

*Status: Point in time view as at 30/12/2020.*

*Changes to legislation: There are currently no known outstanding effects for the Sanctions and Anti-Money Laundering Act 2018, PART 2. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

#### TRADE SANCTIONS

#### PART 2

##### FURTHER PROVISION

###### *Further provision*

- 17 Regulations which include provision for a purpose mentioned in Part 1 may describe goods wholly or partly by reference to—
- (a) the uses to which the goods, or any information recorded on or derived from them, may be put,
  - (b) the types of users of the goods, or of any such information,
  - (c) the industries, sectors, infrastructure or projects to which the goods, or any such information, may relate, or
  - (d) the place where the goods originate.

###### **Commencement Information**

**I1** Sch. 1 para. 17 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 18 Regulations which include provision for a purpose mentioned in paragraph 2 or 3 may describe goods wholly or partly by reference to their being of an amount, quantity or value in excess of a prescribed amount, quantity or value.

###### **Commencement Information**

**I2** Sch. 1 para. 18 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 19 Regulations which include provision for a purpose mentioned in Part 1 may describe technology wholly or partly by reference to—
- (a) the uses to which the technology may be put,
  - (b) the industries, sectors, infrastructure or projects to which the technology may relate, or
  - (c) any activities carried on, or proposed to be carried on, to which the technology may relate.

###### **Commencement Information**

**I3** Sch. 1 para. 19 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

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- 20 Regulations which include provision for a purpose mentioned in Part 1 may describe services wholly or partly by reference to—
- (a) the uses to which the services may be put,
  - (b) the industries, sectors, infrastructure or projects to which the services may relate,
  - (c) any goods, technology or land to which the services may relate,
  - (d) any activities carried on, or proposed to be carried on, to which the services may relate (including the export, import, movement, transfer, making available, acquisition, development, manufacture, production, maintenance or use of goods, technology or land), or
  - (e) any other services to which the services in question may relate.

**Commencement Information**

**I4** [Sch. 1 para. 20](#) in force at 22.11.2018 by [S.I. 2018/1213](#), [reg. 2\(e\)](#)

- 21 Regulations which include provision for a purpose mentioned in Part 1 may include provision having the effect that references to specified provisions of orders made under the Export Control Act 2002 are to operate as references to specified provisions of such orders as amended from time to time.

**Commencement Information**

**I5** [Sch. 1 para. 21](#) in force at 22.11.2018 by [S.I. 2018/1213](#), [reg. 2\(e\)](#)

- 22 Regulations which include provision for a purpose mentioned in Part 1 may include provision having the effect that references to a specified Annex of 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) are to operate as references to that Annex as amended from time to time.

**Commencement Information**

**I6** [Sch. 1 para. 22](#) in force at 22.11.2018 by [S.I. 2018/1213](#), [reg. 2\(e\)](#)

- 23 Regulations which include provision for a purpose mentioned in Part 1 may include provision having the effect that references to a technical list of goods or technology (including a list by reference to which any UN obligation operates) are to operate as references to that list as revised or re-issued from time to time.

**Commencement Information**

**I7** [Sch. 1 para. 23](#) in force at 22.11.2018 by [S.I. 2018/1213](#), [reg. 2\(e\)](#)

- 24 Regulations which include provision for a purpose mentioned in paragraph 2 may include provision in relation to the removal from the United Kingdom of vehicles, ships and aircraft (as an export of goods), whether or not they are moving under their own power or carrying goods or passengers.

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**Commencement Information**

**I8** Sch. 1 para. 24 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 25 Regulations which include provision for a purpose mentioned in paragraph 3 may include provision in relation to the taking into the United Kingdom of vehicles, ships and aircraft (as an import of goods), whether or not they are moving under their own power or carrying goods or passengers.

**Commencement Information**

**I9** Sch. 1 para. 25 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 26 (1) This paragraph applies where regulations include provision for a purpose mentioned in paragraph 15 in relation to ships designated by the Security Council or a subsidiary organ of the Security Council for purposes of a UN Security Council Resolution.
- (2) The provision may describe the ships by reference to the instrument in which the ships are designated, including by reference to that instrument as varied or supplemented from time to time.

**Commencement Information**

**I10** Sch. 1 para. 26 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

*Enforcement*

- 27 (1) This paragraph applies in relation to any provision of CEMA which specifies a maximum period of imprisonment with which an offence is punishable on conviction on indictment.
- (2) Regulations under this paragraph may modify any such provision in the case of an offence committed in connection with a prohibition or requirement—
- (a) imposed for a purpose mentioned in Part 1, and
  - (b) specified in the regulations.
- (3) The modification may not have the effect that such an offence is punishable with imprisonment for a period exceeding 10 years.

**Commencement Information**

**I11** Sch. 1 para. 27 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 28 (1) For the purpose of the enforcement of any relevant prohibition or requirement, regulations under this paragraph may modify any provision of CEMA which—
- (a) determines whether any thing is liable to forfeiture under CEMA by virtue of a contravention of the prohibition or requirement,
  - (b) provides for the treatment of any thing which is so liable by virtue of such a contravention, or
  - (c) confers any power exercisable in relation to a ship, aircraft or vehicle.

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- (2) In sub-paragraph (1) a “relevant prohibition or requirement” means a prohibition or requirement—
- (a) imposed for a purpose mentioned in Part 1, and
  - (b) specified in the regulations under this paragraph.

**Commencement Information**

**I12** Sch. 1 para. 28 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

*Restriction*

- 29 Regulations may not contain prohibitions for a purpose mentioned in Part 1 which have the effect of prohibiting any of the following activities—
- (a) the communication of information in the ordinary course of scientific research,
  - (b) the making of information generally available to the public, or
  - (c) the communication of information that is generally available to the public, unless the interference by the regulations in the freedom to carry on the activity in question is necessary (and no more than is necessary).

**Commencement Information**

**I13** Sch. 1 para. 29 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 30 The question whether any such interference is necessary is to be determined by the appropriate Minister making the regulations—
- (a) by reference to the circumstances prevailing at the time the regulations are made, and
  - (b) having considered the purpose of the regulations as stated under section 1(3) and the need to respect the freedom to carry on that activity.

**Commencement Information**

**I14** Sch. 1 para. 30 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

*Interpretation*

- 31 In this Schedule, any reference to goods, technology, land or services being moved, made available, acquired, provided or procured is to their being moved, made available, acquired, provided or procured (as the case may be) directly or indirectly.

**Commencement Information**

**I15** Sch. 1 para. 31 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 32 For the purposes of this Schedule—
- (a) “export” means export from the United Kingdom,

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- (b) goods removed to the Isle of Man from the United Kingdom are not to be regarded as exported, and
- (c) goods transported out of the United Kingdom by aircraft or ship as stores within the meaning of CEMA (see section 1(1) and (4) of that Act) are to be regarded as exported.

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

**C1** Sch. 1 paras. 32-36 applied (30.12.2020) by [The Libya \(Sanctions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1665\)](#), regs. 1(2)(i), **32(3)**

**Commencement Information**

**I16** Sch. 1 para. 32 in force at 22.11.2018 by [S.I. 2018/1213](#), **reg. 2(e)**

- 33 For the purposes of this Schedule—
- (a) “import” means import into the United Kingdom, but
  - (b) goods removed to the United Kingdom from the Isle of Man are not to be regarded as imported.

Sub-paragraph (a) does not apply for the purposes of paragraph 34.

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

**C1** Sch. 1 paras. 32-36 applied (30.12.2020) by [The Libya \(Sanctions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1665\)](#), regs. 1(2)(i), **32(3)**

**Commencement Information**

**I17** Sch. 1 para. 33 in force at 22.11.2018 by [S.I. 2018/1213](#), **reg. 2(e)**

- 34 Paragraph 33(b) does not apply to goods imported into the Isle of Man in contravention of any prohibition or requirement and which are of a description the import of which into the United Kingdom is subject to a corresponding prohibition or requirement imposed by regulations for a purpose mentioned in paragraph 3.

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

**C1** Sch. 1 paras. 32-36 applied (30.12.2020) by [The Libya \(Sanctions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1665\)](#), regs. 1(2)(i), **32(3)**

**Commencement Information**

**I18** Sch. 1 para. 34 in force at 22.11.2018 by [S.I. 2018/1213](#), **reg. 2(e)**

- 35 For the purposes of this Schedule—
- (a) goods, technology or land are “acquired” by a person if the person buys, leases, hires, borrows or accepts as a gift the goods, technology or land (as the case may be), and “acquisition” is to be construed accordingly, and
  - (b) a reference to goods which “originate” in a country includes a reference to goods which are manufactured or produced in that country.

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

**C1** Sch. 1 paras. 32-36 applied (30.12.2020) by [The Libya \(Sanctions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1665\)](#), regs. 1(2)(i), **32(3)**

**Commencement Information**

**I19** Sch. 1 para. 35 in force at 22.11.2018 by [S.I. 2018/1213](#), **reg. 2(e)**

- 36 In paragraph 5 “place” includes—
- (a) any vehicle, ship or aircraft,
  - (b) any installation (including a floating installation or one resting on the seabed or its subsoil or on other land covered with water or its subsoil), or
  - (c) any tent or movable structure.

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

**C1** Sch. 1 paras. 32-36 applied (30.12.2020) by [The Libya \(Sanctions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1665\)](#), regs. 1(2)(i), **32(3)**

**Commencement Information**

**I20** Sch. 1 para. 36 in force at 22.11.2018 by [S.I. 2018/1213](#), **reg. 2(e)**

- 37 In this Schedule—
- “aircraft” includes unmanned aircraft and aircraft capable of spaceflight activities;
  - “CEMA” means the Customs and Excise Management Act 1979;
  - “objects of cultural interest” includes objects of historical or scientific interest;
  - “regulations” means regulations under section 1;
  - “ship” includes every description of vessel (including a hovercraft) used in navigation;
  - “specified ship” has the meaning given by section 14;
  - “technology” means information (including information comprised in software) that is capable of use in connection with—
    - (a) the development, production or use of any goods or software, or
    - (b) the development of, or the carrying out of, an industrial or commercial activity or an activity of any other kind whatsoever;
  - “transfer”, in relation to any technology, means a transfer by any means (or combination of means), including oral communication and the transfer of goods on which the technology is recorded or from which it can be derived, other than the export of such goods.

**Commencement Information**

**I21** Sch. 1 para. 37 in force at 22.11.2018 by [S.I. 2018/1213](#), **reg. 2(e)**

- 38 Nothing in section 3 prevents any reference to services in this Schedule from including financial services.

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**Commencement Information**

**I22** Sch. 1 para. 38 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

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