
STATUTORY INSTRUMENTS

2019 No. 855

The Russia (Sanctions) (EU Exit) Regulations 2019

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 ^{M1};
- “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—

Status: Point in time view as at 08/03/2022.

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) 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) ^{M2},
- (b) Council Regulation (EU) No 692/2014 of 23 June 2014 (concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol) ^{M3}, 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) ^{M4};

“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 ^{M5}, and
- (b) The Ukraine (European Union Financial Sanctions) (No.3) Regulations 2014 ^{M6};

“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

- M1** 1979 c.2. Amendments have been made to this Act and are cited, where relevant, in respect of the applicable regulations.
- M2** OJ L 78, 17.3.2014, p. 6–15.
- M3** OJ L 183 24.6.2014, p. 9.
- M4** OJ L 229, 31.7.2014, p. 1–11.
- M5** [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](#).
- M6** [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),

[^{F1}(d) under Part 6 (Ships),]

[^{F2}(da) by regulation 57L(6) (disclosure of confidential information), 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 [^{F3}or a requirement imposed by a direction under regulation 57J(3) (direction by air traffic control to operator or pilot of Russian aircraft),] 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 [^{F4}that Part,]

(b) by a condition of a Treasury licence or a [^{F5}trade licence, or]

[^{F6}(c) by a direction under regulation 57C (movement of ships).]

(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\(3\)\(d\)](#) substituted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), [regs. 1\(2\)](#), **3(a)(i)**
- F2** [Reg. 3\(3\)\(da\)](#) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), [regs. 1\(2\)](#), **3(a)(ii)**
- F3** Words in [reg. 3\(5\)](#) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), [regs. 1\(2\)](#), **3(b)**
- F4** 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)**
- F5** 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)**
- F6** [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.);

[^{F7}(aa) regulation 17A (correspondent banking relationships etc.);]

(b) regulation 20 [^{F8}(immigration);]

[^{F9}(ba) regulations 57A and 57C to 57E [^{F10}(ships: prohibition on port entry etc.);]]

[^{F11}(bb) regulations 57J and 57M (aircraft).]

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

Textual Amendments

F7 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**

F8 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)**

F9 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)**

F10 Words in reg. 5(1)(ba) substituted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **4(a)**

F11 Reg. 5(1)(bb) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **4(b)**

Commencement Information

I5 Reg. 5 in force at 11.4.2019, see [reg. 1\(3\)\(d\)](#)

Designation criteria

[^{F12}**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—
- (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;

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- (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

F12 [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.
- (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;

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- (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

[^{F13}Asset-freeze etc.]

Textual Amendments

F13 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

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

I9 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

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- (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

I10 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.

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).

^[F14](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.]
- [^{F15}(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 [^{F16}(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).
- (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—

Status: Point in time view as at 08/03/2022.

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) 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

- F14** 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)**
- F15** 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)**
- F16** 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 ^[F17]Part 7 (Exceptions and licences)].

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

(5) In this regulation—

^[F18]“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—
- (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;
- [^{F19}“relevant loan” means a category 1 loan, a category 2 loan, a category 3 loan or a category 4 loan;]
- ^{F20} ...

Textual Amendments

- F17** 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)**
- F18** 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)**
- F19** 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)**
- F20** 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\(1\)](#)), see [reg. 1\(2\)](#)

[^{F21}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

F21 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;
- (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)

[^{F22}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

Status: Point in time view as at 08/03/2022.

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) 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

F22 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)

[^{F23} 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”;

[^{F24}“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.]

Textual Amendments

F23 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**

F24 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 ^{M7}.

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)

Status: Point in time view as at 08/03/2022.

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)

Marginal Citations

- M7** 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—

[^{F25}“aviation and space goods” means—

- (a) any thing specified in Schedule 2C, other than any thing which is aviation and space technology, and
- (b) any tangible storage medium on which aviation and space technology is recorded or from which it can be derived;

“aviation and space technology” means any thing described in Schedule 2C as software or technology;]

“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;

[^{F26}“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^{M8}, 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;

[^{F27}restricted goods” means—

(a) critical-industry goods;

(b) dual-use goods;

(c) military goods;

(d) [^{F28}aviation and space goods;]

“restricted technology” means—

(a) critical-industry technology;

(b) dual-use technology;

(c) military technology;

(d) [^{F29}aviation and space 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;

^{F30} ...

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

(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.

Status: Point in time view as at 08/03/2022.

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 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

- F25** Words in reg. 21 inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **5(a)**
- F26** 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)
- F27** 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)
- F28** Words in reg. 21 inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **5(b)**
- F29** Words in reg. 21 inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **5(c)**
- F30** 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

- M8** [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

[^{F31}Restricted goods, restricted technology] and related activities

Textual Amendments

- F31** 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 [^{F32}restricted goods]

- 22.**—(1) The export of [^{F32}restricted goods] to, or for use in, Russia is prohibited.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

Textual Amendments

- F32** 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 [^{F33}restricted goods]

- 24.**—(1) A person must not—
- (a) directly or indirectly supply or deliver [^{F34}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.
- (4) In this regulation “third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

Status: Point in time view as at 08/03/2022.

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

- F33** 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](#))
- F34** 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 [^{F35}restricted goods] and [^{F36}restricted technology]

- 25.—**(1) A person must not—
- (a) directly or indirectly make [^{F37}restricted goods] or [^{F38}restricted technology] available to a person connected with Russia;
 - (b) directly or indirectly make [^{F39}restricted goods] or [^{F40}restricted technology] available for use in Russia;
 - (c) directly or indirectly acquire military goods or military technology from a person connected with Russia;
 - ^{F41}(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;
 - ^{F42}(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

- F35** 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](#))
- F36** 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](#))
- F37** 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](#))
- F38** 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](#))
- F39** 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](#))

- F40** 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)
- F41** 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
- F42** 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 [^{F43}restricted technology]

- 26.—(1) A person must not—
- (a) transfer [^{F44}restricted technology] to a place in Russia;
 - (b) transfer [^{F45}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

- F43** 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)
- F44** 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)
- F45** 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 08/03/2022.

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 ^{F46}restricted goods] and ^{F47}restricted technology]

27.—(1) A person must not directly or indirectly provide technical assistance relating to ^{F46}restricted goods] or ^{F47}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

F46 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)

F47 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 ^{F46}restricted goods] and ^{F47}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 ^{F46}restricted goods],
- (b) the direct or indirect supply or delivery of ^{F46}restricted goods],
- (c) directly or indirectly making ^{F46}restricted goods] or ^{F47}restricted technology] available to a person,
- (d) the transfer of ^{F47}restricted technology], or
- (e) the direct or indirect provision of technical assistance relating to ^{F46}restricted goods] or ^{F47}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 ^{F46}restricted goods] to, or for use in, Russia;
- (b) the direct or indirect supply or delivery of ^{F46}restricted goods] to a place in Russia;
- (c) directly or indirectly making ^{F46}restricted goods] or ^{F47}restricted technology] available—
 - (i) to a person connected with Russia, or

- (ii) for use in Russia;
 - (d) the transfer of [^{F47}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 [^{F46}restricted goods] or [^{F47}restricted technology]—
 - (i) to a person connected with Russia, or
 - (ii) for use in Russia.
- ^{F48}(4)
- ^{F49}(5)
- (6) Paragraphs (1) to [^{F50}(3)] are subject to Part 7 (Exceptions and licences).
- (7) A person who contravenes a prohibition in any of paragraphs (1) [^{F51}to (3)] commits an offence, but—
- (a) it is a defence for a person charged with an offence of contravening paragraph (1) [^{F52}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 [^{F53}.]
- ^{F54}(c)

Textual Amendments

- F46** 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)
- F47** 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)
- F48** 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
- F49** 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
- F50** 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
- F51** 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
- F52** 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
- F53** 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 08/03/2022.

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)

F54 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 [^{F46}restricted goods] and [^{F47}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 [^{F46}restricted goods] from a third country to a place in Russia;
- (b) directly or indirectly making [^{F46}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 [^{F47}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 [^{F47}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 [^{F46}restricted goods] or [^{F47}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

F46 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)

F47 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)

[^{F55} **Insurance and reinsurance services relating to aviation and space goods and aviation and space technology**

29A.—(1) A person must not directly or indirectly provide insurance or reinsurance services relating to aviation and space goods or aviation and space 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

F55 [Reg. 29A](#) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **6**

Enabling or facilitating military activities

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

- (a) technical assistance,
- (b) armed personnel,

Status: Point in time view as at 08/03/2022.

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)

- (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.

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)

^{F56}CHAPTER 3

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

Textual Amendments

F56 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)^{M9}.

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

M9 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—

Status: Point in time view as at 08/03/2022.

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) 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

Status: Point in time view as at 08/03/2022.

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) 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).

(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.

Status: Point in time view as at 08/03/2022.

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

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—
- (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

143 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;

Status: Point in time view as at 08/03/2022.

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) 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
 - (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.

Status: Point in time view as at 08/03/2022.

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

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

[^{F57}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.

(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

F57 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)

[^{F58}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

F58 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

F58 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,

Status: Point in time view as at 08/03/2022.

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) 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.
- (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

F58 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,
 - [a ship registered in Russia,]

^{F59}(ba)

- (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) [^{F60}Paragraph (7)] 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

- F58** 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
- F59** Reg. 57D(3)(ba) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), 7(a)
- F60** Words in reg. 57D(6) substituted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), 7(b)

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—

Status: Point in time view as at 08/03/2022.

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 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

F58 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

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

F58 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

F58 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

F58 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

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(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.

[^{F61}(2A) For the purposes of regulations 57A to 57H, a ship is not “operated” 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—

- (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

F58 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**

F61 Reg. 57I(2A) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **8**

[^{F62}PART 6A

Aircraft

Textual Amendments

F62 Pt. 6A inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **9**

Movement of aircraft

- 57J.**—(1) A Russian aircraft must not—
- (a) overfly the United Kingdom, or
 - (b) land in the United Kingdom.
- (2) Paragraph (1) is subject to regulation 61B (aircraft: exceptions from prohibitions).
- (3) Air traffic control may direct the operator or pilot in command of a Russian aircraft—
- (a) not to enter the airspace over the United Kingdom, or
 - (b) to leave the airspace over the United Kingdom by a specific route.
- (4) The Secretary of State may direct air traffic control to give a direction under paragraph (3).
- (5) An airport operator may direct the operator or pilot in command of a Russian aircraft—
- (a) not to take off, or not to permit the aircraft to take off, from an airport the operator manages,
 - (b) to take off, or to require the aircraft to take off, from an airport the operator manages, or
 - (c) not to land, or not to permit the aircraft to land, at an airport the operator manages.
- (6) The Secretary of State may direct an airport operator to—
- (a) give a direction under paragraph (5),
 - (b) secure the detention of a Russian aircraft at an airport, or
 - (c) secure the movement of a Russian aircraft to an airport specified in the direction.
- (7) An airport operator giving a direction under paragraph (5)(a) must take such steps as are reasonably practicable to detain the aircraft.
- (8) The Secretary of State may issue directions providing for exceptions to paragraph (1), (3) or (5).
- (9) The Secretary of State may direct the CAA to—
- (a) refuse permission under article 250 of the ANO in respect of a Russian aircraft,
 - (b) refuse permission under article 252 of the ANO in respect of a Russian aircraft,
 - (c) suspend or revoke any permission granted under article 250 of the ANO in respect of a Russian aircraft, or
 - (d) suspend or revoke any permission granted under article 252 of the ANO in respect of a Russian aircraft.
- (10) In this regulation “Russian aircraft” means an aircraft—
- (a) owned, chartered or operated by—
 - (i) a designated person, or
 - (ii) a person connected with Russia, or
 - (b) registered in Russia.
- (11) In paragraph (10), a “designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of either this regulation or regulation 57M (registration of an aircraft in the United Kingdom).

Directions under regulation 57J

- 57K.**—(1) Paragraphs (2) to (4) apply in relation to a direction given under regulation 57J (movement of aircraft).
- (2) A person to whom a direction is given has a duty to comply with it.

Status: Point in time view as at 08/03/2022.

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) 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 57J(6) may be given to any airport operator or to airport operators generally.
- (6) Any directions made by the Secretary of State under regulation 57J may make different provision for different purposes.
- (7) Any directions in regulation 57J(3) to (9) are subject to the exceptions in regulation 61B (aircraft: exceptions from prohibitions).

Directions under regulation 57J: supplementary

57L.—(1) Where a direction is given under regulation 57J(9)(c) or (d) (movement of aircraft: direction to CAA)—

- (a) to the extent that the direction conflicts with the requirements of article 255 of the ANO (revocation etc. of permissions), those requirements are to be disregarded, and
- (b) article 255(4) of the ANO does not apply in relation to the revocation which is the subject of the direction.

(2) Where a direction is given under regulation 57J which conflicts with a permission under article 250 or 252 of the ANO, the permission is to be disregarded.

(3) In so far as a direction under regulation 57J conflicts with the requirements of section 93 of the Transport Act 2000 or an order under section 94 of that Act, the direction is to be disregarded.

(4) In so far as a direction under regulation 57J conflicts with the requirements of an enactment other than section 93 of the Transport Act 2000 or an order under section 94 of that Act, those requirements are to be disregarded.

(5) The Secretary of State may notify a person that the existence of, or any part of the content of, a direction under regulation 57J, or anything done under the direction, is to be treated as confidential.

(6) A person must not disclose any information if the Secretary of State notifies that person under paragraph (5) that the information is to be treated as confidential.

Registration of an aircraft in the United Kingdom

57M.—(1) The CAA must refuse to register an aircraft if, on the basis of the information given to the CAA by the applicant, the Secretary of State or a third person, the aircraft appears to be a relevant aircraft.

(2) The Secretary of State may direct the CAA to terminate the registration of a relevant aircraft.

(3) In so far as a direction under paragraph (2) conflicts with the provisions of Part 3 (Registration and marking) of the ANO, those provisions are to be disregarded.

(4) For the purposes of this regulation “relevant aircraft” means—

- (a) an aircraft owned or operated by a designated person, or
- (b) an aircraft chartered by demise by a designated person.

(5) Any reference in this regulation to registering an aircraft is a reference to registering an aircraft in the register kept by the CAA.

(6) In paragraph (4), a “designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of either this regulation or regulation 57J (movement of aircraft).

Offences

57N.—(1) If a prohibition in regulation 57J(1) (movement of aircraft) is contravened by the flight or landing of a Russian aircraft, the operator and pilot in command of the aircraft commit an offence.

(2) It is an offence for an airport operator to fail, without reasonable excuse, to comply with a direction given by the Secretary of State under regulation 57J(6).

(3) It is an offence for a person to whom a direction is given under regulation 57J(3) (direction by air traffic control to operator or pilot of Russian aircraft) to fail to comply with the direction.

(4) It is an offence for a person to whom a direction is given under regulation 57J(5) (direction by airport operator to operator or pilot of Russian aircraft) to fail to comply with the direction.

(5) A person who contravenes the prohibition in regulation 57L(6) (disclosure of direction) commits an offence.

Interpretation of Part 6A

57O.—(1) In this Part—

“air traffic control” means a person who holds a licence under section 5 of the Transport Act 2000;

“the ANO” means the Air Navigation Order 2016;

“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;

“Russian aircraft” means an aircraft—

- (a) owned, chartered or operated by—
 - (i) a designated person, or
 - (ii) a person connected with Russia, or
- (b) registered in Russia;

(2) For the purposes of this Part an aircraft is “owned” by a person if—

- (a) the legal title to the aircraft, or to any share in the aircraft, is vested in the person, or
- (b) the person has a beneficial interest in the aircraft or in any share in the aircraft,

and the reference to a legal title or other interest includes one held jointly with any other person or persons.

(3) 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.

(4) Any expression used in this Part and in section 6 of the Act (aircraft sanctions) has the same meaning in this Part as it has in that section.]

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^{M10},
- (b) account B is with a ring-fenced body within the meaning of section 142A of the Financial Services and Markets Act 2000^{M11}, 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^{M12} (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^{M13}, any relevant order under that section^{M14} and Schedule 2 to that Act^{M15}.

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

- M10** 2000 c.8. Section 142D was inserted by section 4(1) of the [Financial Services \(Banking Reform\) Act 2013 \(c.33\)](#).
- M11** Section 142A was inserted by section 4(1) of the [Financial Services \(Banking Reform\) Act 2013 \(c.33\)](#).
- M12** Part 4A was inserted by the [Financial Services Act 2012 \(c.21\)](#), [section 11\(2\)](#) and amended by [S.I. 2018/135](#).
- M13** 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](#).
- M14** [S.I. 2001/544](#), as amended by [S.I. 2017/500](#).
- M15** 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—

- ^{F63}(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;
- ^{F64}(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—
- ^{F65}(i) were agreed before—
- (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—

- ^{F66}“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;]

^{F67} ...

^{F68}“non-UK country” means a country that is not the United Kingdom;]

Status: Point in time view as at 08/03/2022.

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 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) [^{F69}owned (within the meaning of regulation 16(7)) by a person, other than an individual, that is connected with Russia.]

Textual Amendments

- F63** 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)**
- F64** 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)**
- F65** 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)**
- F66** 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)**
- F67** 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)**
- F68** 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
- F69** 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)

[^{F70}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

- F70** 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)

[^{F71}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^{F72}, 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^{F73};

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

Textual Amendments

- F71** 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)
- F72** United Nations Treaty Series, vol. 596, p.261.
- F73** 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)—

Status: Point in time view as at 08/03/2022.

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) “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

F71 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 [^{F74}or aviation and space 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 [^{F75}or aviation and space goods];
- (b) making [^{F76}critical-industry goods, aviation and space goods, critical-industry technology or aviation and space technology] available;
- (c) the transfer of critical-industry technology [^{F77}or aviation and space technology];
- (d) the provision of technical assistance or financial services;
- (e) the making available of funds;

(f) the provision of any brokering service.

[^{F78}(2A) The prohibitions in regulation 29A (insurance and reinsurance services relating to aviation and space goods and aviation and space technology) are not contravened by the provision of insurance or reinsurance services, to the extent that such services are provided in connection with a qualifying removal.]

(3) In this regulation—

[^{F79}“aviation and space goods” has the meaning given in regulation 21 (interpretation of Part 5); “aviation and space technology” has the meaning given in regulation 21 (interpretation of Part 5);]

“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

- F71** 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)
- F74** Words in [reg. 60C\(1\)](#) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **10(a)**
- F75** Words in [reg. 60C\(2\)\(a\)](#) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **10(b)(i)**
- F76** Words in [reg. 60C\(2\)\(b\)](#) substituted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **10(b)(ii)**
- F77** Words in [reg. 60C\(2\)\(c\)](#) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **10(b)(iii)**
- F78** [Reg. 60C\(2A\)](#) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **10(c)**
- F79** Words in [reg. 60C\(3\)](#) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **10(d)**

Trade: exception for emergencies in certain cases

61.—[^{F80}(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 [^{F81}critical-industry goods, aviation and space goods, critical-industry technology or aviation and space technology;]

Status: Point in time view as at 08/03/2022.

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)

[^{F82}(c) in regulation 29A (insurance and reinsurance services relating to aviation and space goods and aviation and space 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;

[^{F83}“aviation and space goods” has the meaning given in regulation 21 (interpretation of Part 5); “aviation and space technology” has the meaning given in regulation 21 (interpretation of Part 5);]

[^{F84}“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

- F80** 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)
- F81** Words in reg. 61(1A)(b) substituted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **11(a)**
- F82** Reg. 61(1A)(c) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **11(b)**
- F83** Words in reg. 61(2) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **11(c)**
- F84** 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)

[^{F85}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

- F85** [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**

[^{F86}Aircraft: exceptions from prohibitions

61B.—(1) The prohibition in regulation 57J(1)(b) (movement of aircraft) is not contravened by the landing of a Russian aircraft in the United Kingdom if failing to land would endanger the lives of persons on board or the safety of the aircraft.

(2) The prohibition in regulation 57J(1)(a) is not contravened by the flight of a Russian aircraft in the airspace over the United Kingdom preparatory to a landing as mentioned in paragraph (1).

(3) The directions in regulation 57J(3) to (9) are not contravened by conduct necessary to—

- (a) avoid endangering the lives of persons on board or the safety of the aircraft,
- (b) protect the safety of another aircraft, or
- (c) protect the safety of persons on the ground.

(4) The prohibition in regulation 57J(1) is not contravened where the Secretary of State has issued a direction under regulation 57J(7) permitting the Russian aircraft to overfly or land in the United Kingdom.

(5) In this regulation, “Russian aircraft” has the same meaning as in regulation 57J.]

Textual Amendments

F86 Reg. 61B inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), 12

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)

[^{F87}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.) [^{F88}, 16 (securities and money market instruments), 17 (loans and credit arrangements), 17A (correspondent banking relationships etc.)] and [^{F89}, 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

Status: Point in time view as at 08/03/2022.

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) 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

- F87** 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
- F88** 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**
- F89** 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.

(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.) [^{F90}, 16 (securities and money market instruments), 17 (loans and credit arrangements), 17A (correspondent banking relationships etc.)][^{F91}, 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.

[^{F92}(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, ^{F93}...

[^{F94}(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, ^{F95}...]

- (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 [^{F96}, and]

[^{F97}(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

- F90** 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)**
- F91** 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)**
- F92** 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)**
- F93** 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)**
- F94** 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)**
- F95** 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)**
- F96** 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)**
- F97** 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)

Status: Point in time view as at 08/03/2022.

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)

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)

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

I60 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

Status: Point in time view as at 08/03/2022.

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) 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

I61 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)

“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)^{M16}, or

- (ii) a local auditor within the meaning of section 4(1) of the Local Audit and Accountability Act 2014 (general requirements for audit) ^{M17};
- (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) ^{M18};
- (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 ^{M19}, 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;

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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) 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) ^{M20};
- (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

M16 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](#).

M17 2014 c.2.

M18 2005 c.19.

M19 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](#).

M20 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.
- (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 [F98, 16 (securities and money market instruments), 17 (loans and credit arrangements), 17A (correspondent banking relationships etc.)][F99, 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 [F100Chapter 1 of] Part 3.

Textual Amendments

- F98** 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)**
- F99** 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**
- F100** 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)**

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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)

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);
- (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 ^{M21} 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 ^{M22} 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

M21 Section 77A was inserted by the [Finance Act 1987 \(c.16\), section 10](#) and amended by [S.I. 1992/3095](#).

M22 [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;

Status: Point in time view as at 08/03/2022.

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- (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.

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 ^{M23};
 - (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;

Status: Point in time view as at 08/03/2022.

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)

- (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

M23 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 [F1018]: 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^{M24}.

(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)^{M25};

“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

F101 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

M24 [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 \(S.I. 2017/859\)](#).

M25 [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) [^{F102}, Part 6 (Ships) or Part 6A (Aircraft)] 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).

Status: Point in time view as at 08/03/2022.

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) 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 [F103 57B(6) (directions prohibiting port entry: confidentiality), 57C(5) (movement of ships: confidentiality), 57N(5) (aircraft: confidentiality),] 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 [F104 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

F102 Words in reg. 80(1) substituted (8.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/241), regs. 1(2), **13(a)**

F103 Words in reg. 80(4) inserted (8.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/241), regs. 1(2), **13(b)**

F104 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
- (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

172 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)^{M26}.

Commencement Information

173 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

M26 1995 c.46.

Status: Point in time view as at 08/03/2022.

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)

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 ^{M27} and Schedule 3 to the Magistrates' Courts Act 1980 ^{M28};
 - (ii) section 18 of the Criminal Justice Act (Northern Ireland) 1945 ^{M29} and Article 166 of, and Schedule 4 to, the Magistrates' Courts (Northern Ireland) Order 1981 ^{M30}.

(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

M27 [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.

M28 [1980 c.43](#). Amendments have been made to Schedule 3 that are not relevant to these Regulations.

M29 [1945 c.15 \(N.I.\)](#).

M30 [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—

- (a) section 136(3) of the Criminal Procedure (Scotland) Act 1995 (date of commencement of summary proceedings) ^{M31} 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

M31 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 ^{M32}.

(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 ^{M33} (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.

Status: Point in time view as at 08/03/2022.

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) The provisions of CEMA are sections 145, 146, 147, 148(1), 150, 151, 152, 154 and 155^{M34} (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

M32 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\(1\)](#).

M33 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.

M34 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^{M35} 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),^{F105} ... 40(1) or 48 (exports).

(4) Where this paragraph applies, the reference to 7 years in section 68(3)(b) of CEMA^{M36} 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,^{F106} ... 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^{M37} is to be read as a reference to 10 years.

Textual Amendments

F105 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](#))

F106 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

M35 The words “7 years” were inserted in section 50(4)(b) of CEMA by the Finance Act 1988, section 12.

M36 The words “7 years” were inserted in section 68(3)(b) of CEMA by the Finance Act 1988, section 12.

M37 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) ^{M38} 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

M38 [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 ^{M39}.

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

M39 [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,

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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)

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 ^{F107}restricted goods and restricted technology);

^{F108}(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

F107 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](#))

F108 [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;

(b) a member of the Ministry of Defence Police (within the meaning of section 1 of the Ministry of Defence Police Act 1987 ^{M40});

(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 ^{M41}, 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 ^{M42},
 - (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 ^{M43};
 - (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 ^{M44}, or a person appointed to act as a constable under provision made by virtue of section 16 of the Harbours Act 1964 ^{M45};
 - (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) ^{M46};
 - (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 ^{M47} 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

181 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

M40 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](#).

M41 2012 asp.8 (Scottish Act).

M42 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 \(c.13\)](#).

M43 1847 c.27. Section 79 was amended by [S.I. 2006/2167](#).

M44 2013 c.23.

M45 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](#).

M46 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.

M47 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;

Status: Point in time view as at 08/03/2022.

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)

- (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

I82 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).

(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

184 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 [F109 regulation 89(2)(a) to (e)].

Textual Amendments

F109 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

185 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).

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) ^{M48};
- (b) Council Regulation (EU) No 692/2014 of 23 June 2014 (concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol) ^{M49};
- (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) ^{M50}.

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

M48 OJ L 78, 17.3.2014, p. 6–15

M49 OJ L 183 24.6.2014, p. 9

M50 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 ^{M51} 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)

Status: Point in time view as at 08/03/2022.

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)

Marginal Citations

M51 [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 [F110IP completion day], and
- (c) authorises an act which would (on and after [F110IP 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 [F110IP 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 [F110IP 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 [F110IP 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 [F110IP completion day],
- (b) the application is for authorisation of acts which would (on and after [F110IP 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 [F110IP 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

F110 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—

- (a) was in effect immediately before [F111IP 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 [F111IP 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 [F111IP 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 [F111IP completion day], F112 ...
- [F113(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 [F111IP 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 [F111IP 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 [F111IP 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 [F111IP completion day] as a reference to the corresponding prohibition in Part 5 (Trade).

Textual Amendments

- F111** 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
- F112** 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
- F113** 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

Status: Point in time view as at 08/03/2022.

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

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 [F114IP 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 [F114IP completion day].

(2) The application is to be treated on and after [F114IP 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 [F114IP 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 [F114IP completion day].

(4) The application is to be treated on and after [F114IP completion day] as an application for a licence under regulation 65 (trade licences).

Textual Amendments

F114 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 [F115IP completion day], and
- (b) the person is a designated person immediately before [F115IP 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),

(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

F115 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

Status:

Point in time view as at 08/03/2022.

Changes to legislation:

There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019.