and trade licences.
- (2) A licence must specify the acts authorised by it.
- (3) A licence may be general or may authorise acts by a particular person or persons of a particular description.
- (4) A licence may —
- (a) contain conditions;
  - (b) be of indefinite duration or a defined duration.
- (5) A person who issues a licence may vary, revoke or suspend it at any time.
- (6) A person who issues, varies, revokes or suspends a licence which authorises acts by a particular person must give written notice to that person of the issue, variation, revocation or suspension of the licence.
- (7) A person who issues, varies, revokes or suspends a general licence or a licence which authorises acts by persons of a particular description must take such steps as that person considers appropriate to publicise the issue, variation, revocation or suspension of the licence.

#### Commencement Information

- I57** Reg. 66 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

### Finance: licensing offences

- 67.—(1) A person (“P”) commits an offence if P knowingly or recklessly—
- (a) provides information that is false in a material respect, or
  - (b) provides or produces a document that is not what it purports to be,
- for the purpose of obtaining a Treasury licence (whether for P or anyone else).
- (2) A person who purports to act under the authority of a Treasury licence but who fails to comply with any condition of the licence commits an offence.

#### Commencement Information

**I58** Reg. 67 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### Trade: licensing offences

- 68.—(1) A person (“P”) commits an offence if P knowingly or recklessly—
- (a) provides information that is false in a material respect, or
  - (b) provides or produces a document that is not what it purports to be,
- for the purpose of obtaining a trade licence (whether for P or anyone else).
- (2) A person who purports to act under the authority of a trade licence but who fails to comply with any condition of the licence commits an offence.
- (3) A licence in respect of which an offence under paragraph (1) has been committed is to be treated as void from the time at which it was issued.

#### Commencement Information

**I59** Reg. 68 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### Section 8B(1) to (3) of Immigration Act 1971: directions

- 69.—(1) The Secretary of State may direct that, in relation to any person within regulation 20 whose name is specified, or who is of a specified description, section 8B(1) and (2) of the Immigration Act 1971, or section 8B(3) of that Act, have effect subject to specified exceptions.
- (2) A direction under this regulation—
- (a) may contain conditions.
  - (b) must be of a defined duration (and that duration may be expressed in any way, including, for example, being expressed in a way such that the direction ceases to have effect on, or within a specified period after, the occurrence of a specified event).
- (3) The Secretary of State may vary, revoke or suspend a direction under this regulation at any time.
- (4) On the issue, variation, revocation or suspension of a direction under this regulation, the Secretary of State may take such steps as the Secretary of State considers appropriate to publicise the issue, variation, revocation or suspension of the direction.
- (5) In this regulation “specified” means specified in a direction under this regulation.



**Commencement Information**

**160** Reg. 69 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## PART 8

### Information and records

#### Finance: reporting obligations

- 70.**—(1) A relevant firm must inform the Treasury as soon as practicable if—
- (a) it knows, or has reasonable cause to suspect, that a person—
    - (i) is a designated person, or
    - (ii) has committed an offence under any provision of Part 3 (Finance) or regulation 67 (finance: licensing offences), and
  - (b) the information or other matter on which the knowledge or cause for suspicion is based came to it in the course of carrying on its business.
- (2) Where a relevant firm informs the Treasury under paragraph (1), it must state—
- (a) the information or other matter on which the knowledge or suspicion is based, and
  - (b) any information it holds about the person by which the person can be identified.
- (3) Paragraph (4) applies if—
- (a) a relevant firm informs the Treasury under paragraph (1) that it knows, or has reasonable cause to suspect, that a person is a designated person, and
  - (b) that person is a customer of the relevant firm.
- (4) The relevant firm must also state the nature and amount or quantity of any funds or economic resources held by it for the customer at the time when it first had the knowledge or suspicion.
- (5) A relevant institution must inform the Treasury without delay if that institution—
- (a) credits a frozen account in accordance with regulation 58(4) (finance: exceptions from prohibitions), or
  - (b) transfers funds from a frozen account in accordance with regulation 58(6).
- (6) A person who fails to comply with a requirement in paragraph (1), (2) or (4) commits an offence.
- (7) In this regulation—
- “designated person” has the same meaning as it has in Chapter 1 of Part 3 (Finance);
  - “frozen account” has the same meaning as it has in regulation 58;
  - “relevant firm” is to be read in accordance with regulation 71;
  - “relevant institution” has the same meaning as it has in regulation 58.

**Commencement Information**

**161** Reg. 70 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

## “Relevant firm”

- 71.—(1) The following are relevant firms for the purposes of regulation 70—
- (a) a person that has permission under Part 4A of the Financial Services and Markets Act 2000 (permission to carry on regulated activity);
  - (b) an undertaking that by way of business—
    - (i) operates a currency exchange office,
    - (ii) transmits money (or any representation of monetary value) by any means, or
    - (iii) cashes cheques that are made payable to customers;
  - (c) a firm or sole practitioner that is—
    - (i) a statutory auditor within the meaning of Part 42 of the Companies Act 2006 (statutory auditors) <sup>M18</sup>, or
    - (ii) a local auditor within the meaning of section 4(1) of the Local Audit and Accountability Act 2014 (general requirements for audit) <sup>M19</sup>;
  - (d) a firm or sole practitioner that provides to other persons, by way of business—
    - (i) accountancy services,
    - (ii) legal or notarial services,
    - (iii) advice about tax affairs, or
    - (iv) trust or company services within the meaning of paragraph (2);
  - (e) a firm or sole practitioner that carries out, or whose employees carry out, estate agency work;
  - (f) the holder of a casino operating licence within the meaning given by section 65(2)(a) of the Gambling Act 2005 (nature of a licence) <sup>M20</sup>;
  - (g) a person engaged in the business of making, supplying, selling (including selling by auction) or exchanging—
    - (i) articles made from gold, silver, platinum or palladium, or
    - (ii) precious stones or pearls.
- (2) In paragraph (1) “trust or company services” means any of the following services—
- (a) forming companies or other legal persons;
  - (b) acting, or arranging for another person to act—
    - (i) as a director or secretary of a company,
    - (ii) as a partner of a partnership, or
    - (iii) in a similar capacity in relation to other legal persons;
  - (c) providing a registered office, business address, correspondence or administrative address or other related services for a company, partnership or any other legal person or arrangement;
  - (d) acting, or arranging for another person to act, as—
    - (i) a trustee of an express trust or similar legal arrangement, or
    - (ii) a nominee shareholder for a person.
- (3) In paragraph (1)—
- “estate agency work” is to be read in accordance with section 1 of the Estate Agents Act 1979 <sup>M21</sup>, but as if references in that section to disposing of or acquiring an interest in land included (despite anything in section 2 of that Act) references to disposing of or acquiring an estate or

interest in land outside the United Kingdom where that estate or interest is capable of being owned or held as a separate interest;

“firm” means any entity that, whether or not a legal person, is not an individual, and includes a body corporate and a partnership or other unincorporated body.

(4) Paragraph (1)(a) and (b) is to be read with section 22 of the Financial Services and Markets Act 2000, any relevant order under that section and Schedule 2 to that Act.

(5) For the purposes of regulation 70(1), information or another matter comes to a relevant firm “in the course of carrying on its business” if the information or other matter comes to the firm—

- (a) in the case of a relevant firm within paragraph(1)(a), in the course of carrying on an activity in respect of which the permission mentioned in that provision is required;
- (b) in the case of a relevant firm within paragraph (1)(c)(i), in the course of carrying out statutory audit work within the meaning of section 1210 of the Companies Act 2006 (meaning of statutory auditor) <sup>M22</sup>;
- (c) in the case of a relevant firm within paragraph (1)(c)(ii), in the course of carrying out an audit required by the Local Audit and Accountability Act 2014;
- (d) in the case of a relevant firm within paragraph (1)(f), in the course of carrying on an activity in respect of which the licence mentioned in that provision is required;
- (e) in the case of a relevant firm within any other provision of paragraph (1), in the course of carrying on an activity mentioned in that provision.

#### Commencement Information

**I62** Reg. 71 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Marginal Citations

**M18** 2006 c.46. Section 1210 was amended by; [S.I. 2017/516](#); [S.I. 2017/1164](#); [S.I. 2013/3115](#); [S.I. 2012/1809](#); [S.I. 2008/1950](#); [S.I. 2008/567](#); and [S.I. 2008/565](#).

**M19** 2014 c.2.

**M20** 2005 c.19.

**M21** 1979 c.38, amended by paragraph 40 of Schedule 1 to the [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1985 \(c.73\)](#); paragraph 42 of Schedule 2 to the [Planning \(Consequential Provisions\) Act 1990 \(c.11\)](#); paragraph 28 of Schedule 2 to the [Planning \(Consequential Provisions\) \(Scotland\) Act 1997 \(c.11\)](#); section 70 of the [Enterprise and Regulatory Reform Act 2013 \(c.24\)](#); [S.I. 2001/1283](#); [S.I. 2000/121](#); and [S.I. 1991/2684](#).

**M22** Section 1210 has been amended by [S.I. 2017/516](#), [S.I. 2017/1164](#), [S.I. 2008/565](#) and [S.I. 2008/1950](#).

#### Finance: powers to request information

72.—(1) The Treasury may request a designated person to provide information about—

- (a) funds or economic resources owned, held or controlled by or on behalf of the designated person, or
- (b) any disposal of such funds or economic resources.

(2) The Treasury may request a designated person to provide such information as the Treasury may reasonably require about expenditure—

- (a) by the designated person, or
- (b) for the benefit of the designated person.

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

(3) For the purposes of paragraph (2), expenditure for the benefit of a designated person includes expenditure on the discharge (or partial discharge) of a financial obligation for which the designated person is wholly or partly responsible.

(4) The power in paragraph (1) or (2) is exercisable only where the Treasury believe that it is necessary for the purpose of monitoring compliance with or detecting evasion of any provision of Part 3 (Finance).

(5) The Treasury may request a person acting under a Treasury licence to provide information about—

- (a) funds or economic resources dealt with under the licence,
- (b) funds, economic resources or financial services made available under the licence, or
- (c) any matter to which a licence relates, where that licence authorises an act that would otherwise be prohibited under regulation [F75, 16 (securities and money market instruments), 17 (loans and credit arrangements), 17A (correspondent banking relationships etc.)][F76, 18 (investments in relation to Crimea) or regulation 18A (provision of foreign reserve and asset management services).]

(6) The Treasury may request a person to provide information within paragraph (7) if the Treasury believe that the person may be able to provide the information.

(7) Information within this paragraph is such information as the Treasury may reasonably require for the purpose of—

- (a) establishing for the purposes of any provision of Chapter 1 of Part 3 (Finance)—
  - (i) the nature and amount or quantity of any funds or economic resources owned, held or controlled by or on behalf of a designated person,
  - (ii) the nature and amount or quantity of any funds, financial services or economic resources made available directly or indirectly to, or for the benefit of, a designated person, or
  - (iii) the nature of any financial transactions entered into by a designated person;
- (b) monitoring compliance with or detecting evasion of—
  - (i) any provision of Part 3,
  - (ii) regulation 70 (finance: reporting obligations), or
  - (iii) any condition of a Treasury licence;
- (c) detecting or obtaining evidence of the commission of an offence under Part 3 or regulation 67 (finance: licensing offences) or 70 (finance: reporting obligations).

(8) The Treasury may specify the way in which, and the period within which, information is to be provided.

(9) If no such period is specified, the information which has been requested must be provided within a reasonable time.

(10) A request may include a continuing obligation to keep the Treasury informed as circumstances change, or on such regular basis as the Treasury may specify.

(11) Information requested under this regulation may relate to any period of time during which a person is, or was, a designated person.

(12) Information requested by virtue of paragraph (1)(b), (2) or (7)(a)(iii) may relate to any period before a person became a designated person (as well as, or instead of, any subsequent period).

(13) Expressions used in this regulation have the same meaning as they have in [F77Chapter 1 of] Part 3.

#### Textual Amendments

- F75** Words in [reg. 72\(5\)\(c\)](#) inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **13(a)**
- F76** Words in [reg. 72\(5\)\(c\)](#) substituted (1.3.2022 at 5.00 p.m.) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/205\)](#), regs. 1(2), **6**
- F77** Words in [reg. 72\(13\)](#) inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **13(b)**

#### Commencement Information

- I63** Reg. 72 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Finance: production of documents

**73.**—(1) A request under regulation 72 may include a request to produce specified documents or documents of a specified description.

- (2) Where the Treasury request that documents be produced, the Treasury may—
- (a) take copies of or extracts from any document so produced,
  - (b) request any person producing a document to give an explanation of it, and
  - (c) where that person is a body corporate, partnership or unincorporated body other than a partnership, request any person who is—
    - (i) in the case of a partnership, a present or past partner or employee of the partnership, or
    - (ii) in any other case, a present or past officer or employee of the body concerned, to give such an explanation.

(3) Where the Treasury request a designated person or a person acting under a Treasury licence to produce documents, that person must—

- (a) take reasonable steps to obtain the documents (if they are not already in the person's possession or control);
- (b) keep the documents under the person's possession or control (except for the purpose of providing them to the Treasury or as the Treasury may otherwise permit).

(4) In this regulation “designated person” has the same meaning as it has in Chapter 1 of Part 3 (Finance).

#### Commencement Information

- I64** Reg. 73 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Finance: information offences

- 74.**—(1) A person commits an offence, if that person—
- (a) without reasonable excuse, refuses or fails within the time and in the manner specified (or, if no time has been specified, within a reasonable time) to comply with any request under regulation 72 (finance: powers to request information);

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

- (b) knowingly or recklessly gives any information, or produces any document, which is false in a material particular in response to such a request;
- (c) with intent to evade any provision of regulation 72 or 73 (finance: production of documents), destroys, mutilates, defaces, conceals or removes any document;
- (d) otherwise intentionally obstructs the Treasury in the exercise of their powers under regulation 72 or 73.

(2) Where a person is convicted of an offence under this regulation, the court may make an order requiring that person, within such period as may be specified in the order, to comply with the request.

#### Commencement Information

**I65** Reg. 74 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Trade: application of information powers in CEMA

**75.**—(1) Section 77A of CEMA <sup>M23</sup> applies in relation to a person carrying on a relevant activity as it applies in relation to a person concerned in the importation or exportation of goods but as if—

- (a) in subsection (1), the reference to a person concerned in the importation or exportation of goods for which for that purpose an entry is required by regulation 5 of the Customs Controls on Importation of Goods Regulations 1991 <sup>M24</sup> or an entry or specification is required by or under CEMA were to a person carrying on a relevant activity;
- (b) any other reference to importation or exportation were to a relevant activity;
- (c) any reference to goods were to the goods, technology, services or funds to which the relevant activity relates.

(2) For the purposes of paragraph (1), a “relevant activity” means an activity—

- (a) which would, unless done under the authority of a trade licence, constitute a contravention of any prohibition in Chapters 2 to 6 of Part 5 (Trade), except any prohibition on imports or exports, or
- (b) which would constitute a contravention of the prohibition in regulation 55(1) (circumventing etc. prohibitions).

#### Commencement Information

**I66** Reg. 75 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Marginal Citations

**M23** Section 77A was inserted by the [Finance Act 1987 \(c.16\), section 10](#) and amended by [S.I. 1992/3095](#).

**M24** [S.I. 1991/2724](#) as amended by [S.I. 1992/3095](#), [S.I. 1993/3014](#) and [S.I. 2011/1043](#) and is prospectively revoked by [S.I. 2018/1247](#).

#### General trade licences: records

**76.**—(1) This regulation applies in relation to a person (“P”) who does any act authorised by a general licence issued under regulation 65 (trade licences) (“the licence”).

(2) P must keep a register or record containing such details as may be necessary to allow the following information to be identified in relation to each act done under the authority of the licence—

- (a) a description of the act;
  - (b) a description of any goods, technology, services or funds to which the act relates;
  - (c) the date of the act or the dates between which the act took place;
  - (d) the quantity of any goods or funds to which the act relates;
  - (e) P's name and address;
  - (f) the name and address of any consignee of goods to which the act relates or any recipient of technology, services or funds to which the act relates;
  - (g) in so far as it is known to P, the name and address of the end-user of the goods, technology, services or funds to which the act relates;
  - (h) if different from P, the name and address of the supplier of any goods to which the act relates;
  - (i) any further information required by the licence.
- (3) The register or record relating to an act must be kept until the end of the calendar year in which the register or record is created and for a further period of 4 years from the end of that calendar year.
- (4) P must notify the Secretary of State in writing of P's name and the address at which the register or record may be inspected, and must make a further such notification if those details change.
- (5) A notification under paragraph (4) must be given no later than 30 days after—
- (a) P first does any act authorised by the licence, or
  - (b) there is any change to the details previously notified.
- (6) A person who fails to comply with a requirement in paragraph (2), (3) or (4) commits an offence.

#### Commencement Information

**I67** Reg. 76 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### General trade licences: inspection of records

77.—(1) A person authorised by the Secretary of State or the Commissioners (an “official”) may at any reasonable hour enter premises notified under regulation 76(4) for the purposes of monitoring compliance with or detecting evasion of regulation 76(2) or (3).

(2) An official may require any person on the premises to produce any register or record required to be kept under regulation 76, or any document included in such a register or record, that is in the person's possession or control.

(3) An official may inspect and copy any such register, record or document.

(4) An official must, if requested to do so, produce documentary evidence that he or she is authorised to exercise a power conferred by this regulation.

(5) A person commits an offence if, without reasonable excuse, the person—

- (a) intentionally obstructs an official in the performance of any of the official's functions under this regulation, or
- (b) fails to produce a register, record or document when reasonably required to do so by an official under this regulation.

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

### Commencement Information

**I68** Reg. 77 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### Disclosure of information

**78.**—(1) The Secretary of State, the Treasury or the Commissioners may, in accordance with this regulation, disclose—

- (a) any information obtained under or by virtue of Part 7 (Exceptions and licences), this Part or Part 10 (Maritime enforcement), or
- (b) any information held in connection with—
  - (i) anything done under or by virtue of Part 2 (Designation of persons), Part 3 (Finance), Part 5 (Trade), Part 6 (Ships), or
  - (ii) any exception or licence under Part 7 or anything done in accordance with such an exception or under the authority of such a licence.

(2) Information referred to in paragraph (1) may be disclosed for, or in connection with, any of the following purposes—

- (a) any purpose stated in regulation 4;
- (b) the exercise of functions under these Regulations;
- (c) facilitating, monitoring or ensuring compliance with these Regulations;
- (d) taking any action with a view to instituting, or otherwise for the purposes of, any proceedings in the United Kingdom—
  - (i) for an offence under any provision of these Regulations,
  - (ii) for an offence under CEMA in connection with any prohibition in Part 5 on imports or exports, or
  - (iii) in relation to a monetary penalty under section 146 of the Policing and Crime Act 2017 (breach of financial sanctions legislation);
- (e) taking any action with a view to instituting, or otherwise for the purposes of, any proceedings in any of the Channel Islands, the Isle of Man, or any British overseas territory, for an offence—
  - (i) under a provision in any such jurisdiction that is similar to a provision of these Regulations, or
  - (ii) in connection with a prohibition in any such jurisdiction that is similar to a prohibition referred to in sub-paragraph (d)(ii);
- (f) compliance with an international obligation<sup>M25</sup>;
- (g) facilitating the exercise by an authority outside the United Kingdom or by an international organisation of functions which correspond to functions under these Regulations.

(3) Information referred to in paragraph (1) may be disclosed to the following persons—

- (a) a police officer;
- (b) any person holding or acting in any office under or in the service of—
  - (i) the Crown in right of the Government of the United Kingdom,
  - (ii) the Crown in right of the Scottish Government, the Northern Ireland Executive or the Welsh Government,



- (iii) the States of Jersey, Guernsey or Alderney or the Chief Pleas of Sark,
  - (iv) the Government of the Isle of Man, or
  - (v) the Government of any British overseas territory;
  - (c) any law officer of the Crown for Jersey, Guernsey or the Isle of Man;
  - (d) the Scottish Legal Aid Board;
  - (e) the Financial Conduct Authority, the Prudential Regulation Authority, the Bank of England, the Jersey Financial Services Commission, the Guernsey Financial Services Commission or the Isle of Man Financial Services Authority;
  - (f) any other regulatory body (whether or not in the United Kingdom);
  - (g) any organ of the United Nations;
  - (h) the Council of the European Union, the European Commission or the European External Action Service;
  - (i) the Government of any country;
  - (j) any other person where the Secretary of State, the Treasury or the Commissioners (as the case may be) consider that it is appropriate to disclose the information.
- (4) Information referred to in paragraph (1) may be disclosed to any person with the consent of a person who, in their own right, is entitled to the information.
- (5) In paragraph (4) “in their own right” means not merely in the capacity as a servant or agent of another person.
- (6) In paragraph (1)(b)—
- (a) the reference to information includes information obtained at a time when any provision of these Regulations is not in force, and
  - (b) the reference to a licence under Part 7 includes—
    - (i) a licence or authorisation which has effect or is treated as if it were a licence which had been issued under that Part, and
    - (ii) a licence which is deemed to have been issued under that Part.

**Commencement Information**

**I69** Reg. 78 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

**Marginal Citations**

**M25** Section 1(8) of the Act defines an “international obligation” as an obligation of the United Kingdom created or arising by or under any international agreement.

**Part [F78]: supplementary**

**79.**—(1) A disclosure of information under regulation 78 does not breach any restriction on such disclosure imposed by statute or otherwise.

- (2) But nothing in that regulation authorises a disclosure that—
  - (a) contravenes the data protection legislation, or
  - (b) is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016 <sup>M26</sup>.

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

(3) Nothing in this Part is to be read as requiring a person who has acted or is acting as counsel or solicitor for any person to disclose any privileged information in their possession in that capacity.

(4) Regulation 78 does not limit the circumstances in which information may be disclosed apart from that regulation.

(5) Nothing in this Part limits any conditions which may be contained in a Treasury licence or a trade licence.

(6) In this regulation—

“the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act)<sup>M27</sup>;

“privileged information” means information with respect to which a claim to legal professional privilege (in Scotland, to confidentiality of communications) could be maintained in legal proceedings.

#### Textual Amendments

**F78** Word in reg. 79 heading substituted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **10(8)**; S.I. 2020/1514, reg. 4

#### Commencement Information

**I70** Reg. 79 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Marginal Citations

**M26** [2016 c.25](#). Parts 2 and 5 have been amended by the [Policing and Crime Act 2017 \(c.3\)](#), [Schedule 9\(3\)](#), para 74 and Part 7 has been amended by the [Data Protection Act 2018 \(c. 12\)](#), [Schedule 19\(1\)](#), para 202. Chapter 1 of Part 9 has been amended by regulation 6 of the [Investigatory Powers Act 2016 \(Commencement No. 3 and Transitory, Transitional and Savings Provisions\) Regulations 2017 \(S.I. 2017/859\)](#).

**M27** [2018 c.12](#). There are amendments to this Act that are not relevant to these Regulations.

## PART 9

### Enforcement

#### Penalties for offences

**80.**—(1) A person who commits an offence under any provision of Part 3 (Finance), regulation 67 (finance: licensing offences) or Part 6 (Ships) is liable—

- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or a fine (or both);
- (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
- (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);
- (d) on conviction on indictment, to imprisonment for a term not exceeding 7 years or a fine (or both).

- (2) A person who commits an offence under any provision of Part 5 (Trade) is liable—
- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or a fine (or both);
  - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
  - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);
  - (d) on conviction on indictment, to imprisonment for a term not exceeding 10 years or a fine (or both).
- (3) A person who commits an offence under regulation 9(6) (confidentiality), 68 (trade: licensing offences), 76(6) (general trade licences: records) or 77(5) (general trade licences: inspection of records) is liable—
- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or a fine (or both);
  - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
  - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);
  - (d) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both).
- (4) A person who commits an offence under regulation 70(6) or 74 (information offences in connection with Part 3) is liable—
- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 6 months or a fine (or both);
  - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale (or both);
  - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale (or both).
- (5) In relation to an offence committed before [<sup>F79</sup>paragraph 24(2) of Schedule 22 to the Sentencing Act 2020] comes into force the reference in each of paragraphs (1)(a), (2)(a) and (3)(a) to 12 months is to be read as a reference to 6 months.

#### Textual Amendments

**F79** Words in reg. 80(5) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 24 para. 446\(1\)](#) (with [Sch. 24 para. 447, Sch. 27](#)); S.I. 2020/1236, reg. 2

#### Commencement Information

**I71** Reg. 80 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### Liability of officers of bodies corporate etc.

- 81.**—(1) Where an offence under these Regulations, committed by a body corporate—
- (a) is committed with the consent or connivance of any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, or

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

- (b) is attributable to any neglect on the part of any such person, that person as well as the body corporate is guilty of the offence and is liable to be proceeded against and punished accordingly.
- (2) In paragraph (1) “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.
- (3) Paragraph (1) also applies in relation to a body that is not a body corporate, with the substitution for the reference to a director of the body of a reference—
- (a) in the case of a partnership, to a partner;
  - (b) in the case of an unincorporated body other than a partnership—
    - (i) where the body's affairs are managed by its members, to a member of the body;
    - (ii) in any other case, to a member of the governing body.
- (4) Section 171(4) of CEMA (which is a provision similar to this regulation) does not apply to any offence under these Regulations to which that provision would, in the absence of this paragraph, apply.

#### Commencement Information

**I72** Reg. 81 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Jurisdiction to try offences

- 82.**—(1) Where an offence under regulation 9(6) (confidentiality), Part 3 (Finance), regulation 67 (finance: licensing offences) or regulation 70(6) or 74 (information offences in connection with Part 3) is committed in the United Kingdom—
- (a) proceedings for the offence may be taken at any place in the United Kingdom, and
  - (b) the offence may for all incidental purposes be treated as having been committed at any such place.
- (2) Where an offence under these Regulations is committed outside the United Kingdom—
- (a) proceedings for the offence may be taken at any place in the United Kingdom, and
  - (b) the offence may for all incidental purposes be treated as having been committed at any such place.
- (3) In the application of paragraph (2) to Scotland, any such proceedings against a person may be taken—
- (a) in any sheriff court district in which the person is apprehended or is in custody, or
  - (b) in such sheriff court district as the Lord Advocate may determine.
- (4) In paragraph (3) “sheriff court district” is to be read in accordance with the Criminal Procedure (Scotland) Act 1995 (see section 307(1) of that Act)<sup>M28</sup>.

#### Commencement Information

**I73** Reg. 82 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Marginal Citations

M28 1995 c.46.

#### Procedure for offences by unincorporated bodies

83.—(1) Paragraphs (2) and (3) apply if it is alleged that an offence under these Regulations has been committed by an unincorporated body (as opposed to by a member of the body).

(2) Proceedings in England and Wales or Northern Ireland for such an offence must be brought against the body in its own name.

(3) For the purposes of proceedings, for such an offence brought against an unincorporated body—

- (a) rules of court relating to the service of documents have effect as if the body were a body corporate;
- (b) the following provisions apply as they apply in relation to a body corporate
  - (i) section 33 of the Criminal Justice Act 1925<sup>M29</sup> and Schedule 3 to the Magistrates' Courts Act 1980<sup>M30</sup>;
  - (ii) section 18 of the Criminal Justice Act (Northern Ireland) 1945<sup>M31</sup> and Article 166 of, and Schedule 4 to, the Magistrates' Courts (Northern Ireland) Order 1981<sup>M32</sup>.

(4) A fine imposed on an unincorporated body on its conviction of an offence under these Regulations is to be paid out of the funds of the body.

#### Commencement Information

I74 Reg. 83 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Marginal Citations

M29 1925 c.8, as amended by Statute Law (Repeals) Act 2004 (c.14), section 1(1) and (3) and Schedule 1(17)(11), para. 1. Other amendments have been made to section 33 that are not relevant to these Regulations.

M30 1980 c.43. Amendments have been made to Schedule 3 that are not relevant to these Regulations.

M31 1945 c.15 (N.I.).

M32 S.I. 1981/1675 (N.I. 26).

#### Time limit for proceedings for summary offences

84.—(1) Proceedings for an offence under these Regulations which is triable only summarily may be brought within the period of 12 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to justify the proceedings comes to the prosecutor's knowledge.

(2) But such proceedings may not be brought by virtue of paragraph (1) more than 3 years after the commission of the offence.

(3) A certificate signed by the prosecutor as to the date on which the evidence in question came to the prosecutor's knowledge is conclusive evidence of the date on which it did so; and a certificate to that effect and purporting to be so signed is to be treated as being so signed unless the contrary is proved.

(4) In relation to proceedings in Scotland—

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

- (a) section 136(3) of the Criminal Procedure (Scotland) Act 1995 (date of commencement of summary proceedings)<sup>M33</sup> applies for the purposes of this regulation as it applies for the purposes of that section, and
- (b) references in this regulation to the prosecutor are to be treated as references to the Lord Advocate.

#### Commencement Information

**I75** Reg. 84 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Marginal Citations

**M33** There have been no amendments to section 136(3).

### Trade enforcement: application of CEMA

**85.**—(1) Where the Commissioners investigate or propose to investigate any matter with a view to determining—

- (a) whether there are grounds for believing that a relevant offence has been committed, or
- (b) whether a person should be prosecuted for such an offence,

the matter is to be treated as an assigned matter.

(2) In paragraph (1) “assigned matter” has the meaning given by section 1(1) of CEMA<sup>M34</sup>.

(3) In this regulation a “relevant offence” means an offence under—

- (a) Part 5 (Trade),
- (b) regulation 68 (trade: licensing offences),
- (c) regulation 76(6) (general trade licences: records), or
- (d) regulation 77(5) (general trade licences: inspection of records).

(4) Section 138 of CEMA<sup>M35</sup> (arrest of persons) applies to a person who has committed, or whom there are reasonable grounds to suspect of having committed, a relevant offence as it applies to a person who has committed, or whom there are reasonable grounds to suspect of having committed, an offence for which the person is liable to be arrested under the customs and excise Acts, but as if—

- (a) any reference to an offence under, or for which a person is liable to be arrested under, the customs and excise Acts were to a relevant offence;
- (b) in subsection (2), the reference to any person so liable were to a person who has committed, or whom there are reasonable grounds to suspect of having committed, a relevant offence.

(5) The provisions of CEMA mentioned in paragraph (6) apply in relation to proceedings for a relevant offence as they apply in relation to proceedings for an offence under the customs and excise Acts, but as if—

- (a) any reference to the customs and excise Acts were to any of the provisions mentioned in paragraph (3)(a) to (d);
- (b) in section 145(6), the reference to an offence for which a person is liable to be arrested under the customs and excise Acts were to a relevant offence;
- (c) in section 151, the reference to any penalty imposed under the customs and excise Acts were to any penalty imposed under these Regulations in relation to a relevant offence;
- (d) in section 154(2)—

- (i) the reference to proceedings relating to customs or excise were to proceedings under any of the provisions mentioned in paragraph (3)(a) to (d), and
  - (ii) the reference to the place from which any goods have been brought included a reference to the place to which goods have been exported, supplied or delivered or the place to or from which technology has been transferred.
- (6) The provisions of CEMA are sections 145, 146, 147, 148(1), 150, 151, 152, 154 and 155<sup>M36</sup> (legal proceedings).

#### Commencement Information

**I76** Reg. 85 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### Marginal Citations

**M34** The definition of “assigned matter” in section 1(1) of CEMA was amended by the [Commissioners for Revenue and Customs Act 2005 \(c.11\)](#), [Schedule 4](#), paragraph 22(a), the [Scotland Act 2012 \(c. 11\)](#), [section 24\(7\)](#), the [Wales Act 2014 \(c.29\)](#), [section 7\(1\)](#).

**M35** Section 138 of CEMA was amended by: the [Police and Criminal Evidence Act 1984 \(c. 60\)](#), [section 114\(1\)](#), [Schedule 6](#), paragraph 37, and Part 1 of Schedule 7; the [Finance Act 1988 \(c. 39\)](#), [section 11](#); the [Serious and Organised Crime Act 2005 \(c. 15\)](#), [Part 4](#) of Schedule 7, paragraph 54; S.I. 1989/1341; and [S.I. 2007/288](#).

**M36** Section 145 of CEMA was amended by the [Police and Criminal Evidence Act 1984](#), section 114(1), the [Commissioners for Revenue and Customs Act 2005](#), Schedule 4, paragraph 23(a), and [S.I. 2014/834](#). Section 147 was amended by the [Criminal Justice Act 1982 \(c. 48\)](#), [Schedule 14](#), paragraph 42, the [Finance Act 1989](#), section 16(2), and the [Criminal Justice Act 2003](#), Part 2 of Schedule 3, paragraph 50. Section 152 was amended by the [Commissioners for Revenue and Customs Act 2005](#), Schedule 4, paragraph 26, and Schedule 5. Section 155 was amended by the [Commissioners for Revenue and Customs Act 2005](#), Schedule, 4, paragraph 27, and Schedule 5.

#### Trade offences in CEMA: modification of penalty

**86.**—(1) Paragraph (2) applies where a person is guilty of an offence under section 50(2) of CEMA in connection with a prohibition mentioned in regulations 23 or 47(1) (imports).

(2) Where this paragraph applies, the reference to 7 years in section 50(4)(b) of CEMA<sup>M37</sup> is to be read as a reference to 10 years.

(3) Paragraph (4) applies where a person is guilty of an offence under section 68(2) of CEMA in connection with a prohibition mentioned in regulations 22(1),<sup>F80</sup>... 40(1) or 48 (exports).

(4) Where this paragraph applies, the reference to 7 years in section 68(3)(b) of CEMA<sup>M38</sup> is to be read as a reference to 10 years.

(5) Paragraph (6) applies where a person is guilty of an offence under section 170(2) of CEMA in connection with a prohibition mentioned in regulation 22(1), 23,<sup>F81</sup>... 40(1), 47(1) or 48 (exports and imports).

(6) Where this paragraph applies, the reference to 7 years in section 170(3)(b) of CEMA<sup>M39</sup> is to be read as a reference to 10 years.

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

#### Textual Amendments

- F80** Word in [reg. 86\(3\)](#) omitted (1.3.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), [regs. 1\(2\)](#), **8** (with [reg. 11](#))
- F81** Word in [reg. 86\(5\)](#) omitted (1.3.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), [regs. 1\(2\)](#), **8** (with [reg. 11](#))

#### Commencement Information

- I77** [Reg. 86](#) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

#### Marginal Citations

- M37** The words “7 years” were inserted in section 50(4)(b) of CEMA by the Finance Act 1988, section 12.
- M38** The words “7 years” were inserted in section 68(3)(b) of CEMA by the Finance Act 1988, section 12.
- M39** The words “7 years” were inserted in section 170(3)(b) of CEMA by the Finance Act 1988, section 12.

### Application of Chapter 1 of Part 2 of Serious Organised Crime and Police Act 2005

**87.** Chapter 1 of Part 2 of the Serious Organised Crime and Police Act 2005 (investigatory powers) <sup>M40</sup> applies to any offence under Part 3 (Finance) or regulation 67 (finance: licensing offences).

#### Commencement Information

- I78** [Reg. 87](#) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

#### Marginal Citations

- M40** [2005 c.15](#), as amended by Schedule 3, para. 4 of the Act.

### Monetary penalties

**88.** Each provision in Part 5 (Trade) which contains a prohibition imposed for a purpose mentioned in section 3(1) or (2) of the Act is to be regarded as not being financial sanctions legislation for the purposes of Part 8 of the Policing and Crime Act 2017 <sup>M41</sup>.

#### Commencement Information

- I79** [Reg. 88](#) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

#### Marginal Citations

- M41** [2017 c.3](#); see [section 143\(4\)\(f\)](#) and (4A).



## PART 10

### Maritime enforcement

#### Exercise of maritime enforcement powers

**89.**—(1) A maritime enforcement officer may, for a purpose mentioned in paragraph (2) or (3), exercise any of the maritime enforcement powers in relation to—

- (a) a British ship in foreign waters or international waters,
- (b) a ship without nationality in international waters, or
- (c) a foreign ship in international waters,

and a ship within sub-paragraph (a), (b) or (c) is referred to in this Part as “a relevant ship”.

(2) The maritime enforcement powers may be exercised for the purpose of enforcing any of the following—

- (a) a prohibition in any of regulations 22 to 26 (trade sanctions relating to <sup>F82</sup>restricted goods and restricted technology);

<sup>F83</sup>(b) .....

- (c) a prohibition in any of regulations 40 to 42 (trade sanctions relating to energy-related goods);
- (d) a prohibition in any of regulation 47 to 50 (exports and imports etc.. in relation to Crimea);
- (e) a prohibition imposed by a condition of a trade licence in relation to a prohibition mentioned in sub-paragraph (a) to (d).

(3) The maritime enforcement powers may also be exercised in relation to a relevant ship for the purpose of—

- (a) investigating the suspected carriage of relevant goods on the ship, or
- (b) preventing the continued carriage on the ship of goods suspected to be relevant goods.

(4) In this Part, “the maritime enforcement powers” are the powers conferred by regulations 91 and 92.

(5) This regulation is subject to regulation 93 (restrictions on exercise of maritime enforcement powers).

#### Textual Amendments

**F82** Words in reg. 89(2)(a) substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **9(a)** (with reg. 11)

**F83** Reg. 89(2)(b) omitted (1.3.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **9(b)** (with reg. 11)

#### Commencement Information

**I80** Reg. 89 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Maritime enforcement officers

**90.**—(1) The following persons are “maritime enforcement officers” for the purposes of this Part—

- (a) a commissioned officer of any of Her Majesty's ships;

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

- (b) a member of the Ministry of Defence Police (within the meaning of section 1 of the Ministry of Defence Police Act 1987 <sup>M42</sup>);
  - (c) a constable—
    - (i) who is a member of a police force in England and Wales,
    - (ii) within the meaning of section 99 of the Police and Fire Reform (Scotland) Act 2012 <sup>M43</sup>, or
    - (iii) who is a member of the Police Service of Northern Ireland or the Police Service of Northern Ireland Reserve;
  - (d) a special constable—
    - (i) appointed under section 27 of the Police Act 1996 <sup>M44</sup>,
    - (ii) appointed under section 9 of the Police and Fire Reform (Scotland) Act 2012, or
    - (iii) in Northern Ireland, appointed by virtue of provision incorporating section 79 of the Harbours, Docks, and Piers Clauses Act 1847 <sup>M45</sup>;
  - (e) a constable who is a member of the British Transport Police Force;
  - (f) a port constable, within the meaning of section 7 of the Marine Navigation Act 2013 <sup>M46</sup>, or a person appointed to act as a constable under provision made by virtue of section 16 of the Harbours Act 1964 <sup>M47</sup>;
  - (g) a designated customs official within the meaning of Part 1 of the Borders, Citizenship and Immigration Act 2009 (see section 14(6) of that Act) <sup>M48</sup>;
  - (h) a designated NCA officer who is authorised by the Director General of the National Crime Agency (whether generally or specifically) to exercise the powers of a maritime enforcement officer under this Part.
- (2) In this regulation, “a designated NCA officer” means a National Crime Agency officer who is either or both of the following—
- (a) an officer designated under section 10 of the Crime and Courts Act 2013 <sup>M49</sup> as having the powers and privileges of a constable;
  - (b) an officer designated under that section as having the powers of a general customs official.

#### Commencement Information

**I81** Reg. 90 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### Marginal Citations

**M42** 1987 c.4. Section 1 was amended by; paragraph 41 of Schedule 7 to the [Police Act 1996 \(c.16\)](#); paragraph 16 of Schedule 4 to the [Police \(Northern Ireland\) Act 1998 \(c.32\)](#); section 78(2) of the [Police \(Northern Ireland\) Act 2000 \(c.32\)](#); section 79(3) of the [Police Reform Act 2002 \(c.30\)](#); and by [S.I. 2013/602](#).

**M43** 2012 asp.8 (Scottish Act).

**M44** 1996 c.16. Section 27 was amended by paragraphs 22 and 26 of Schedule 16(1) to the [Police Reform and Social Responsibility Act 2011 \(c.13\)](#).

**M45** 1847 c.27. Section 79 was amended by [S.I. 2006/2167](#).

**M46** 2013 c.23.

**M47** 1964 c.40. Section 16 was amended by; section 29(2) of the [Wales Act 2017 \(c.4\)](#); [S.I. 1999/672](#); and [S.I. 1970/1681](#).

**M48** 2009 c.11. Designated customs officials are designated, as either a general customs official or a customs revenue official, under sections 8 and 11 of this Act respectively.

**M49** 2013 c.22.

### Power to stop, board, search etc.

**91.**—(1) This regulation applies if a maritime enforcement officer has reasonable grounds to suspect that a relevant ship is carrying prohibited goods or relevant goods.

(2) The officer may—

- (a) stop the ship;
- (b) board the ship;
- (c) for the purpose of exercising a power conferred by paragraph (3) or regulation 92, require the ship to be taken to, and remain in, a port or anchorage in the United Kingdom or any other country willing to receive it.

(3) Where the officer boards a ship by virtue of this regulation, the officer may—

- (a) stop any person found on the ship and search that person for—
  - (i) prohibited goods or relevant goods, or
  - (ii) any thing that might be used to cause physical injury or damage to property or to endanger the safety of any ship;
- (b) search the ship, or any thing found on the ship (including cargo) for prohibited goods or relevant goods;

(4) The officer may—

- (a) require a person found on a ship boarded by virtue of this regulation to provide information or produce documents;
- (b) inspect and copy such information or documents.

(5) The officer may exercise a power conferred by paragraph (3)(a)(i) or (b) only to the extent reasonably required for the purpose of discovering prohibited goods or relevant goods.

(6) The officer may exercise the power conferred by paragraph (3)(a)(ii) in relation to a person only where the officer has reasonable grounds to believe that the person might use a thing to cause physical injury or damage to property or to endanger the safety of any ship.

(7) The officer may use reasonable force, if necessary, in the exercise of any power conferred by this regulation.

### Commencement Information

**182** Reg. 91 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### Seizure power

**92.**—(1) This regulation applies if a maritime enforcement officer is lawfully on a relevant ship (whether in exercise of the powers conferred by regulation 91 or otherwise).

(2) The officer may seize any of the following which are found on the ship, in any thing found on the ship, or on any person found on the ship—

- (a) goods which the officer has reasonable grounds to suspect are prohibited goods or relevant goods, or
- (b) things within regulation 91(3)(a)(ii).

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

(3) The officer may use reasonable force, if necessary, in the exercise of any power conferred by this regulation.

#### Commencement Information

**I83** Reg. 92 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Restrictions on exercise of maritime enforcement powers

**93.**—(1) The authority of the Secretary of State is required before any maritime enforcement power is exercised in reliance on regulation 89 in relation to—

- (a) a British ship in foreign waters, or
- (b) a foreign ship in international waters.

(2) In relation to a British ship in foreign waters other than the sea and other waters within the seaward limits of the territorial sea adjacent to any relevant British possession, the Secretary of State may give authority under paragraph (1) only if the State in whose waters the power would be exercised consents to the exercise of the power.

(3) The Secretary of State may give authority under paragraph (1) only if—

- (a) the home state has requested the assistance of the United Kingdom for a purpose mentioned in regulation 89(2) or (3),
- (b) the home state has authorised the United Kingdom to act for such a purpose, or
- (c) the United Nations Convention on the Law of the Sea 1982 or a UN Security Council Resolution otherwise permits the exercise of the power in relation to the ship.

#### Commencement Information

**I84** Reg. 93 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Interpretation of Part 9

**94.**—(1) Subject to paragraph (2), any expression used in this Part and in section 19 or 20 of the Act has the same meaning in this Part as it has in section 19 or (as the case may be) section 20 of the Act.

(2) For the purpose of interpreting any reference to “prohibited goods” or “relevant goods” in this Part, any reference in section 19 or 20 of the Act to a “relevant prohibition or requirement” is to be read as a reference to any prohibition specified in [<sup>F84</sup>regulation 89(2)(a) to (e)].

#### Textual Amendments

**F84** Words in reg. 94(2) substituted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **10(9)**; [S.I. 2020/1514](#), reg. 4

#### Commencement Information

**I85** Reg. 94 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## PART 11

### Supplementary and final provision

#### Notices

**95.**—(1) This regulation applies in relation to a notice required by regulation 66 (licences: general provisions) to be given to a person.

(2) The notice may be given to an individual—

- (a) by delivering it to the individual,
- (b) by sending it to the individual by post addressed to the individual at his or her usual or last-known place of residence or business, or
- (c) by leaving it for the individual at that place.

(3) The notice may be given to a person other than an individual—

- (a) by sending it by post to the proper officer of the body at its principal office, or
- (b) by addressing it to the proper officer of the body and leaving it at that office.

(4) The notice may be given to the person by other means, including by electronic means, with the person's consent.

(5) In this regulation, the reference in paragraph (3) to a “principal office”—

- (a) in relation to a registered company, is to be read as a reference to the company's registered office;
- (b) in relation to a body incorporated or constituted under the law of a country other than the United Kingdom, includes a reference to the body's principal office in the United Kingdom (if any).

(6) In this regulation—

“proper officer”—

- (a) in relation to a body other than a partnership, means the secretary or other executive officer charged with the conduct of the body's general affairs, and
- (b) in relation to a partnership, means a partner or a person who has the control or management of the partnership business;

“registered company” means a company registered under the enactments relating to companies for the time being in force in the United Kingdom.

#### Commencement Information

**186** Reg. 95 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Article 20 of the Export Control Order 2008

**96.** Article 20 of the Export Control Order 2008 (embargoed destinations) is not to be taken to prohibit anything prohibited by Part 5 (Trade).

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

#### Commencement Information

**I87** Reg. 96 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Trade: overlapping offences

**97.** A person is not to be taken to commit an offence under the Export Control Order 2008 if the person would, in the absence of this regulation, commit an offence under both—

- (a) article 34, 35, 37 or 38 of that Order, and
- (b) any provision of Part 5 (Trade) or regulation 68 (trade: licensing offences), 76(6) (general trade licences: records) or 77(5) (general trade licences: inspection of records).

#### Commencement Information

**I88** Reg. 97 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Revocations of relevant retained EU law

**98.** The following are revoked—

- (a) Council Regulation (EU) No 269/2014 of 17 March 2014 (concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine) <sup>M50</sup>;
- (b) Council Regulation (EU) No 692/2014 of 23 June 2014 (concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol) <sup>M51</sup>;
- (c) Council Regulation (EU) No 833/2014 of 31 July 2014 (concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine) <sup>M52</sup>.

#### Commencement Information

**I89** Reg. 98 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Marginal Citations

**M50** OJ L 78, 17.3.2014, p. 6–15

**M51** OJ L 183 24.6.2014, p. 9

**M52** OJ L 229, 31.7.2014, p. 1–11

#### Other revocations and amendments

**99.**—(1) The Ukraine Financial Sanctions Regulations are revoked.

(2) The Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014 <sup>M53</sup> is revoked.

#### Commencement Information

**I90** Reg. 99 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### Marginal Citations

**M53** S.I. 2014/2357, as amended by S.I. 2014/2932, S.I. 2015/97 and SI 2015/1933.

### Transitional provision: Treasury licences

**100.**—(1) Paragraphs (2) to (4) apply to a licence which—

- (a) was granted, or deemed to be granted, by the Treasury under the Ukraine Financial Sanctions Regulations,
- (b) was in effect immediately before [F85IP completion day], and
- (c) authorises an act which would (on and after [F85IP completion day], and in the absence of paragraphs (2) to (4)) be prohibited by Part 3 (Finance),

and such a licence is referred to in this regulation as “an existing financial sanctions licence”.

(2) An existing financial sanctions licence has effect on and after [F85IP completion day] as if it had been issued by the Treasury under regulation 64(1) (Treasury licences).

(3) Any reference in an existing financial sanctions licence to the Ukraine Financial Sanctions Regulations is to be treated on and after [F85IP completion day] as a reference to these Regulations.

(4) Any reference in an existing financial sanctions licence to a prohibition in—

- (a) the Ukraine Financial Sanctions Regulations, or
- (b) the EU Russia Regulations,

is to be treated on and after [F85IP completion day] as a reference to the corresponding prohibition in Part 3 (Finance).

(5) Paragraph (6) applies where—

- (a) an application for a licence, or for the variation of a licence, under the Ukraine Financial Sanctions Regulations was made before [F85IP completion day],
- (b) the application is for authorisation of acts which would (on and after [F85IP completion day]) be prohibited by Part 3, and
- (c) a decision to grant or refuse the application has not been made before that date.

(6) The application is to be treated on and after [F85IP completion day] as an application for a licence, or for the variation of a licence (as the case may be), under regulation 64(1) (Treasury licences).

### Textual Amendments

**F85** Words in reg. 100 substituted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **10(10)**; S.I. 2020/1514, reg. 4

### Commencement Information

**I91** Reg. 100 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### Transitional provision: trade licences

**101.**—(1) Paragraph (2) applies in relation to each licence or authorisation granted by the Secretary of State which—

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

- (a) was in effect immediately before [<sup>F86</sup>IP completion day], and
- (b) authorises an act—
- (i) which would otherwise be prohibited by any provision of the Export Control Order 2008 except article 20 of that Order (embargoed destinations), or which requires an authorisation under or pursuant to the Dual-Use Regulation, and
- (ii) which would (on and after [<sup>F86</sup>IP completion day], and in the absence of paragraph (2)) be prohibited by Part 5 (Trade),
- and such a licence or authorisation is referred to in this regulation as “an existing trade licence”.
- (2) A licence is deemed to have been issued by the Secretary of State on [<sup>F86</sup>IP completion day] under regulation 65 (trade licences)—
- (a) disapplying every provision of Part 5 (Trade) which would, in the absence of this paragraph, prohibit any act authorised by the existing trade licence, and
- (b) otherwise in the same terms as the existing trade licence.
- (3) Paragraphs (4) to (6) apply to a licence or authorisation granted by the Secretary of State which—
- (a) was in effect immediately before [<sup>F86</sup>IP completion day], <sup>F87</sup>...
- [<sup>F88</sup>(aa) is not an existing trade licence, and]
- (b) authorises an act—
- (i) which would otherwise be prohibited by the EU Russia Regulations, and
- (ii) which would (on or after [<sup>F86</sup>IP completion day]), and in the absence of Paragraphs (4) to (6), be prohibited by Part 5 (Trade),
- and such a licence or authorisation is referred to in this regulation as “an existing trade sanctions licence”.
- (4) An existing trade sanctions licence has effect on and after [<sup>F86</sup>IP completion day] as if it were a licence which had been issued by the Secretary of State under regulation 65 (trade licences).
- (5) Any reference in an existing trade sanctions licence to a provision of the Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014 or the Export Control Order 2008 is to be treated on and after [<sup>F86</sup>IP completion day] as a reference to the corresponding provision of these Regulations (if any).
- (6) Any reference in an existing trade sanctions licence to a prohibition in the EU Russia Regulations is to be treated on and after [<sup>F86</sup>IP completion day] as a reference to the corresponding prohibition in Part 5 (Trade).

#### Textual Amendments

- F86** Words in reg. 101 substituted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **10(11)(a)**; S.I. 2020/1514, reg. 4
- F87** Word in reg. 101(3) omitted (31.12.2020 immediately after IP completion day) by virtue of [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **10(11)(b)(i)**; S.I. 2020/1514, reg. 4
- F88** Reg. 101(3)(aa) inserted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **10(11)(b)(ii)**; S.I. 2020/1514, reg. 4



#### Commencement Information

**I92** Reg. 101 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Transitional provision: pending applications for trade licences

**102.**—(1) Paragraph (2) applies where—

- (a) an application was made before [F89IP completion day] for a licence or authorisation under or pursuant to the Export Control Order 2008 or the Dual-Use Regulation,
- (b) the application is for authorisation of an act prohibited by Part 5 (Trade), and
- (c) a decision to grant or refuse the application has not been made before [F89IP completion day].

(2) The application is to be treated on and after [F89IP completion day] as including an application for a licence under regulation 65 (trade licences).

(3) Paragraph (4) applies where—

- (a) an application was made before [F89IP completion day] for a licence or authorisation under the Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014 or the EU Russia Regulations,
- (b) the application is for authorisation of an act prohibited by Part 5 (Trade), and
- (c) a decision to grant or refuse the application has not been made before [F89IP completion day].

(4) The application is to be treated on and after [F89IP completion day] as an application for a licence under regulation 65 (trade licences).

#### Textual Amendments

**F89** Words in reg. 102 substituted (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), 10(12); S.I. 2020/1514, reg. 4

#### Commencement Information

**I93** Reg. 102 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Transitional provision: prior obligations

**103.**—(1) Where—

- (a) a person was named in an Annex to the EU Russia Regulations immediately before [F90IP completion day], and
- (b) the person is a designated person immediately before [F90IP completion day],

any reference in a provision mentioned in paragraph (2) to the date on which a person became a designated person is a reference to the date on which the person was named in an Annex to the EU Russia Regulations.

(2) The provisions referred to in paragraph (1) are—

- (a) regulation 58(5) (finance: exceptions from prohibitions),

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

- (b) paragraph 6 of Schedule 5 (pre-existing judicial decisions), and
- (c) paragraph 8 of Schedule 5 (prior obligations).

(3) In this regulation, “designated person” has the same meaning as it has in Chapter 1 of Part 3 (finance restrictions in relation to designated persons).

**Textual Amendments**

**F90** Words in reg. 103 substituted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **10(13)**; S.I. 2020/1514, reg. 4

**Commencement Information**

**I94** Reg. 103 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

Foreign and Commonwealth Office

*Alan Duncan*  
Minister of State

## SCHEDULES

### SCHEDULE 1

Regulations 7(3) and 16(8)

#### Rules for interpretation of regulations 7(2) and 16(7)

#### Application of Schedule

1.—(1) The rules set out in the following paragraphs of this Schedule apply for the purpose of interpreting regulations 7(2) and 16(7).

(2) They also apply for the purpose of interpreting this Schedule.

#### Commencement Information

**I95** Sch. 1 para. 1 in force at 11.4.2019, see [reg. 1\(3\)\(e\)](#)

#### Joint interests

2. If two or more persons each hold a share or right jointly, each of them is treated as holding that share or right.

#### Commencement Information

**I96** Sch. 1 para. 2 in force at 11.4.2019, see [reg. 1\(3\)\(e\)](#)

#### Joint arrangements

3.—(1) If shares or rights held by a person and shares or rights held by another person are the subject of a joint arrangement between those persons, each of them is treated as holding the combined shares or rights of both of them.

(2) A “joint arrangement” is an arrangement between the holders of shares or rights that they will exercise all or substantially all the rights conferred by their respective shares or rights jointly in a way that is pre-determined by the arrangement.

(3) “Arrangement” has the meaning given by paragraph 12.

#### Commencement Information

**I97** Sch. 1 para. 3 in force at 11.4.2019, see [reg. 1\(3\)\(e\)](#)

#### Calculating shareholdings

4.—(1) In relation to a person who has a share capital, a reference to holding “more than 50% of the shares” in that person is to holding shares comprised in the issued share capital of that person of a nominal value exceeding (in aggregate) 50% of that share capital.

(2) In relation to a person who does not have a share capital—

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

- (a) a reference to holding shares in that person is to holding a right or rights to share in the capital or, as the case may be, profits of that person;
- (b) a reference to holding “more than 50% of the shares” in that person is to holding a right or rights to share in more than 50% of the capital or, as the case may be, profits of that person.

**Commencement Information**

**I98** Sch. 1 para. 4 in force at 11.4.2019, see [reg. 1\(3\)\(e\)](#)

**Voting rights**

**5.—(1)** A reference to the voting rights in a person is to the rights conferred on shareholders in respect of their shares (or, in the case of a person not having a share capital, on members) to vote at general meetings of the person on all or substantially all matters.

(2) In relation to a person that does not have general meetings at which matters are decided by the exercise of voting rights—

- (a) a reference to holding voting rights in the person is to be read as a reference to holding rights in relation to the person that are equivalent to those of a person entitled to exercise voting rights in a company;
- (b) a reference to holding “more than 50% of the voting rights” in the person is to be read as a reference to holding the right under the constitution of the person to block changes to the overall policy of the person or to the terms of its constitution.

**Commencement Information**

**I99** Sch. 1 para. 5 in force at 11.4.2019, see [reg. 1\(3\)\(e\)](#)

**6.** In applying regulations 7(2) and 16(7) and this Schedule, the voting rights in a person are to be reduced by any rights held by the person itself.

**Commencement Information**

**I100** Sch. 1 para. 6 in force at 11.4.2019, see [reg. 1\(3\)\(e\)](#)

**Rights to appoint or remove members of the board**

**7.** A reference to the right to appoint or remove a majority of the board of directors of a person is to the right to appoint or remove directors holding a majority of the voting rights at meetings of the board on all or substantially all matters.

**Commencement Information**

**I101** Sch. 1 para. 7 in force at 11.4.2019, see [reg. 1\(3\)\(e\)](#)

**8.** A reference to a board of directors, in the case of a person who does not have such a board, is to be read as a reference to the equivalent management body of that person.

**Commencement Information**

**I102** Sch. 1 para. 8 in force at 11.4.2019, see [reg. 1\(3\)\(e\)](#)

**Shares or rights held “indirectly”**

**9.**—(1) A person holds a share “indirectly” if the person has a majority stake in another person and that other person—

- (a) holds the share in question, or
- (b) is part of a chain of persons—
  - (i) each of whom (other than the last) has a majority stake in the person immediately below it in the chain, and
  - (ii) the last of whom holds the share.

(2) A person holds a right “indirectly” if the person has a majority stake in another person and that other person—

- (a) holds that right, or
- (b) is part of a chain of persons—
  - (i) each of whom (other than the last) has a majority stake in the person immediately below it in the chain, and
  - (ii) the last of whom holds that right.

(3) For these purposes, a person (“A”) has a “majority stake” in another person (“B”) if—

- (a) A holds a majority of the voting rights in B,
- (b) A is a member of B and has the right to appoint or remove a majority of the board of directors of B,
- (c) A is a member of B and controls alone, pursuant to an agreement with other shareholders or members, a majority of the voting rights in B, or
- (d) A has the right to exercise, or actually exercises, dominant influence or control over B.

(4) In the application of this paragraph to the right to appoint or remove a majority of the board of directors, a person (“A”) is to be treated as having the right to appoint a director if—

- (a) any person's appointment as director follows necessarily from that person's appointment as director of A, or
- (b) the directorship is held by A itself.

**Commencement Information**

**I103** Sch. 1 para. 9 in force at 11.4.2019, see [reg. 1\(3\)\(e\)](#)

**Shares held by nominees**

**10.** A share held by a person as nominee for another is to be treated as held by the other (and not by the nominee).

**Commencement Information**

**I104** Sch. 1 para. 10 in force at 11.4.2019, see [reg. 1\(3\)\(e\)](#)

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

### Rights treated as held by person who controls their exercise

**11.**—(1) Where a person controls a right, the right is to be treated as held by that person (and not by the person who in fact holds the right, unless that person also controls it).

(2) A person “controls” a right if, by virtue of any arrangement between that person and others, the right is exercisable only—

- (a) by that person,
- (b) in accordance with that person's directions or instructions, or
- (c) with that person's consent or concurrence.

#### Commencement Information

**I105** Sch. 1 para. 11 in force at 11.4.2019, see [reg. 1\(3\)\(e\)](#)

**12.** “Arrangement” includes—

- (a) any scheme, agreement or understanding, whether or not it is legally enforceable, and
- (b) any convention, custom or practice of any kind.

#### Commencement Information

**I106** Sch. 1 para. 12 in force at 11.4.2019, see [reg. 1\(3\)\(e\)](#)

### Rights exercisable only in certain circumstances etc.

**13.**—(1) Rights that are exercisable only in certain circumstances are to be taken into account only—

- (a) when the circumstances have arisen, and for so long as they continue to obtain, or
- (b) when the circumstances are within the control of the person having the rights.

(2) But rights that are exercisable by an administrator or by creditors while a person is subject to relevant insolvency proceedings are not to be taken into account while the person is subject to those proceedings.

(3) “Relevant insolvency proceedings” means—

- (a) administration within the meaning of the Insolvency Act 1986<sup>M54</sup>
- (b) administration within the meaning of the Insolvency (Northern Ireland) Order 1989<sup>M55</sup>, or
- (c) proceedings under the insolvency law of another country during which a person's assets and affairs are subject to the control or supervision of a third party or creditor.

(4) Rights that are normally exercisable but are temporarily incapable of exercise are to continue to be taken into account.

#### Commencement Information

**I107** Sch. 1 para. 13 in force at 11.4.2019, see [reg. 1\(3\)\(e\)](#)

#### Marginal Citations

**M54** 1986 c.45.

**M55** S.I. 1989/2405 (N.I. 19).

## Rights attached to shares held by way of security

14. Rights attached to shares held by way of security provided by a person are to be treated for the purposes of this Schedule as held by that person—

- (a) where apart from the right to exercise them for the purpose of preserving the value of the security, or of realising it, the rights are exercisable only in accordance with that person's instructions, and
- (b) where the shares are held in connection with the granting of loans as part of normal business activities and apart from the right to exercise them for the purpose of preserving the value of the security, or of realising it, the rights are exercisable only in that person's interests.

### Commencement Information

**I108** Sch. 1 para. 14 in force at 11.4.2019, see [reg. 1\(3\)\(e\)](#)

## SCHEDULE 2

Regulations 16, 17 and 59

### Persons named in relation to financial restrictions

#### 1. Sberbank

### Commencement Information

**I109** Sch. 2 para. 1 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

#### 2. VTB bank

### Commencement Information

**I110** Sch. 2 para. 2 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

#### 3. Gazprombank

### Commencement Information

**I111** Sch. 2 para. 3 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

#### 4. Vnesheconombank (VEB)

### Commencement Information

**I112** Sch. 2 para. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

#### 5. Rosselkhozbank

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

**Commencement Information**

**I113** Sch. 2 para. 5 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**6. OPK Oboronprom**

**Commencement Information**

**I114** Sch. 2 para. 6 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**7. United Aircraft Corporation**

**Commencement Information**

**I115** Sch. 2 para. 7 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**8. Uralvagonzavod**

**Commencement Information**

**I116** Sch. 2 para. 8 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**9. Rosneft**

**Commencement Information**

**I117** Sch. 2 para. 9 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**10. Transneft**

**Commencement Information**

**I118** Sch. 2 para. 10 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**11. Gazprom Neft**

**Commencement Information**

**I119** Sch. 2 para. 11 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)



## [F91] SCHEDULE 2A

Regulation 21

### Critical-industry goods and critical-industry technology

#### Textual Amendments

**F91** Sch. 2A inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), reg. 1(2), Sch. (with reg. 11)

## PART 1

### Interpretation

1.—(1) A thing is specified in this Schedule if it is specified in Parts 2 to 8, and a reference in any note in this Schedule to a thing being “controlled” or subject to “controls” is to be read as a reference to it being specified.

(2) In this Schedule, defined terms are printed in quotation marks.

(3) Terms printed in quotation marks and not defined in this Schedule have the meaning given to them in—

- (a) Schedules 2 and 3 of the Export Control Order 2008, or
- (b) Annex I of the Dual-Use Regulation,

as applicable.

2.—(1) In this Schedule—

“dynamic adaptive routing” means automatic rerouting of traffic based on sensing and analysis of current actual network conditions, but does not include cases of routing decisions taken on predefined information;

“fluoride fibres” means fibres manufactured from bulk fluoride compounds;

“hybrid computer” means equipment that can—

- (a) accept data,
- (b) process data, in both analogue and digital representation, and
- (c) provide output of data;

“media access unit” means equipment that contains one or more communication interfaces (“network access controller”, “communications channel controller”, modem or computer bus) to connect terminal equipment to a network;

“stored program controlled” means a control using instructions stored in an electronic storage that a processor can execute in order to direct the performance of predetermined functions, and equipment may be “stored program controlled” whether the electronic storage is internal or external to the equipment;

“terminal interface equipment” means equipment at which information enters or leaves the telecommunication systems, for example a telephone, data device, computer, or facsimile device.

(2) For the purposes of this Schedule, the interpretative notes set out in Table 1 apply.

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

**Table 1**

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**Interpretative notes**

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“multi-data-stream processing” refers to the “microprogram” or equipment architecture technique that permits simultaneous processing of two or more data sequences under the control of one or more instruction sequences by means such as:

Single Instruction Multiple Data (SIMD) architectures such as vector or array processors;

Multiple Single Instruction Multiple Data (MSIMD) architectures;

Multiple Instruction Multiple Data (MIMD) architectures, including those that are tightly coupled, closely coupled or loosely coupled;

structured arrays of processing elements, including systolic arrays.

“data signalling rate” means the rate, as defined in International Telecommunications Union Recommendation 53-36, taking into account that, for non-binary modulation, baud and bit per second are not equal.

Bits for coding, checking and synchronization functions are to be included.

When determining the “data signalling rate”, servicing and administrative channels shall be excluded.

It is the maximum one-way rate, i.e., the maximum rate in either transmission or reception.

“spectral efficiency” is a figure of merit parametrized to characterize the efficiency of transmission system that uses complex modulation schemes such as QAM (quadrature amplitude modulation), Trellis coding, QSPK (Q-phased shift key), etc.. It is defined as the Digital transfer rate (bits/second) divided by 6dB spectrum bandwidth (Hz).

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## PART 2

### Electronics

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#### 3A991 Electronic devices and components

a. “Microprocessor microcircuits”, “microcomputer microcircuits”, and microcontroller microcircuits having any of the following:

- a.1. A performance speed of 5 GFLOPS or more and an arithmetic logic unit with an access width of 32 bit or more;
- a.2. A clock frequency rate exceeding 25 MHz; or
- a.3. More than one data or instruction bus or serial communication port that provides a direct external interconnection between parallel “microprocessor microcircuits” with a transfer rate of 2.5 Mbyte/s;

b. Storage integrated circuits, as follows:

- b.1. Electrical erasable programmable read-only memories (EEPROMs) with a storage capacity;
  - b.1.a. Exceeding 16 Mbits per package for flash memory types; or

- b.1.b. Exceeding either of the following limits for all other EEPROM types:
  - b.1.b.1. Exceeding 1 Mbit per package; or
  - b.1.b.2. Exceeding 256 kbit per package and a maximum access time of less than 80 ns;
- c. Analog-to-digital converters having any of the following:
  - c.1. A resolution of 8 bit or more, but less than 12 bit, with an output rate greater than 200 million words per second;
  - c.2. A resolution of 12 bit with an output rate greater than 105 million words per second;
  - c.3. A resolution of more than 12 bit but equal to or less than 14 bit with an output rate greater than 10 million words per second; or
  - c.4. A resolution of more than 14 bit with an output rate greater than 2.5 million words per second;
- d. Field programmable logic devices having a maximum number of single-ended digital input/outputs between 200 and 700;
- e. Fast Fourier Transform (FFT) processors having a rated execution time for a 1,024 point complex FFT of less than 1 ms;
- f. Custom integrated circuits for which either the function is unknown, or the control status of the equipment in which the integrated circuits will be used is unknown to the manufacturer, having any of the following:
  - f.1. More than 144 terminals; or
  - f.2. A typical “basic gate propagation delay time” of less than 0.4 ns;
- g. Traveling-wave “vacuum electronic devices,” pulsed or continuous wave, as follows:
  - g.1. Coupled cavity devices, or derivatives thereof;
  - g.2. Devices based on helix, folded waveguide, or serpentine waveguide circuits, or derivatives thereof, having either of the following:
    - g.2.a. An “instantaneous bandwidth” of half an octave or more; and
    - g.2.b. The product of the rated average output power (expressed in kW) and the maximum operating frequency (expressed in GHz) of more than 0.2; or
    - g.2.c. An “instantaneous bandwidth” of less than half an octave; and
    - g.2.d. The product of the rated average output power (expressed in kW) and the maximum operating frequency (expressed in GHz) of more than 0.4;
- h. Flexible waveguides designed for use at frequencies exceeding 40 GHz;
- i. Surface acoustic wave and surface skimming (shallow bulk) acoustic wave devices (i.e., “signal processing” devices employing elastic waves in materials), having either of the following:
  - i.1. A carrier frequency exceeding 1 GHz; or
  - i.2. A carrier frequency of 1 GHz or less; and

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**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

- i.2.a. A frequency side-lobe rejection exceeding 55 dB;
- i.2.b. A product of the maximum delay time and bandwidth (time in  $\mu\text{s}$  and bandwidth in MHz) of more than 100; or
- i.2.c. A dispersive delay of more than 10  $\mu\text{s}$ ;
- j. Cells as follows:
  - j.1. Primary cells having an energy density of 550 Wh/kg or less at 293 K (20°C);
  - j.2. Secondary cells having an energy density of 350 Wh/kg or less at 293 K (20°C);

*Note: 3A991.j does not control batteries, including single cell batteries.*

*Technical Notes:*

*1. For the purposes of 3A991.j energy density (Wh/kg) is calculated from the nominal voltage multiplied by the nominal capacity in ampere-hours divided by the mass in kilograms. If the nominal capacity is not stated, energy density is calculated from the nominal voltage squared then multiplied by the discharge duration in hours divided by the discharge load in Ohms and the mass in kilograms.*

*2. For the purposes of 3A991.j, a 'cell' is defined as an electrochemical device, which has positive and negative electrodes, and electrolyte, and is a source of electrical energy. It is the basic building block of a battery.*

*3. For the purposes of 3A991.j.1, a 'primary cell' is a 'cell' that is not designed to be charged by any other source.*

*4. For the purposes of 3A991.j.2, a 'secondary cell' is a 'cell' that is designed to be charged by an external electrical source.*

- k. "Superconductive" electromagnets or solenoids, specially designed to be fully charged or discharged in less than one minute, having all of the following:

*Note: 3A991.k does not control "superconductive" electromagnets or solenoids specially designed for Magnetic Resonance Imaging (MRI) medical equipment.*

- k.1. Maximum energy delivered during the discharge divided by the duration of the discharge of more than 500 kJ per minute;
- k.2. Inner diameter of the current carrying windings of more than 250 mm; and
- k.3. Rated for a magnetic induction of more than 8T or "overall current density" in the winding of more than 300 A/mm<sup>2</sup>;
- l. Circuits or systems designed for electromagnetic energy storage, containing components manufactured from "superconductive" materials specially designed for operation at temperatures below the "critical temperature" of at least one of their "superconductive" constituents, having all of the following:
  - l.1. Resonant operating frequencies exceeding 1 MHz;
  - l.2. A stored energy density of 1 MJ/m<sup>3</sup> or more; and
  - l.3. A discharge time of less than 1 ms;

- m. Hydrogen/hydrogen-isotope thyratrons of ceramic-metal construction and rated for a peak current of 500 A or more;
- n. Digital integrated circuits based on any compound semiconductor having an equivalent gate count of more than 300 (2 input gates);
- o. “Space qualified” solar cells, cell-interconnect-coverglass (CIC) assemblies, solar panels, and solar arrays.

**3A992 General purpose electronic equipment, as follows:**

- a. Electronic test equipment;
- b. Digital instrumentation magnetic tape data recorders having any of the following:
  - b.1. A maximum digital interface transfer rate exceeding 60 Mbit/s and employing helical scan techniques;
  - b.2. A maximum digital interface transfer rate exceeding 120 Mbit/s and employing fixed head techniques; or
  - b.3. “Space qualified”;
- c. Equipment having a maximum digital interface transfer rate exceeding 60 Mbit/s and designed to convert digital video magnetic tape recorders for use as digital instrumentation data recorders;
- d. Non-modular analogue oscilloscopes having a bandwidth of 1 GHz or greater;
- e. Modular analogue oscilloscope systems having either of the following:
  - e.1. A mainframe with a bandwidth of 1 GHz or greater; or
  - e.2. Plug-in modules with an individual bandwidth of 4 GHz or greater;
- f. Analogue sampling oscilloscopes for the analysis of recurring phenomena with an effective bandwidth greater than 4 GHz;
- g. Digital oscilloscopes and transient recorders, using analogue-to-digital conversion techniques, capable of storing transients by sequentially sampling single-shot inputs at successive intervals of less than 1 ns (greater than 1 giga-sample per second), digitising to 8 bits or greater resolution and storing 256 or more samples.

*Note: This entry controls the following components designed for analogue oscilloscopes:*

1. *Plug-in units;*
2. *External amplifiers;*
3. *Pre-amplifiers;*
4. *Sampling devices;*
5. *Cathode ray tubes.*

**3A999 Specific processing equipment as follows.**

- a. Frequency changers capable of operating in the frequency range from 300 up to 600 Hz;
- b. Mass spectrometers;

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- c. All flash x-ray machines, and components of pulsed power systems designed therefor, including Marx generators, high power pulse shaping networks, high voltage capacitors, and triggers;
- d. Pulse amplifiers;
- e. Time delay generation or time interval measurement equipment, as follows:
  - e.1. Digital time delay generators having a resolution of 50 nanoseconds or less over time intervals of 1ms or greater; *or*
  - e.2. Multi-channel (three or more) or modular time interval meter and chronometry equipment having a resolution of 50 ns or less over time intervals of 1 ms or greater;
- f. Chromatography and spectrometry analytical instruments

**3B991 Equipment for the manufacture of electronic components and materials, and specially designed components therefor.**

- a. Equipment specially designed for the manufacture of electron tubes, optical elements and components controlled by entry 3A001 of Annex I of the Dual-Use Regulation, or entry 3A991;
- b. Equipment for the manufacture of semiconductor devices, integrated circuits and “electronic assemblies”, as follows, and systems incorporating or having the characteristics of such equipment:

*Note:3B991.b also controls equipment used or modified for use in the manufacture of other devices, such as imaging devices, electro-optical devices, acoustic-wave devices.*

- b.1. Equipment for the processing of materials for the manufacture of devices and components, as specified in the heading of 3B991.b, as follows:

*Note:3B991 does not control quartz furnace tubes, furnace liners, paddles, boats (except specially designed caged boats), bubblers, cassettes or crucibles specially designed for the processing equipment*

- b.1.a. Equipment specially designed for producing polycrystalline silicon and materials controlled by entry 3A001 of Annex I of the Dual-Use Regulation;
- b.1.b. Equipment specially designed for purifying or processing III/V and II/VI semiconductor materials controlled by entries 3C001, 3C002, 3C003, 3C004, or 3C005 of Annex I of the Dual-Use Regulation except crystal pullers, for which see 3B991.b.1.c below;
- b.1.c. Crystal pullers and furnaces, as follows:

*Note:3B991.b.1.c does not control diffusion and oxidation furnaces.*

- b.1.c.1. Annealing or recrystallising equipment other than constant temperature furnaces employing high rates of energy transfer capable of processing wafers at a rate exceeding 0.005 m<sup>2</sup> per minute;

- b.1.c.2. “Stored program controlled” crystal pullers having any of the following:

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- b.1.c.2.a. Rechargeable without replacing the crucible container;
- b.1.c.2.b. Capable of operation at pressures above  $2.5 \times 10^5$  Pa;  
*or*
- b.1.c.2.c. Capable of pulling crystals of a diameter exceeding 100 mm;
- b.1.d. “Stored program controlled” equipment for epitaxial growth having any of the following:
  - b.1.d.1. Capable of producing silicon layer with a thickness uniform to less than  $\pm 2.5\%$  across a distance of 200 mm or more;
  - b.1.d.2. Capable of producing a layer of any material other than silicon with a thickness uniformity across the wafer of equal to or better than  $\pm 3.5\%$ ; or
  - b.1.d.3. Capable of rotating individual wafers during processing;
- b.1.e. Molecular beam epitaxial growth equipment;
- b.1.f. Magnetically enhanced ‘sputtering’ equipment with specially designed integral load locks capable of transferring wafers in an isolated vacuum environment;

*Note: ‘Sputtering’ is an overlay coating process wherein positively charged ions are accelerated by an electric field towards the surface of a target (coating material). The kinetic energy of the impacting ions is sufficient to cause target surface atoms to be released and deposited on the substrate. (Note: Triode, magnetron or radio frequency sputtering to increase adhesion of coating and rate of deposition are ordinary modifications of the process.)*

- b.1.g. Equipment specially designed for ion implantation, ion-enhanced or photo-enhanced diffusion, having any of the following:
  - b.1.g.1. Patterning capability;
  - b.1.g.2. Beam energy (accelerating voltage) exceeding 200 keV;
  - b.1.g.3 Optimised to operate at a beam energy (accelerating voltage) of less than 10 keV; *or*
  - b.1.g.4. Capable of high energy oxygen implant into a heated “substrate”;
- b.1.h. “Stored program controlled” equipment for selective removal (etching) by means of anisotropic dry methods (e.g., plasma), as follows:
  - b.1.h.1. ‘Batch types’ having either of the following:
    - b.1.h.1.a. End-point detection, other than optical emission spectroscopy types; *or*
    - b.1.h.1.b. Reactor operational (etching) pressure of 26.66 Pa or less;
  - b.1.h.2. ‘Single wafer types’ having any of the following:

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b.1.h.2.a. End-point detection, other than optical emission spectroscopy types;

b.1.h.2.b. Reactor operational (etching) pressure of 26.66 Pa or less; *or*

b.1.h.2.c. Cassette-to-cassette and load locks wafer handling;

*Notes: 1. 'Batch types' refers to machines not specially designed for production processing of single wafers. Such machines can process two or more wafers simultaneously with common process parameters, e.g., RF power, temperature, etch gas species, flow rates.*

*2. 'Single wafer types' refers to machines specially designed for production processing of single wafers. These machines may use automatic wafer handling techniques to load a single wafer into the equipment for processing. The definition includes equipment that can load and process several wafers but where the etching parameters, e.g., RF power or end point, can be independently determined for each individual wafer.*

b.1.i. "Chemical vapor deposition" (CVD) equipment, e.g., plasma-enhanced CVD (PECVD) or photo-enhanced CVD, for semiconductor device manufacturing, having either of the following capabilities, for deposition of oxides, nitrides, metals or polysilicon:

b.1.i.1. "Chemical vapor deposition" equipment operating below  $10^5$  Pa; *or*

b.1.i.2. PECVD equipment operating either below 60 Pa (450 millitorr) or having automatic cassette-to-cassette and load lock wafer handling;

*Note: 3B991.b.1.i does not control low pressure "chemical vapor deposition" (LPCVD) systems or reactive 'sputtering' equipment.*

b.1.j. Electron beam systems specially designed or modified for mask making or semiconductor device processing having any of the following:

b.1.j.1. Electrostatic beam deflection;

b.1.j.2. Shaped, non-Gaussian beam profile;

b.1.j.3. Digital-to-analogue conversion rate exceeding 3 MHz;

b.1.j.4. Digital-to-analogue conversion accuracy exceeding 12 bit; *or*

b.1.j.5. Target-to-beam position feedback control precision of 1  $\mu\text{m}$  or finer;

*Note: 3B991.b.1.j does not control electron beam deposition systems or general purpose scanning electron microscopes.*

b.1.k. Surface finishing equipment for the processing of semiconductor wafers as follows:



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b.1.k.1. Specially designed equipment for backside processing of wafers thinner than 100 µm and the subsequent separation thereof;  
*or*

b.1.k.2. Specially designed equipment for achieving a surface roughness of the active surface of a processed wafer with a two-sigma value of 2 µm or less, total indicator reading (TIR);

**Note:** 3B991.b.1.k does not control single-side lapping and polishing equipment for wafer surface finishing.

b.1.l. Interconnection equipment which includes common single or multiple vacuum chambers specially designed to permit the integration of any equipment controlled by 3B991 into a complete system;

b.1.m. “Stored program controlled” equipment using “lasers” for the repair or trimming of “monolithic integrated circuits” with either of the following:

b.1.m.1. Positioning accuracy less than ± 1 µm; or

b.1.m.2. Spot size (kerf width) less than 3 µm.

b.2. ‘Masks’, ‘mask’ “substrates,” mask-making equipment and image transfer equipment for the manufacture of devices and components as specified in the heading of 3B991, as follows:

*Note: The term ‘masks’ or ‘mask’ refers to those used in electron beam lithography, X-ray lithography, and ultraviolet lithography, as well as the usual ultraviolet and visible photo-lithography.*

b.2.a. Finished masks, reticles and designs therefor, except:

b.2.a.1. Finished masks or reticles for the production of integrated circuits not controlled by entry 3A001 of Annex I of the Dual-Use Regulation; *or*

b.2.a.2. Masks or reticles, having both of the following:

b.2.a.2.a. Their design is based on geometries of 2.5 µm or more; and

b.2.a.2.b. The design does not include special features to alter the intended use by means of production equipment or “software”;

b.2.b. Mask “substrates” as follows:

b.2.b.1. Hard surface (e.g., chromium, silicon, molybdenum) coated “substrates” (e.g., glass, quartz, sapphire) for the preparation of masks having dimensions exceeding 125 mm x 125 mm; *or*

b.2.b.2. “Substrates” specially designed for X-ray masks;

b.2.c. Equipment, other than general purpose computers, specially designed for computer aided design (CAD) of semiconductor devices or integrated circuits;

b.2.d. Equipment or machines, as follows, for mask or reticle fabrication:

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**Note:** 3B991.b.2.d.1 and b.2.d.2 do not control mask fabrication equipment using photo-optical methods which was either commercially available before the 1st January, 1980, or has a performance no better than such equipment.

b.2.d.1. Photo-optical step and repeat cameras capable of producing arrays larger than 100 mm x 100 mm, or capable of producing a single exposure larger than 6 mm x 6 mm in the image (i.e., focal plane, or capable of producing line widths of less than 2.5  $\mu\text{m}$  in the photoresist on the “substrate”;

b.2.d.2. Mask or reticle fabrication equipment using ion or “laser” beam lithography capable of producing line widths of less than 2.5  $\mu\text{m}$ ; or

b.2.d.3. Equipment or holders for altering masks or reticles or adding pellicles to remove defects;

b.2.e. “Stored program controlled” equipment for the inspection of masks, reticles or pellicles with:

b.2.e.1. A resolution of 0.25  $\mu\text{m}$  or finer; and

b.2.e.2. A precision of 0.75  $\mu\text{m}$  or finer over a distance in one or two coordinates of 63.5 mm or more;

**Note:** 3B991.b.2.e does not control general purpose scanning electron microscopes except when specially designed and instrumented for automatic pattern inspection.

b.2.f. Align and expose equipment for wafer production using photo-optical or X-ray methods, e.g., lithography equipment, including both projection image transfer equipment and step and repeat (direct step on wafer) or step and scan (scanner) equipment, capable of performing any of the following:

**Note:** 3B991.b.2.f does not control photo-optical contact and proximity mask align and expose equipment or contact image transfer equipment.

b.2.f.1. Production of a pattern size of less than 2.5  $\mu\text{m}$ ;

b.2.f.2. Alignment with a precision finer than  $\pm 0.25 \mu\text{m}$  (3 sigma);

b.2.f.3. Machine-to-machine overlay no better than  $\pm 0.3 \mu\text{m}$ ; or

b.2.f.4. A light source wavelength shorter than 400 nm;

b.2.g. Electron beam, ion beam or X-ray equipment for projection image transfer capable of producing patterns less than 2.5  $\mu\text{m}$ ;

**Note:** For focused, deflected-beam systems (direct write systems), see 3B991.b.1.j or b.10.

b.2.h. Equipment using “lasers” for direct write on wafers capable of producing patterns less than 2.5  $\mu\text{m}$ .

b.3. Equipment for the assembly of integrated circuits, as follows:

b.3.a. “Stored program controlled” die bonders having all of the following:

b.3.a.1. Specially designed for “hybrid integrated circuits”;

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b.3.a.2. X-Y stage positioning travel exceeding 37.5 x 37.5 mm; *and*

b.3.a.3. Placement accuracy in the X-Y plane of finer than  $\pm 10 \mu\text{m}$ ;

b.3.b. “Stored program controlled” equipment for producing multiple bonds in a single operation (e.g., beam lead bonders, chip carrier bonders, tape bonders);

b.3.c. Semi-automatic or automatic hot cap sealers, in which the cap is heated locally to a higher temperature than the body of the package, specially designed for ceramic microcircuit packages controlled by entry 3A001 of Annex I of the Dual-Use Regulation and that have a throughput equal to or more than one package per minute.

b.4. Filters for clean rooms capable of providing an air environment of 10 or less particles of  $0.3 \mu\text{m}$  or smaller per  $0.02832 \text{ m}^3$  and filter materials therefor.

**3B992 Equipment for the inspection or testing of electronic components and materials, and specially designed components therefor.**

a. Equipment specially designed for the inspection or testing of electron tubes, optical elements and specially designed components therefor, controlled by entry 3A001 of Annex I of the Dual-Use Regulation or 3A991;

b. Equipment specially designed for the inspection or testing of semiconductor devices, integrated circuits and “electronic assemblies”, as follows, and systems incorporating or having the characteristics of such equipment:

*Note: 3B992.b also controls equipment used or modified for use in the inspection or testing of other devices, such as imaging devices, electro-optical devices, acoustic-wave devices.*

b.1. “Stored program controlled” inspection equipment for the automatic detection of defects, errors or contaminants of  $0.6 \mu\text{m}$  or less in or on processed wafers, “substrates”, other than printed circuit boards or integrated circuits, using optical image acquisition techniques for pattern comparison;

*Note: 3B992.b.1 does not control general purpose scanning electron microscopes, except when specially designed and instrumented for automatic pattern inspection.*

b.2. Specially designed “stored program controlled” measuring and analysis equipment, as follows:

b.2.a. Specially designed for the measurement of oxygen or carbon content in semiconductor materials;

b.2.b. Equipment for line width measurement with a resolution of  $1 \mu\text{m}$  or finer;

b.2.c. Specially designed flatness measurement instruments capable of measuring deviations from flatness of  $10 \mu\text{m}$  or less with a resolution of  $1 \mu\text{m}$  or finer.

b.3. “Stored program controlled” wafer probing equipment having any of the following:

b.3.a. Positioning accuracy finer than  $3.5 \mu\text{m}$ ;

b.3.b. Capable of testing devices having more than 68 terminals; *or*

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b.3.c. Capable of testing at a frequency exceeding 1 GHz;

b.4. Test equipment as follows:

b.4.a. “Stored program controlled” equipment, specially designed for testing discrete semiconductor devices and unencapsulated dice, capable of testing at frequencies exceeding 18 GHz;

*Technical Note: Discrete semiconductor devices include photocells and solar cells.*

b.4.b. “Stored program controlled” equipment specially designed for testing integrated circuits and “electronic assemblies” thereof, capable of functional testing:

b.4.b.1. At a ‘pattern rate’ exceeding 20 MHz; *or*

b.4.b.2. At a ‘pattern rate’ exceeding 10 MHz but not exceeding 20 MHz and capable of testing packages of more than 68 terminals.

*Notes: 3B992.b.4.b does not control test equipment specially designed for testing:*

1. *Memory;*

2. *“Electronic assemblies” for home and entertainment applications; and*

3. *Electronic components, and integrated circuits not controlled by entry 3A001 of Annex I of the Dual-Use Regulation or 3A991 provided such test equipment does not incorporate computing facilities with “user accessible programmability”.*

*Technical Note: For purposes of 3B992.b.4.b, ‘pattern rate’ is defined as the maximum frequency of digital operation of a tester. It is therefore equivalent to the highest data rate that a tester can provide in non-multiplexed mode. It is also referred to as test speed, maximum digital frequency or maximum digital speed.*

b.4.c. Equipment specially designed for determining the performance of focal-plane arrays at wavelengths of more than 1,200 nm, using “stored program controlled” measurements or computer aided evaluation and having any of the following:

b.4.c.1. Using scanning light spot diameters of less than 0.12 mm;

b.4.c.2. Designed for measuring photosensitive performance parameters and for evaluating frequency response, modulation transfer function, uniformity of responsivity or noise; *or*

b.4.c.3. Designed for evaluating arrays capable of creating images with more than 32 x 32 line elements;

b.5. Electron beam test systems designed for operation at 3 keV or below, or “laser” beam systems, for non-contact probing of powered-up semiconductor devices having any of the following:

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b.5.a. Stroboscopic capability with either beam blanking or detector strobing;

b.5.b. An electron spectrometer for voltage measurements with a resolution of less than 0.5 V; *or*

b.5.c. Electrical tests fixtures for performance analysis of integrated circuits;

*Note: 3B992.b.5 does not control scanning electron microscopes, except when specially designed and instrumented for non-contact probing of a powered-up semiconductor device.*

b.6. “Stored program controlled” multifunctional focused ion beam systems specially designed for manufacturing, repairing, physical layout analysis and testing of masks or semiconductor devices and having either of the following:

b.6.a. Target-to-beam position feedback control precision of 1 µm or finer; *or*

b.6.b. Digital-to-analogue conversion accuracy exceeding 12 bit;

b.7. Particle measuring systems employing “lasers” designed for measuring particle size and concentration in air having both of the following:

b.7.a. Capable of measuring particle sizes of 0.2 µm or less at a flow rate of 0.02832 m<sup>3</sup> per minute or more; *and*

b.7.b. Capable of characterising Class 10 clean air or better.

**3C992 Positive resists designed for semiconductor lithography specially adjusted (optimised) for use at wavelengths between 370 and 193 nm.**

**3D991 “Software” specially designed for the “development”, “production”, or “use” of electronic devices, or components controlled by entry 3A991 of Annex I of the Dual-Use Regulation, general purpose electronic equipment controlled by 3A992, or manufacturing and test equipment controlled by 3B991 and 3B992; or “software” specially designed for the “use” of equipment controlled by entry 3B001.g and h of Annex I of the Dual-Use Regulation.**

**3E991 “Technology” for the “development,” “production” or “use” of electronic devices or components controlled by entry 3A991 of Annex I of the Dual-Use Regulation, general purpose electronic equipment controlled by 3A992, or manufacturing and test equipment controlled by 3B991 or 3B992, or materials controlled by 3C992.**

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## PART 3

### Computers

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**4A994 Computers, “electronic assemblies” and related equipment, and specially designed components therefor.**

*Note 1: The control status of the “digital computers” and related equipment described in 4A994 is determined by the control status of other equipment or systems provided:*

*a. The “digital computers” or related equipment are essential for the operation of the other equipment or systems;*

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b. The “digital computers” or related equipment are not a “principal element” of the other equipment or systems; and

*N.b. 1:* The control status of “signal processing” or “image enhancement” equipment specially designed for other equipment with functions limited to those required for the other equipment is determined by the control status of the other equipment even if it exceeds the “principal element” criterion.

*N.b. 2:* For the control status of “digital computers” or related equipment for telecommunications equipment, see Category 5, Part 1 (Telecommunications) of Annex I of the Dual-Use Regulation.

c. The “technology” for the “digital computers” and related equipment is determined by Category 4E of Annex I of the Dual-Use Regulation.

- a. Electronic computers and related equipment, and “electronic assemblies” and specially designed components therefor, rated for operation at an ambient temperature above 343 K (70°C);
- b. “Digital computers”, including “signal processing” or “image enhancement” equipment, having an “Adjusted Peak Performance” (“APP”) equal to or greater than 0.0128 Weighted TeraFLOPS (WT);
- c. “Electronic assemblies” that are specially designed or modified to enhance performance by aggregation of processors, as follows:
  - c.1. Designed to be capable of aggregation in configurations of 16 or more processors;
  - c.2. Not used.

*Note 1:* 4A994.c applies only to “electronic assemblies” and programmable interconnections with a “APP” not exceeding the limits in 4A994.b, when shipped as unintegrated “electronic assemblies”. It does not apply to “electronic assemblies” inherently limited by nature of their design for use as related equipment controlled by 4A994.k.

*Note 2:* 4A994.c does not control any “electronic assembly” specially designed for a product or family of products whose maximum configuration does not exceed the limits of 4A994.b.

- d. Not used;
- e. Not used;
- f. Equipment for “signal processing” or “image enhancement” having an “Adjusted Peak Performance” (“APP”) equal to or greater than 0.0128 Weighted TeraFLOPS WT;
- g. Not used;
- h. Not used;
- i. Equipment containing “terminal interface equipment” exceeding the limits in 5A991;
- j. Equipment specially designed to provide external interconnection of “digital computers” or associated equipment that allows communications at data rates exceeding 80 Mbyte/s;

**Note:** 4A994.j does not control internal interconnection equipment (e.g., backplanes, buses) passive interconnection equipment, “network access controllers” or “communication channel controllers”.

k. “Hybrid computers” and “electronic assemblies” and specially designed components therefor containing analogue-to-digital converters having all of the following:

k.1. 32 channels or more; and

k.2. A resolution of 14 bit (plus sign bit) or more with a conversion rate of 200,000 conversions/s or more.

**4D993 “Program” proof and validation “software,” “software” allowing the automatic generation of “source codes,” and operating system “software” that are specially designed for “real-time processing” equipment.**

a. “Program” proof and validation “software” using mathematical and analytical techniques and designed or modified for “programs” having more than 500,000 “source code” instructions;

b. “Software” allowing the automatic generation of “source codes” from data acquired on line from external sensors described in Annex I of the Dual-Use Regulation;

c. Operating system “software” specially designed for “real-time processing” equipment that guarantees a “global interrupt latency time” of less than 20  $\mu$ s.

*Note: “Global interrupt latency time” is the time taken by the computer system to recognise an interrupt due to the event, service the interrupt and perform a context switch to an alternate memory-resident task waiting on the interrupt.*

**4D994 Software” other than that controlled in entry 4D001 of Annex I of the Dual-Use Regulation specially designed or modified for the “development”, “production”, or “use” of equipment controlled by entry 4A101 of Annex I of the Dual-Use Regulation, or 4A994.**

**4E992 “Technology” for the “development,” “production,” or “use” of equipment controlled by 4A994, or “software” controlled by 4D993 or 4D994.**

**4E993 “Technology” for the “development” or “production” of equipment designed for “multi-data-stream processing.”**

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## PART 4

### Telecommunications and information security

#### CHAPTER 1

##### Telecommunication equipment

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###### **5A991 Telecommunication equipment.**

*Note:*

1. ‘Asynchronous transfer mode’ (‘ATM’) is a transfer mode in which the information is organised into cells; it is asynchronous in the sense that the recurrence of cells depends on the required or instantaneous bit rate.

2. ‘Bandwidth of one voice channel’ is data communication equipment designed to operate in one voice channel of 3,100 Hz, as defined in CCITT Recommendation G.151.

3. ‘Communications channel controller’ is the physical interface that controls the flow of synchronous or asynchronous digital information. It is an assembly that can be integrated into computer or telecommunications equipment to provide communications access.

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**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

4. 'Datagram' is a self-contained, independent entity of data carrying sufficient information to be routed from the source to the destination data terminal equipment without reliance on earlier exchanges between this source and destination data terminal equipment and the transporting network.

5. 'Gateway' is the function, realised by any combination of equipment and "software", to carry out the conversion of conventions for representing, processing or communicating information used on one system into the corresponding, but different conventions used in another system.

6. 'Packet' is a group of binary digits including data and call control signals that is switched as a composite whole. The data, call control signals, and possible error control information are arranged in a specified format.

a. Any type of telecommunications equipment, not controlled by 5A001.a, specially designed to operate outside the temperature range from 219 K (-54 °C) to 397 K (124 °C).

b. Telecommunication transmission equipment and systems, and specially designed components therefor, having any of the following characteristics, functions or features:

a. Categorized as follows, or combinations thereof:

1. Radio equipment (e.g., transmitters, receivers and transceivers);

2. Line terminating equipment;

3. Intermediate amplifier equipment;

4. Repeater equipment;

5. Regenerator equipment;

6. Translation encoders (transcoders);

7. Multiplex equipment (statistical multiplex included);

8. Modulators/demodulators (modems);

9. Transmultiplex equipment (see CCITT Rec. G701);

10. "Stored program controlled" digital cross-connection equipment;

11. 'Gateways' and bridges;

12. "Media access units"; and

b. Designed for use in single or multi-channel communication via any of the following:

1. Wire (line);

2. Coaxial cable;

3. Optical fibre cable;

4. Electromagnetic radiation; or



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5. Underwater acoustic wave propagation.

b.1. Employing digital techniques, including digital processing of analogue signals, and designed to operate at a “digital transfer rate” at the highest multiplex level exceeding 45 Mbit/s or a “total digital transfer rate” exceeding 90 Mbit/s;

*Note: 5A991.b.1 does not control equipment specially designed to be integrated and operated in any satellite system for civil use.*

b.2. Modems using the ‘bandwidth of one voice channel’ with a “data signalling rate” exceeding 9,600 bits per second;

b.3. Being “stored program controlled” digital cross-connect equipment with “digital transfer rate” exceeding 8.5 Mbit/s per port.

b.4. Being equipment containing any of the following:

b.4.a. ‘Network access controllers’ and their related common medium having a “digital transfer rate” exceeding 33 Mbit/s; *or*

b.4.b. “Communication channel controllers” with a digital output having a “data signalling rate” exceeding 64,000 bit/s per channel;

*Note: If any uncontrolled equipment contains a “network access controller”, it cannot have any type of telecommunications interface, except those described in, but not controlled by 5A991.b.4.*

b.5. Employing a “laser” and having any of the following:

b.5.a. A transmission wavelength exceeding 1,000 nm; *or*

b.5.b. Employing analogue techniques and having a bandwidth exceeding 45 MHz;

*Note: 5A991.b.5.b does not control commercial TV systems.*

b.5.c. Employing coherent optical transmission or coherent optical detection techniques (also called optical heterodyne or homodyne techniques);

b.5.d. Employing wavelength division multiplexing techniques; *or*

b.5.e. Performing optical amplification;

b.6. Radio equipment operating at input or output frequencies exceeding:

b.6.a. 31 GHz for satellite-earth station applications; *or*

b.6.b. 26.5 GHz for other applications;

*Note: 5A991.b.6. does not control equipment for civil use when conforming with an International Telecommunications Union (ITU) allocated band between 26.5 GHz and 31 GHz.*

b.7. Being radio equipment employing any of the following:

b.7.a. Quadrature-amplitude-modulation (QAM) techniques above level 4 if the “total digital transfer rate” exceeds 8.5 Mbit/s;

b.7.b. QAM techniques above level 16 if the “total digital transfer rate” is equal to or less than 8.5 Mbit/s;

b.7.c. Other digital modulation techniques and having a “spectral efficiency” exceeding 3 bit/s/Hz; *or*

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**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

b.7.d. Operating in the 1.5 MHz to 87.5 MHz band and incorporating adaptive techniques providing more than 15 dB suppression of an interfering signal.

Notes:

1. 5A991.b.7 does not control equipment specially designed to be integrated and operated in any satellite system for civil use.

2. 5A991.b.7 does not control radio relay equipment for operation in an ITU allocated band:

a. Having any of the following:

a.1. Not exceeding 960 MHz; or

a.2. With a “total digital transfer rate” not exceeding 8.5 Mbit/s; and

b. Having a “spectral efficiency” not exceeding 4 bit/s/Hz.

c. “Stored program controlled” switching equipment and related signalling systems, having any of the following characteristics, functions or features, and specially designed components therefor:

*Note: Statistical multiplexers with digital input and digital output which provide switching are treated as “stored program controlled” switches.*

c.1. Data (message) switching equipment or systems designed for “packet-mode operation” and electronic assemblies and components therefor,

c.2. Not used;

c.3. Routing or switching of ‘datagram’ packets;

*Note: The restrictions in 5A991.c.3 do not apply to networks restricted to using only ‘network access controllers’ or to ‘network access controllers’ themselves.*

c.4. Not used.

c.5. Multi-level priority and pre-emption for circuit switching;

*Note: 5A991.c.5 does not control single-level call pre-emption.*

c.6. Designed for automatic hand-off of cellular radio calls to other cellular switches or automatic connection to a centralised subscriber data base common to more than one switch;

c.7. Containing “stored program controlled” digital cross connect equipment with “digital transfer rate” exceeding 8.5 Mbit/s per port.

c.8. “Common channel signalling” operating in either non-associated or quasi-associated mode of operation;

c.9. “Dynamic adaptive routing”;

c.10. Being packet switches, circuit switches and routers with ports or lines exceeding any of the following:

c.10.a. A “data signalling rate” of 64,000 bit/s per channel for a ‘communications channel controller’; or

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*Note: 5A991.c.10.a does not control multiplex composite links composed only of communication channels not individually controlled by 5A991.b.1.*

c.10.b. A “digital transfer rate” of 33 Mbit/s for a ‘network access controller’ and related common media;

*Note: 5A991.c.10 does not control packet switches or routers with ports or lines not exceeding the limits in 5A991.c.10.*

c.11. “Optical switching”;

c.12. Employing ‘Asynchronous Transfer Mode’ (‘ATM’) techniques;

d. Optical fibres and optical fibre cables of more than 50 m in length designed for single mode operation;

e. Centralised network control having all of the following:

e.1. Receives data from the nodes; and

e.2. Process these data in order to provide control of traffic not requiring operator decisions, and thereby performing “dynamic adaptive routing”;

*Note: 5A991.e does not preclude control of traffic as a function of predictable statistical traffic conditions.*

f. Phased array antennas, operating above 10.5 GHz, containing active elements and distributed components, and designed to permit electronic control of beam shaping and pointing, except for landing systems with instruments meeting International Civil Aviation Organisation (ICAO) standards (microwave landing systems (MLS));

g. Mobile communications equipment and electronic assemblies and components therefor;

h. Radio relay communications equipment designed for use at frequencies equal to or exceeding 19.7 GHz and components therefor.

**5B991 Telecommunications test equipment.**

**5C991 Preforms of glass or of any other material optimised for the manufacture of optical fibres controlled by 5A991.**

**5D991 “Software” specially designed or modified for the “development,” “production” or “use” of equipment controlled by 5A991 and 5B991, and dynamic adaptive routing software, as follows:**

a. “Software”, other than in machine-executable form, specially designed for “dynamic adaptive routing”;

b. Not used.

**5E991 “Technology” for the “development”, “production” or “use” of equipment controlled by 5A991 or 5B991, or “software” controlled by 5D991, and other “technologies” as follows:**

*Note:*

1. ‘Synchronous digital hierarchy’ (SDH) is a digital hierarchy providing a means to manage, multiplex, and access various forms of digital traffic using a synchronous transmission format on different types of media. The format is based on the Synchronous Transport Module (STM) that is defined by CCITT Recommendation G.703, G.707, G.708, G.709 and others yet to be published. The first level rate of ‘SDH’ is 155.52 Mbits/s.

2. ‘Synchronous optical network’ (SONET) is a network providing a means to manage, multiplex and access various forms of digital traffic using a synchronous transmission format on fiber optics. The format is the North America version of ‘SDH’ and also uses the

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*Synchronous Transport Module (STM). However, it uses the Synchronous Transport Signal (STS) as the basic transport module with a first level rate of 51.81 Mbits/s. The SONET standards are being integrated into those of 'SDH'.*

- a. Specific “technologies” as follows:
- a.1. “Technology” for the processing and application of coatings to optical fibre specially designed to make it suitable for underwater use;
  - a.2. “Technology” for the “development” of equipment employing ‘Synchronous Digital Hierarchy’ (‘SDH’) or ‘Synchronous Optical Network’ (‘SONET’) techniques.

## CHAPTER 2

### Information security

**5A992 “Information security” systems, equipment and components, described by entry 5A002 of Annex I of the Dual-Use Regulation and classified under Note 3 to Category 5, Part 2 of Annex I of the Dual-Use Regulation (Cryptography Note).**

**5D992 “Information Security” “software” described by entry 5D002 to Category 5, Part 2 in Annex I of the Dual-Use Regulation and classified under Note 3 to Category 5, Part 2 of Annex I of the Dual-Use Regulation (Cryptography Note).**

*Note: This entry does not control “software” designed or modified to protect against malicious computer damage, e.g., viruses, where the use of “cryptography” is limited to authentication, digital signature and/or the decryption of data or files.*

**5E992 “Information Security” “technology” as follows:**

- a. “Technology” for the “use” of items controlled by 5A992 or “software” controlled by 5D992.

## PART 5

### Sensors and lasers

**6A991 Marine or terrestrial acoustic equipment capable of detecting or locating underwater objects or features or positioning surface vessels or underwater vehicles; and specially designed components therefor.**

**6A992 Optical Sensors as follows**

- a. Image intensifier tubes and specially designed components therefor, as follows:
  - a.1. Image intensifier tubes having all the following:
    - a.1.a. A peak response in wavelength range exceeding 400 nm, but not exceeding 1,050 nm;
    - a.1.b. A microchannel plate for electron image amplification with a hole pitch (centre-to-centre spacing) of less than 25 µm; *and*
    - a.1.c. Having any of the following:
      - a.1.c.1. An S-20, S-25 or multialkali photocathode; *or*
      - a.1.c.2. A GaAs or GaInAs photocathode;
  - a.2. Specially designed microchannel plates having both of the following:

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- a.2.a. 15,000 or more hollow tubes per plate; *and*
- a.2.b. Hole pitch (centre-to-centre spacing) of less than 25 µm.

b. Direct view imaging equipment operating in the visible or infrared spectrum, incorporating image intensifier tubes having the characteristics listed in 6A992.a.1.

**6A993 Cameras as follows:**

- a. Cameras that meet the criteria of Note 3 to entry 6A003.b.4. of Annex I of the Dual-Use Regulation.

**6A994 Optics as follows:**

- a. Optical filters:
  - a.1. For wavelengths longer than 250 nm, comprised of multi-layer optical coatings and having either of the following:
    - a.1.a. Bandwidths equal to or less than 1 nm Full Width Half Intensity (FWHI) and peak transmission of 90% or more; or
    - a.1.b. Bandwidths equal to or less than 0.1 nm FWHI and peak transmission of 50% or more;
  - Note: 6A994 does not control optical filters with fixed air gaps or Lyot -type filters.*
  - a.2. For wavelengths longer than 250 nm, and having all of the following:
    - a.2.a. Tunable over a spectral range of 500 nm or more;
    - a.2.b. Instantaneous optical bandpass of 1.25 nm or less;
    - a.2.c. Wavelength resettable within 0.1 ms to an accuracy of 1 nm or better within the tunable spectral range; and
    - a.2.d. A single peak transmission of 91% or more;
  - a.3. Optical opacity switches (filters) with a field of view of 30 degrees or wider and a response time equal to or less than 1 ns;
- b. “Fluoride fibre” cable, or optical fibres therefor, having an attenuation of less than 4 dB/km in the wavelength range exceeding 1,000 nm but not exceeding 3,000 nm.

**6A995 “Lasers” as follows:**

- a. Carbon dioxide (CO<sub>2</sub>) “lasers” having any of the following:
  - a.1. A CW output power exceeding 10 kW;
  - a.2. A pulsed output with a “pulse duration” exceeding 10 µs; and
    - a.2.a. An average output power exceeding 10 kW; or
    - a.2.b. A pulsed “peak power” exceeding 100 kW; or
  - a.3. A pulsed output with a “pulse duration” equal to or less than 10 µs; *and*
    - a.3.a. A pulse energy exceeding 5 J per pulse and “peak power” exceeding 2.5 kW; *or*
    - a.3.b. An average output power exceeding 2.5 kW;
- b. Semiconductor lasers, as follows
  - b.1. Individual, single-transverse mode semiconductor “lasers” having:

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*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

- b.1.a. An average output power exceeding 100 mW; *or*
- b.1.b. A wavelength exceeding 1,050 nm;
- b.2. Individual, multiple-transverse mode semiconductor “lasers”, or arrays of individual semiconductor “lasers”, having a wavelength exceeding 1,050 nm;
- c. Ruby “lasers” having an output energy exceeding 20 J per pulse;
- d. Non-“tunable” “pulsed lasers” having an output wavelength exceeding 975 nm but not exceeding 1,150 nm and having any of the following:
  - d.1. A “pulse duration” equal to or exceeding 1 ns but not exceeding 1  $\mu$ s, and having any of the following:
    - d.1.a. A single transverse mode output and having any of the following:
      - d.1.a.1. A ‘wall-plug efficiency’ exceeding 12% and an “average output power” exceeding 10 W and capable of operating at a pulse repetition frequency greater than 1kHz; *or*
      - d.1.a.2. An “average output power” exceeding 20 W; *or*
    - d.1.b. A multiple transverse mode output and having any of the following:
      - d.1.b.1. A ‘wall-plug efficiency’ exceeding 18% and an “average output power” exceeding 30W;
      - d.1.b.2. A “peak power” exceeding 200 MW; *or*
      - d.1.b.3. An “average output power” exceeding 50 W; *or*
  - d.2. A “pulse duration” exceeding 1  $\mu$ s and having any of the following:
    - d.2.a. A single transverse mode output and having any of the following:
      - d.2.a.1. A ‘wall-plug efficiency’ exceeding 12% and an “average output power” exceeding 10 W and capable of operating at a pulse repetition frequency greater than 1 kHz; *or*
      - d.2.a.2. An “average output power” exceeding 20 W; *or*
    - d.2.b. A multiple transverse mode output and having any of the following:
      - d.2.b.1. A ‘wall-plug efficiency’ exceeding 18% and an “average output power” exceeding 30 W; *or*
      - d.2.b.2. An “average output power” exceeding 500 W;
- e. Non-“tunable” continuous wave “(CW) lasers”, having an output wavelength exceeding 975 nm but not exceeding 1,150nm and having any of the following:
  - e.1. A single transverse mode output and having any of the following:
    - e.1.a. A ‘wall-plug efficiency’ exceeding 12% and an “average output power” exceeding 10 W and capable of operating at a pulse repetition frequency greater than 1 kHz; *or*
    - e.1.b. An “average output power” exceeding 50 W; *or*
  - e.2. A multiple transverse mode output and having any of the following:
    - e.2.a. A ‘wall-plug efficiency’ exceeding 18% and an “average output power” exceeding 30 W; *or*

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e.2.b. An “average output power” exceeding 500 W;

*Note:* 6A995.e.2.b does not control multiple transverse mode, industrial “lasers” with output power less than or equal to 2kW with a total mass greater than 1,200kg. For the purpose of this note, total mass includes all components required to operate the “laser;” e.g., “laser;” power supply, heat exchanger; but excludes external optics for beam conditioning and/or delivery.

f. Non-“tunable” “lasers”, having a wavelength exceeding 1,400 nm, but not exceeding 1555 nm and having any of the following:

f.1. An output energy exceeding 100 mJ per pulse and a pulsed “peak power” exceeding 1 W; or

f.2. An average or CW output power exceeding 1 W;

g. Free electron “lasers”.

**6A996 “Magnetometers”, “Superconductive” electromagnetic sensors, and specially designed components therefor, as follows**

a. “Magnetometers”, having a ‘sensitivity’ lower (better) than 1.0 nT (rms) per square root Hz.

*Technical Note:* For the purposes of 6A996, ‘sensitivity’ (noise level) is the root mean square of the device -limited noise floor which is the lowest signal that can be measured.

b. “Superconductive” electromagnetic sensors and components manufactured from “superconductive” materials, having all of the following:

b.1. Designed for operation at temperatures below the “critical temperature” of at least one of their “superconductive” constituents (including Josephson effect devices or “superconductive” quantum interference devices (SQUIDS));

b.2. Designed for sensing electromagnetic field variations at frequencies of 1 KHz or less; and

b.3. Having any of the following:

b.3.a. Incorporating thin-film SQUIDS with a minimum feature size of less than 2 µm and with associated input and output coupling circuits;

b.3.b. Designed to operate with a magnetic field slew rate exceeding 1 x 10<sup>6</sup> magnetic flux quanta per second;

b.3.c. Designed to function without magnetic shielding in the earth’s ambient magnetic field; or

b.3.d. Having a temperature coefficient less (smaller) than 0.1 magnetic flux quantum/K.

**6A997 Gravity meters (gravimeters) for ground use as follows:**

a. Having a static accuracy of less (better) than 100 microgal; or

b. Being of the quartz element (Worden) type.

**6A998 Radar systems, equipment and specially designed components therefor, as follows:**

a. Airborne radar equipment and specially designed components therefor.

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

- b. “Space-qualified” “laser” radar or Light Detection and Ranging (LIDAR) equipment specially designed for surveying or for meteorological observation.
- c. Millimetre wave enhanced vision radar imaging systems specially designed for rotary wing aircraft and having all of the following:
  - c.1. Operates at a frequency of 94 GHz;
  - c.2. An average output power of less than 20 mW;
  - c.3. Radar beam width of 1 degree; and
  - c.4. Operating range equal to or greater than 1500 m.

**6A999 Specific processing equipment, as follows:**

- a. Seismic detection equipment not controlled in paragraph c.
- b. Radiation hardened TV cameras,
- c. Seismic intrusion detection systems that detect, classify and determine the bearing on the source of a detected signal.

**6B995 Equipment, including tools, dies, fixtures or gauges, and other specially designed components therefor, specially designed or modified for any of the following:**

- a. For the manufacture or inspection of:
  - a.1. Free electron “laser” magnet wigglers;
  - a.2. Free electron “laser” photo injectors;
- b. For the adjustment, to required tolerances, of the longitudinal magnetic field of free electron “lasers”.

**6C992 Optical sensing fibres that are modified structurally to have a ‘beat length’ of less than 500 mm (high birefringence) or optical sensor materials not described in entry 6C002.b. of Annex I of the Dual-Use Regulation and having a zinc content of equal to or more than 6% by ‘mole fraction.’**

Note: ‘Mole fraction’ is defined as the ratio of moles of ZnTe to the sum of the moles of CdTe and ZnTe present in the crystal. 2) ‘Beat length’ is the distance over which two orthogonally polarised signals, initially in phase, must pass in order to achieve a 2 Pi radian(s) phase difference.

**6C994 Optical materials.**

- a. Low optical absorption materials, as follows:
  - a.1. Bulk fluoride compounds containing ingredients with a purity of 99.999% or better; *or*

*Note: 6C994.a.1 controls fluorides of zirconium or aluminium and variants.*

  - a.2. Bulk fluoride glass made from compounds controlled by entry 6C004.e.1 of Annex I of the Dual-Use Regulation;
- b. ‘Optical fibre preforms’ made from bulk fluoride compounds containing ingredients with a purity of 99.999% or better, specially designed for the manufacture of “fluoride fibres” controlled by 6A994.b.

**6D991 “Software,” specially designed for the “development”, “production”, or “use” of items controlled by entries 6A002 and 6A003 of Annex I of the Dual-Use Regulation, 6A991, 6A996, 6A997, or 6A998.**

**6D992 “Software” specially designed for the “development” or “production” of equipment controlled by 6A992, 6A994, or 6A995.**



**6D993 Other “software”.**

- a. Air Traffic Control (ATC) “software” application “programs” hosted on general purpose computers located at Air Traffic Control centres, and capable of automatically handing over primary radar target data (if not correlated with secondary surveillance radar (SSR) data) from the host ATC centre to another ATC centre.
- b. “Software” specially designed for seismic intrusion detection systems in 6A999.c.
- c. “Source Code” specially designed for seismic intrusion detection systems in 6A999.c.

**6E991 “Technology” for the “development”, “production” or “use” of equipment controlled by 6A991, 6A996, 6A997, 6A998 or 6A99.c.**

**6E992 “Technology” for the “development” or “production” of equipment, materials or “software” controlled by 6A992, 6A994, or 6A995, 6B995, 6C992, 6C994, or 6D993.**

**6E993 Other “technology” as follows.**

- a. Optical fabrication technologies for serially producing optical components at a rate exceeding 10 m<sup>2</sup> of surface area per year on any single spindle and having all of the following:
  - a.1. Area exceeding 1 m<sup>2</sup>, and
  - a.2. Surface figure exceeding  $\lambda/10$  (rms) at the designed wavelength;
- b. “Technology” for optical filters with a bandwidth equal to or less than 10 nm, a field of view (FOV) exceeding 40° and a resolution exceeding 0.75 line pairs per milliradian;
- c. “Technology” for the “development” or “production” of cameras controlled by 6A993;
- d. “Technology” “required” for the “development” or “production” of non-triaxial fluxgate “magnetometers” or non-triaxial fluxgate “magnetometer” systems, having any of the following:
  - d.1. ‘Sensitivity’ lower (better) than 0.05 nT (rms) per square root Hz at frequencies of less than 1 Hz; or
  - d.2. ‘Sensitivity’ lower (better) than 1 x 10<sup>-3</sup> nT (rms) per square root Hz at frequencies of 1 Hz or more;
- e. “Technology” “required” for the “development” or “production” of infrared up-conversion devices having all of the following:
  - e.1. A response in the wavelength range exceeding 700 nm but not exceeding 1500 nm; and
  - e.2. A combination of an infrared photodetector, light emitting diode (LED), and nanocrystal to convert infrared light into visible light.

*Technical Note: For the purposes of entry 6E993, ‘sensitivity’ (or noise level) is the root mean square of the device-limited noise floor which is the lowest signal that can be measured.*

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## PART 6

### Navigation and avionics

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**7A994 Navigation direction finding equipment, airborne communication equipment, all aircraft inertial navigation systems, and other avionic equipment, including components, 7B994 Other equipment for the test, inspection, or “production” of navigation and avionics equipment.**

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

**7D994 “Software” for the “development”, “production”, or “use” of navigation, airborne communication and other avionics.**

**7E994 “Technology” for the “development,” “production” or “use” of navigation, airborne communication, and other avionics equipment.**

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## PART 7

### Marine

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**8A992 Vessels, marine systems or equipment, and specially designed components therefor, and marine boilers and components therefor.**

a. Underwater vision systems, as follows:

- a.1. Television systems (comprising camera, lights, monitoring and signal transmission equipment) having a limiting resolution when measured in air of more than 500 lines and specially designed or modified for remote operation with a submersible vehicle; *or*
- a.2. Underwater television cameras having a limiting resolution when measured in air of more than 700 lines;

*Technical Note: Limiting resolution in television is a measure of horizontal resolution usually expressed in terms of the maximum number of lines per picture height discriminated on a test chart, using IEEE Standard 208/1960 or any equivalent standard.*

- b. Photographic still cameras specially designed or modified for underwater use, having a film format of 35 mm or larger, and having autofocusing or remote focusing specially designed for underwater use;
- c. Stroboscopic light systems, specially designed or modified for underwater use, capable of a light output energy of more than 300 J per flash;
- d. Other underwater camera equipment;
- e. Other submersible systems;
- f. Vessels, including inflatable boats, and specially designed components therefor, ;
- g. Marine engines (both inboard and outboard), and specially designed components therefor, ;
- h. Other self-contained underwater breathing apparatus (scuba gear) and related equipment, ;
- i. Life jackets, inflation cartridges, compasses, wetsuits, masks, fins, weight belts, and dive computers;
- j. Underwater lights and propulsion equipment;
- k. Air compressors and filtration systems, specially designed for filling air cylinders.
- l. Marine boilers designed to have any of the following:
  - l.1. Heat release rate (at maximum rating) equal to or in excess of 190,000 BTU per hour per cubic foot of furnace volume; *or*
  - l.2. Ratio of steam generated in kg per hour (at maximum rating) to the dry weight of the boiler in kg equal to or in excess of 0.83.
- m. Components for marine boilers described in 8A992.l.

**8D992 “Software” specially designed or modified for the “development”, “production” or “use” of equipment controlled by 8A992.**

**8D999 “Software” specially designed for the operation of unmanned submersible vehicles.**

**8E992 “Technology” for the “development”, “production” or “use” of equipment controlled by 8A992.**

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## PART 8

### Aerospace and Propulsion

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**9A990 Diesel engines and tractor units, and specially designed components therefor.**

- a. Diesel engines for trucks, tractor units, and automotive applications of continuous power output of 400 BHP (298 kW) or greater (performance based on Society of Automotive Engineers J1349 standard conditions of 100 kPa and 25°C);
- b. Off-road semi-trailer wheeled tractor units of carriage capacity 9 t or more and specially designed components therefor;
- c. On-road semi-trailer tractor units, with single or tandem rear axles rated for 9 t per axel or greater and specially designed components therefor.

**9A991 “Aircraft” and gas turbine engines and components**

- a. Not used;
- b. “Aircraft”;
- c. Aero gas turbine engines and specially designed components therefor;
- d. Components specially designed for “aircraft”;
- e. Pressurised aircraft breathing equipment and specially designed components therefor.

**9A992 Parachutes, harnesses, platforms and electronic release mechanisms, specially designed for air cargo delivery systems.**

**9B990 Vibration test equipment and specially designed components therefor.**

**9B991 “Equipment,” tooling or fixtures specially designed for manufacturing or measuring gas turbine blades, vanes or tip shroud castings, as follows:**

- a. Automated equipment using non-mechanical methods for measuring aerofoil wall thickness;
- b. Tooling, fixtures or measuring equipment for the “laser”, water jet or ECM/EDM hole drilling processes controlled by entry 9E003.c of Annex I of the Dual-Use Regulation;
- c. Ceramic core leaching equipment;
- d. Ceramic core manufacturing equipment or tools;
- e. Ceramic shell wax pattern preparation equipment;
- f. Ceramic shell burn out or firing equipment.

**9D990 “Software”, for the “development” or “production” of equipment controlled by 9A990 or 9B990.**

**9D991 “Software”, for the “development” or “production” of equipment controlled by 9A991 or 9B991.**

**9E990 “Technology”, for the “development” or “production” or “use” of equipment controlled by 9A990 or 9B990.**

**9E991 “Technology”, for the “development”, “production” or “use” of equipment controlled by 9A991 or 9B991.**

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

**9E993 Other “technology”, not described by entry 9E003 of Annex I of the Dual-Use Regulation, as follows:**

- a. Rotor blade tip clearance control systems employing active compensating casing “technology” limited to a design and development data base;
- b. Gas bearing for turbine engine rotor assemblies.]

[<sup>F92</sup>SCHEDULE 2B

Regulation 60B

Consumer communication devices

**Textual Amendments**

**F92** Sch. 2B inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), reg. 1(2), **Sch.** (with reg. 11)

1. In regulation 60B, “consumer communication device” means any of the following, of a type which is generally available to the public—

- (a) computers falling within entries 5A992 and 4A994.b of Schedule 2A ;
- (b) disk drives and solid-state storage equipment falling within entry 5A992 of Schedule 2A;
- (c) input/output control units (other than industrial controllers designed for chemical processing);
- (d) graphics accelerators and graphics coprocessors;
- (e) monitors falling within entry 5A992 of Schedule 2A;
- (f) printers falling within entry 5A992 of Schedule 2A;
- (g) modems falling within entries 5A991.b.2, 5A991.b.4 or 5A992 of Schedule 2A;
- (h) network access controllers and communications channel controllers falling within entry 5A991.b.4 of Schedule 2A;
- (i) keyboards, mice and similar devices specified in entry 5A992 of Schedule 2A;
- (j) mobile phones, including cellular and satellite telephones, personal digital assistants, and subscriber information module (SIM) cards and similar devices falling within entries 5A992 or 5A991 of Schedule 2A;
- (k) memory devices falling within entry 5A992 of Schedule 2A;
- (l) information security equipment, software (except encryption source code) and peripherals falling within entries 5A992 or 5D992 of Schedule 2A;
- (m) digital cameras and memory cards falling within entry 6A993 or 5A992 of Schedule 2A;
- (n) television and radio receivers falling within entry 5A992 of Schedule 2A;
- (o) recording devices falling within entry 5A992 of Schedule 2A;
- (p) batteries, chargers, carrying cases and accessories for the goods falling within paragraphs (a) to (o) above;
- (q) software (except encryption source code) falling within entries 4D994, 5D991 and 5D992 of Schedule 2A, which is for use with equipment described in paragraphs (a) to (p) above.

2. For the purposes of paragraph 1, goods and technology are generally available to the public if they are —

- (a) sold from stock at retail selling points without restriction, by means of—
  - (i) over the counter transactions,
  - (ii) mail order transactions,
  - (iii) electronic transactions, or
  - (iv) telephone order transactions, and
- (b) designed for installation by the user without further substantial support by the supplier.]

## SCHEDULE 3

Regulation 21

### Energy-related goods and infrastructure-related goods

## PART 1

### General

#### Interpretation

1.—(1) For the purposes of this Schedule—

- (a) a thing “falls within” a commodity code if it is, or would be, classified under that commodity code, as set out in the Goods Classification Table;
- (b) a thing “falls within” a chapter if it is, or would be, classified under that chapter, as set out in the Goods Classification Table;
- (c) where a commodity code or chapter is preceded by “ex”, the goods specified in this Schedule constitute only a part of the scope of the commodity code or chapter and must fall within both the description given to that code or chapter in this Schedule and the scope of the code or chapter in the Goods Classification Table.

(2) For the purposes of determining whether or not a thing is, or would be, “classified” in accordance with sub-paragraph (1), the rules of interpretation contained in the following have effect—

- (a) Part Two (Goods Classification Table Rules of Interpretation) of the Tariff of the United Kingdom;
- (b) notes to a section or chapter of the Goods Classification Table.

(3) For the purposes of this paragraph—

“commodity code” includes a code denoting a heading or sub-heading;

“the Goods Classification Table” means the table so named in Annex # in Part Three of the Tariff of the United Kingdom;

“the Tariff of the United Kingdom” means the document containing the legal classification and import rate for products being imported into the United Kingdom, entitled “The Tariff of the United Kingdom”, as revised or re-issued from time to time<sup>M56[F93]</sup>, including by any document published under regulations made under section 8(1) of the Taxation (Cross-border Trade) Act 2018 replacing the same in whole or in part].

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

### Textual Amendments

**F93** Words in Sch. 3 para. 1(3) inserted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **10(14)**; [S.I. 2020/1514](#), reg. 4

### Commencement Information

**I120** Sch. 3 para. 1 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### Marginal Citations

**M56** The Tariff of the United Kingdom, Version 1.0, is available electronically from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/785939/Tariff\\_Reference\\_Document\\_13\\_March\\_2019.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/785939/Tariff_Reference_Document_13_March_2019.pdf). A hard copy is available for inspection free of charge at the offices of HMRC at 100 Parliament Street, London, SW1A 2BQ.

## PART 2

### Energy-related goods

#### 2. Any thing falling within the following commodity codes—

7304 11 00  
 7304 19 10  
 7304 19 30  
 7304 19 90  
 7304 22 00  
 7304 23 00  
 7304 29 10  
 7304 29 30  
 7304 29 90  
 7305 11 00  
 7305 12 00  
 7305 19 00  
 7305 20 00  
 7306 11  
 7306 19  
 7306 21 00  
 7306 29 00  
 8207 13 00  
 8207 19 10  
 8413 82 00  
 8413 92 00  
 8430 49 00

8705 20 00

8905 20 00

8905 90 10

**Commencement Information**

**I121** Sch. 3 para. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**3.** Any thing falling—

- (a) within a commodity code mentioned in column 1 of the following table; and
- (b) within the description in column 2 beside that code.

Code	Description
ex 8413 50	Reciprocating positive displacement pumps for liquids, power-driven with a maximum flow-rate greater than 18 m <sup>3</sup> /hour and a maximum outlet pressure greater than 40 bar, specially designed to pump drilling muds and/or cement into oil wells
ex 8413 60	Rotary positive displacement pumps for liquids, power-driven with a maximum flow-rate greater than 18 m <sup>3</sup> /hour and a maximum outlet pressure greater than 40 bar, specially designed to pump drilling muds and/or cement into oil wells
ex 8431 39 00	Parts suitable for use solely or principally with the oil field machinery of heading 8428
ex 8431 43 00	Parts suitable for use solely or principally with the oil field machinery of subheadings 8430 41 or 8430 49
ex 8431 49	Parts suitable for use solely or principally with the oil field machinery of heading 8426, 8429 and 8430

**Commencement Information**

**I122** Sch. 3 para. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**PART 3**

## Infrastructure-related goods

**4.** Any thing falling within the following chapters—

- (a) chapters 25 to 29;
- (b) chapters 72 to 76;
- (c) chapters 78 to 81;

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

- (d) chapter 86;
- (e) chapters 88 and 89; and
- (f) chapter 98.

**Commencement Information**

**I123** Sch. 3 para. 4 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**5.** Any thing falling within the following commodity codes—

- 3824
- 3826 00
- 8207 13 00
- 8207 19 10
- 8401 to 8418
- 8420 to 8432
- 8435 to 8437
- 8439 to 8443
- 8444 00
- 8445
- 8447
- 8448
- 8449 00 00
- 8450
- 8452 to 8468
- 8470 to 8484
- 8486
- 8487
- 8501 to 8505
- 8507
- 8511
- 8514
- 8515
- 8525 to 8548
- 8701
- 8702
- 8704
- 8705
- 8706 00
- 8709
- 8710 00 00



8716  
7106 to 7112  
9013 to 9015  
9025 to 9033

**Commencement Information**

**I124** Sch. 3 para. 5 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

<sup>F94</sup>SCHEDULE 4

Regulations 32 to 38

**Textual Amendments**

**F94** Sch. 4 omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **10(2)** (with reg. 11)

SCHEDULE 5

Regulation 64(2)

Treasury licences: purposes

[<sup>F95</sup>PART A1

Interpretation

**Textual Amendments**

**F95** Sch. 5 Pt. A1 inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **14(a)**

**Interpretation of Schedule 5**

**A1.** In this Schedule—

“consular post” has the same meaning as in the Vienna Convention on Consular Relations done at Vienna on 24 April 1963<sup>F96</sup>, and any reference to the functions of a consular post is to be read in accordance with that Convention;

“diplomatic mission” and any reference to the functions of a diplomatic mission are to be read in accordance with the Vienna Convention on Diplomatic Relations done at Vienna on 18 April 1961<sup>F97</sup>;

“humanitarian assistance activity” includes the work of international and non-governmental organisations carrying out relief activities for the benefit of the civilian population of a country;

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

“medical goods” includes medicines and medical devices;

“spaceflight activity” has the meaning given in section 1(6) of the Space Industry Act 2018.]

#### Textual Amendments

**F96** United Nations Treaty Series, vol. 596, p.261.

**F97** United Nations Treaty Series, vol. 500, p. 95.

## PART 1

Asset-freeze etc.

### Interpretation [<sup>F98</sup> of Part 1]

1. In this Part of this Schedule—

“designated person” has the same meaning as it has in Chapter 1 of Part 3 (<sup>F99</sup>Asset-freeze etc.);

“frozen funds or economic resources” means funds or economic resources frozen by virtue of regulation 11, and any reference to a person's frozen funds or economic resources is to funds or economic resources frozen as a consequence of the designation of that person for the purpose of that regulation.

#### Textual Amendments

**F98** Words in Sch. 5 para. 1 heading inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **14(b)**

**F99** Words in Sch. 5 para. 1 substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **14(e)**

#### Commencement Information

**I125** Sch. 5 para. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. **1(1)**), see reg. 1(2)

### Basic needs

2.—(1) To enable the basic needs of a designated person, or (in the case of an individual) any dependent family member of such a person, to be met.

(2) In the case of an individual, in sub-paragraph (1) “basic needs” includes—

- (a) medical needs;
- (b) needs for—
  - (i) food;
  - (ii) [<sup>F100</sup>payment] of insurance premiums;
  - (iii) [<sup>F101</sup>payment] of tax;
  - (iv) rent or mortgage payments;
  - (v) utility payments.

(3) In the case of a person other than an individual, in sub-paragraph (1) “basic needs” includes needs for—

- (a) payment of insurance premiums;
- (b) payment of reasonable fees for the provision of property management services;
- (c) payment of remuneration, allowances or pensions of employees;
- (d) payment of tax;
- (e) rent or mortgage payments;
- (f) utility payments.

(4) In sub-paragraph (1)—

“dependent” means financially dependent;

“family member” includes—

- (a) the wife or husband of the designated person;
- (b) the civil partner of the designated person;
- (c) any parent or other ascendant of the designated person;
- (d) any child or other descendant of the designated person;
- (e) any person who is a brother or sister of the designated person, or a child or other descendant of such a person.

#### Textual Amendments

**F100** Word in Sch. 5 para. 2(2)(b)(ii) substituted (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), 10(15); S.I. 2020/1514, reg. 4

**F101** Word in Sch. 5 para. 2(2)(b)(iii) substituted (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), 10(15); S.I. 2020/1514, reg. 4

#### Commencement Information

**I126** Sch. 5 para. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Legal services

3. To enable the payment of—

- (a) reasonable professional fees for the provision of legal services, or
- (b) reasonable expenses associated with the provision of legal services.

#### Commencement Information

**I127** Sch. 5 para. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Maintenance of frozen funds and economic resources

4. To enable the payment of—

- (a) reasonable fees, or

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

(b) reasonable service charges,  
arising from the routine holding or maintenance of frozen funds or economic resources.

**Commencement Information**

**I128** Sch. 5 para. 4 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**Extraordinary expenses**

5. To enable an extraordinary expense of a designated person to be met.

**Commencement Information**

**I129** Sch. 5 para. 5 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**Pre-existing judicial decisions etc.**

6. To enable, by the use of a designated person's frozen funds or economic resources, the implementation or satisfaction (in whole or in part) of a judicial, administrative or arbitral decision or lien, provided that—

- (a) the funds or economic resources so used are the subject of the decision or lien,
- (b) the decision or lien—
  - (i) was made or established before the date on which the person became a designated person, and
  - (ii) is enforceable in the United Kingdom, and
- (c) the use of the frozen funds or economic resources does not directly or indirectly benefit any other designated person.

**Commencement Information**

**I130** Sch. 5 para. 6 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**Extraordinary situation**

7. To enable anything to be done to deal with an extraordinary situation.

**Commencement Information**

**I131** Sch. 5 para. 7 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

## Prior obligations

8. To enable, by the use of a designated person's frozen funds or economic resources, the satisfaction of an obligation of that person (whether arising under a contract, other agreement or otherwise), provided that—

- (a) the obligation arose before the date on which the person became a designated person, and
- (b) no payments are made to another designated person, whether directly or indirectly.

### Commencement Information

**I132** Sch. 5 para. 8 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

## Consular posts

9.—(1) To enable anything to be done in order that the functions of a consular post in Crimea, or of an international organisation enjoying immunities in accordance with international law, may be carried out.

<sup>F102</sup>(2) .....

### Textual Amendments

**F102** Sch. 5 para. 9(2) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **14(d)**

### Commencement Information

**I133** Sch. 5 para. 9 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

## [<sup>F103</sup>Humanitarian assistance activity

9A. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

### Textual Amendments

**F103** Sch. 5 paras. 9A-9T and related Pt. headings inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **14(e)**

## Medical goods or services

9B.—(1) To enable anything to be done in connection with the provision of medical goods or services for the benefit of the civilian population of a country.

(2) To enable the import, export or use of medical goods.

### Textual Amendments

**F103** Sch. 5 paras. 9A-9T and related Pt. headings inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **14(e)**

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

## Food

**9C.** To enable anything to be done in connection with the production or distribution of food for the benefit of the civilian population of a country.

### Textual Amendments

**F103** Sch. 5 paras. 9A-9T and related Pt. headings inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022](#) (S.I. 2022/194), regs. 1(2), **14(e)**

## Diplomatic missions etc.

**9D.**—(1) To enable anything to be done in order that the functions of a diplomatic mission or consular post in Russia or of an international organisation enjoying immunities in accordance with international law may be carried out.

(2) To enable anything to be done in order that the functions of a diplomatic mission or consular post of Russia in the United Kingdom may be carried out.

### Textual Amendments

**F103** Sch. 5 paras. 9A-9T and related Pt. headings inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022](#) (S.I. 2022/194), regs. 1(2), **14(e)**

## PART 1A

### Loans and credit arrangements

#### Humanitarian assistance activity

**9E.** To enable anything to be done in connection with the performance of any humanitarian assistance activity.

#### Medical goods or services

**9F.**—(1) To enable anything to be done in connection with the provision of medical goods or services for the benefit of the civilian population of a country.

(2) To enable the import, export or use of medical goods.

## Food

**9G.** To enable anything to be done in connection with the production or distribution of food for the benefit of the civilian population of a country.

## Diplomatic missions etc.

**9H.**—(1) To enable anything to be done in order that the functions of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law may be carried out.

(2) To enable anything to be done in order that the functions of a diplomatic mission or consular post of Russia in the United Kingdom may be carried out.

## Space

**9I.** To enable anything to be done in order for a United Kingdom person to undertake spaceflight activity.

## Extraordinary situation

**9J.** To enable anything to be done to deal with an extraordinary situation.

# PART 1B

## Correspondent banking relationships etc.

### Interpretation of Part 1B

**9K.** In this Part, “designated person” has the meaning given in regulation 17A.

### Basic needs

**9L.—**(1) To enable the basic needs of a designated person, or a person owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person, to be met.

(2) In the case of a person other than an individual, in sub-paragraph (1) “basic needs” includes needs for—

- (a) payment of insurance premiums;
- (b) payment of reasonable fees for the provision of property management services;
- (c) payment of reasonable fees for the provision of insolvency services;
- (d) payment of remuneration, allowances or pensions of employees;
- (e) payment of tax;
- (f) rent or mortgage payments;
- (g) utility payments.

### Legal services

**9M.** To enable the payment of—

- (a) reasonable professional fees for the provision of legal services to the designated person or a person owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person, or
- (b) reasonable expenses associated with the provision of legal services to the designated person (or a person owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.

### Financial regulation

**9N.—**(1) To enable anything to be done by, or on behalf of, a relevant financial authority for the purposes of the functions of that authority.

(2) In sub-paragraph (1), “relevant financial authority” means authorities involved in the regulation of financial services in the United Kingdom, including the Financial Conduct Authority, the Prudential Regulation Authority and the Bank of England.

*Status: Point in time view as at 01/03/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

### **Extraordinary situation**

**9O.** To enable anything to be done to deal with an extraordinary situation.

## **PART 1C**

### **Sterling payments**

#### **Humanitarian assistance activity**

**9P.** To enable anything to be done in connection with the performance of any humanitarian assistance activity.

#### **Medical goods or services**

**9Q.**—(1) To enable anything to be done in connection with the provision of medical goods or services for the benefit of the civilian population of a country.

(2) To enable the import, export or use of medical goods.

#### **Food**

**9R.** To enable anything to be done in connection with the production or distribution of food for the benefit of the civilian population of a country.

#### **Diplomatic missions etc.**

**9S.**—(1) To enable anything to be done in order that the functions of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law may be carried out.

(2) To enable anything to be done in order that the functions of a diplomatic mission or consular post of Russia in the United Kingdom may be carried out.

#### **Space**

**9T.** To enable anything to be done in order for a United Kingdom person to undertake spaceflight activity.]

## **[<sup>F104</sup>PART 1D**

### **Foreign exchange reserve and asset management services**

#### **Textual Amendments**

**F104** Sch. 5 Pt. 1D inserted (1.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/205\)](#), regs. 1(2), 7

#### **Humanitarian assistance activity**

**9U.** To enable anything to be done in connection with the performance of any humanitarian assistance activity.



### Financial regulation

**9V.**—(1) To enable anything to be done by, or on behalf of, a relevant financial authority for the purposes of the functions of that authority.

(2) In sub-paragraph (1), “relevant financial authority” means authorities involved in the regulation of financial services in the United Kingdom, including the Financial Conduct Authority, the Prudential Regulation Authority and the Bank of England.

### Financial stability

**9W.** To enable anything to be done by a person, following consultation by that person (or a person acting on their behalf) with the Bank of England, that is necessary or expedient in order to protect or enhance the stability of the financial system of the United Kingdom.

### Safety and soundness of a firm

**9X.** To enable anything to be done by a person, following consultation by that person (or a person acting on their behalf) with the relevant supervising authority or authorities, that is necessary or expedient in order to promote the safety and soundness of a firm which is supervised by the Bank of England, the Prudential Regulation Authority or the Financial Conduct Authority.

### Extraordinary situation

**9Y.** To enable anything to be done to deal with an extraordinary situation.]

## PART 2

### Investment in Crimea

#### Consular posts

**10.**—(1) To enable anything to be done in order that the functions of a consular post in Crimea, or of an international organisation enjoying immunities in accordance with international law, may be carried out.

<sup>F105</sup>(2) .....

#### Textual Amendments

**F105** Sch. 5 para. 10(2) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), 14(f)

#### Commencement Information

**I134** Sch. 5 para. 10 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Medical and educational purposes

**11.** To enable the carrying out of projects exclusively in support of—

- (a) hospitals, or other public health institutions providing medical services, or
- (b) civilian education establishments, located in Crimea.

**Status:** Point in time view as at 01/03/2022.

**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

#### Commencement Information

**I135** Sch. 5 para. 11 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**12.** To enable anything to be done in relation to the provision or maintenance of appliances or equipment for medical use in Crimea.

#### Commencement Information

**I136** Sch. 5 para. 12 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

### Health and the environment

**13.** To enable anything to be done for the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health or safety, infrastructure or the environment.

#### Commencement Information

**I137** Sch. 5 para. 13 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made under the Sanctions and Anti-Money Laundering Act 2018 (c.13) to establish a sanctions regime under that Act in relation to Russia. These Regulations are made for the purpose of encouraging Russia to cease actions destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine. Following the UK's withdrawal from the European Union, these Regulations will replace the EU sanctions regimes in relation to Russia. The EU sanctions regimes are currently implemented via EU Council Decisions and Regulations.

The Regulations confer a power on the Secretary of State to designate persons who are, or have been, involved in destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine. Designated persons may be excluded from the United Kingdom and may be made subject to financial sanctions, including having their funds or economic resources frozen.

These Regulations also impose restrictions on trade in military goods and technology, on certain dual-use and energy-related items, and impose restrictions on supplying infrastructure-related goods and technology to Crimea and on importing goods from Crimea. These Regulations also restrict the provision of services related to the trade in those items. The Regulations also restrict persons from dealing with certain financial instruments, restrict the provision of finance and funds, and restrict investment in relation to Crimea.

The Regulations provide for certain exceptions to this sanctions regime, including in relation to financial sanctions (for example to allow for frozen accounts to be credited with interest or other earnings), trade sanctions and also acts done for the purpose of national security or the prevention of serious crime. The Regulations also confer powers on the Secretary of State and the Treasury to issue licences in respect of activities that would otherwise be prohibited under the financial and trade sanctions imposed. Schedule 5 of these Regulations sets out the purposes pursuant to which the Treasury will issue such licences.

The Regulations make it a criminal offence to contravene, or circumvent, any of the prohibitions in these Regulations and prescribe the mode of trial and penalties that apply to such offences.

The Regulations also confer powers on specified maritime enforcement officers to stop and search ships in international and foreign waters for the purpose of enforcing specified trade sanctions and to seize goods found on board ships which are being, or have been, dealt with in contravention, or deemed contravention, of those prohibitions. The Regulations prescribe powers for the provision and sharing of information to enable the effective implementation and enforcement of the sanctions regime.

The Regulations revoke the relevant EU Regulations relating to the existing EU Russia sanctions regimes, in so far as those Regulations would have had effect in the UK after exit day. The Regulations also revoke existing UK trade and financial sanctions regulations relating to the existing EU Russia sanctions regimes.

**Status:**

Point in time view as at 01/03/2022.

**Changes to legislation:**

There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019.