
STATUTORY INSTRUMENTS

2022 No. 748

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

PART 9

Transitional provision and consequential amendments

Transitional provision: trade licences

45.—(1) Paragraph (2) applies in relation to a relevant authorisation which—

- (a) was in effect immediately before the relevant date, and
- (b) authorises an act which would (on and after the relevant date, and in the absence of paragraph (2)) be prohibited by Part 5 (Trade) of the 2019 Regulations, 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 at the beginning of the relevant date by the Secretary of State under regulation 33 (trade licences) of the 2019 Regulations—

- (a) disapplying every provision of Part 5 of the 2019 Regulations 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) In this regulation—

“2019 Regulations” means the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019;
“relevant authorisation” means a licence or authorisation granted by the Secretary of State under—

- (a) the Export Control Order 2008,
- (b) the Dual-Use Regulation,
- (c) 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⁽¹⁾ as it has effect by virtue of the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement⁽²⁾, or
- (d) Regulation (EU) 2021/821 of the European Parliament and of the Council of 20 May 2021 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items (recast)⁽³⁾ as it has effect by virtue of the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement;

(1) OJ No. L 134, 29.5.2009, p. 1; relevant amending instruments are OJ No. L 326, 8.12.2011, p. 26, OJ No. L 173, 12.6.2014, and OJ No. L 428, 30.12.2019, p. 1.

(2) A copy of the EU withdrawal agreement may be found online at <https://www.gov.uk/government/publications/new-withdrawal-agreement-and-political-declaration>.

(3) OJ L 206, 11.6.2021.

“relevant date” means the date on which these Regulations come into force.

Amendment of the Merchant Shipping (Registration of Ships) Regulations 1993

46.—(1) Regulation 1 (citation, commencement and interpretation) of the Merchant Shipping (Registration of Ships) Regulations 1993⁽⁴⁾ is amended as follows.

(2) In paragraph (2)—

(a) in the definition of “relevant provisions of the sanctions regulations”—

(i) at the end of paragraph (a), omit “or”;

(ii) at the end of paragraph (b), insert “or”;

(iii) after paragraph (b) insert—

“(c) regulation 29J(1) (registration of ships in the United Kingdom) of the Belarus (Sanctions) (EU Exit) Regulations 2019;”.

(b) in the definition of “termination directions”—

(i) at the end of paragraph (a), omit “or”;

(ii) at the end of paragraph (b), insert “or”;

(iii) after paragraph (b), insert—

“(c) regulation 29J(2) (registration of ships in the United Kingdom) of the Belarus (Sanctions) (EU Exit) Regulations 2019;”.

(4) *S.I. 1993/3138*. Regulation 1 was amended by *S.I. 2022/203* and *S.I. 2022/241*. There are other amendments not relevant to these Regulations.