
STATUTORY INSTRUMENTS

2023 No. 1367

**The Russia (Sanctions) (EU Exit)
(Amendment) (No. 5) Regulations 2023**

Citation and commencement

1.—(1) These Regulations may be cited as the Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2023.

(2) These Regulations come into force on 1st January 2024.

Amendment of the Russia (Sanctions) (EU Exit) Regulations 2019

2. The Russia (Sanctions) (EU Exit) Regulations 2019⁽¹⁾ are amended as set out in regulations 3 to 7.

Insertion of new Chapter 4JB (diamonds and diamond jewellery)

3. After regulation 46Z16I insert—

“CHAPTER 4JB

Diamonds and diamond jewellery

Interpretation

46Z16J. In this Chapter—

“diamonds” means any thing specified in Part 2 of Schedule 3GA;

“diamond jewellery” means any thing specified in Part 3 of Schedule 3GA;

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

Import of diamonds and diamond jewellery

46Z16K.—(1) The import of diamonds and diamond jewellery which are consigned from Russia is prohibited.

(2) The import of diamonds and diamond jewellery which originate in Russia is prohibited.

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

(1) S.I. 2019/855 as amended by S.I. 2020/590 and 951, S.I. 2022/123, 194, 195, 203, 205, 241, 395, 452 and 477 and S.I. 2023/440; 665, 713 and 1364; and by the Sentencing Act 2020 (c. 17).

Acquisition of diamonds and diamond jewellery

46Z16L.—(1) A person must not directly or indirectly acquire diamonds or diamond jewellery which—

- (a) originate in Russia; or
 - (b) are 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 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 originated in 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 were located in Russia.

Supply and delivery of diamonds and diamond jewellery

46Z16M.—(1) A person must not directly or indirectly supply or deliver diamonds or diamond jewellery 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 it is a defence for a person charged with the offence of contravening paragraph (1) 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.

Technical assistance relating to diamonds and diamond jewellery

46Z16N.—(1) A person must not directly or indirectly provide technical assistance relating to—

- (a) the import of diamonds or diamond jewellery which—
 - (i) originate in Russia, or
 - (ii) are consigned from Russia;
 - (b) the direct or indirect acquisition of diamonds or diamond jewellery which—
 - (i) originate in Russia, or
 - (ii) are located in Russia; or
 - (c) the direct or indirect supply or delivery of diamonds or diamond jewellery 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 it is a defence for a person charged with an offence of contravening—
- (a) paragraph (1)(a) to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to an import described in that paragraph;
 - (b) paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to an acquisition described in that paragraph;

- (c) paragraph (1)(c), to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to a supply or delivery described in that paragraph.

Financial services and funds relating to diamonds and diamond jewellery

46Z16O.—(1) 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 diamonds or diamond jewellery which—
 - (i) originate in Russia, or
 - (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of diamonds or diamond jewellery which—
 - (i) originate in Russia, or
 - (ii) are located in Russia; or
- (c) the direct or indirect supply or delivery of diamonds or diamond jewellery 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 it is a defence for a person charged with the offence of contravening that paragraph 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.

Brokering services relating to diamonds and diamond jewellery

46Z16P.—(1) A person must not directly or indirectly provide brokering services in relation to any arrangements described in regulation 46Z16O(1).

(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 the offence of contravening that paragraph 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.”.

Amendment of regulation 60A (trade: exceptions in relation to personal effects etc.)

4.—(1) Regulation 60A is amended as follows.

(2) In paragraph (1D)—

- (a) for “Chapter 4JA” substitute “Chapters 4JA and 4JB”;
- (b) after “gold jewellery” wherever those words occur insert “or diamond jewellery”.

(3) In paragraph (2), insert in the appropriate place—

““diamond jewellery” has the meaning given in regulation 46Z16J (interpretation of Chapter 4JB);”.

Insertion of regulation 60GC (trade: exception in respect of the acquisition of diamonds and diamond jewellery)

5. After regulation 60GB insert—

“Trade: exception in respect of the acquisition of diamonds and diamond jewellery

60GC.—(1) The prohibitions specified in paragraph (2) do not apply in relation to diamonds and diamond jewellery located in the United Kingdom or the Isle of Man having been lawfully imported there.

(2) The prohibitions specified in this paragraph are those in—

- (a) regulation 46Z16L(1) (acquisition of diamonds and diamond jewellery);
- (b) regulation 46Z16N(1)(b) (technical assistance relating to diamonds and diamond jewellery);
- (c) regulation 46Z16O(1)(b) (financial services and funds relating to diamonds and diamond jewellery);
- (d) regulation 46Z16P(1) (brokering services relating to diamonds and diamond jewellery) insofar as it relates to the prohibition at regulation 46Z16O(1)(b).

(3) In this regulation, “diamonds” and “diamond jewellery” have the meanings given in regulation 46Z16J (interpretation of Chapter 4JB).”.

Amendment of regulation 85 (trade enforcement: application of CEMA)

6. In regulation 85(3B), after sub-paragraph (r) insert—

- “(ra) regulation 46Z16L(3) insofar as the acquisition does not relate to the import of diamonds or diamond jewellery;
- (rb) regulation 46Z16M(3);
- (rc) regulation 46Z16N(3) insofar as it relates to the prohibitions at regulation 46Z16N(1)(b) and (c);
- (rd) regulation 46Z16O(3) insofar as it relates to the prohibitions at regulation 46Z16O(1)(b) and (c);
- (re) regulation 46Z16P(3) insofar as the brokering services provided relate to any arrangements described in regulation 46Z16O(1)(b) or (c);”.

Amendment and insertion of Schedules

7.—(1) In Schedule 3DA (Schedule 3DA revenue generating goods), in the table in Part 3, for the respective entries in columns 1 and 2 relating to commodity code 7104 substitute—

<i>“(1) Commodity code</i>	<i>(2) Description</i>
7104 10	Piezoelectric quartz
7104 29	Synthetic or reconstructed precious or semi-precious stones, whether or not worked or graded but not strung, mounted or set; ungraded synthetic or reconstructed precious or semi-precious stones, temporarily strung for convenience of transport; other unworked or simply sawn or roughly shaped
7104 99	Synthetic or reconstructed precious or semi-precious stones, whether or not worked or graded but not strung, mounted or set; ungraded synthetic or reconstructed precious

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>“(1) Commodity code</i>	<i>(2) Description</i>
	or semi-precious stones, temporarily strung for convenience of transport; other”.

(2) After Schedule 3G insert Schedule 3GA (diamonds and diamond jewellery) which is set out in the Schedule to these Regulations.

12th December 2023

Anne-Marie Trevelyan
Minister of State
Foreign, Commonwealth and Development
Office