

2013 No. 877

CRIMINAL LAW

**The Syria (European Union Financial Sanctions) (Amendment)
Regulations 2013**

<i>Made</i>	- - - -	<i>15th April 2013</i>
<i>Laid before Parliament</i>		<i>16th April 2013</i>
<i>Coming into force</i>	- -	<i>7th May 2013</i>

The Treasury are designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to restrictive measures against persons or bodies listed by an international organisation.

The Treasury, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972, make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Syria (European Union Financial Sanctions) (Amendment) Regulations 2013 and come into force on 7th May 2013.

Amendments to the Syria (European Union Financial Sanctions) Regulations 2012

2. The Syria (European Union Financial Sanctions) Regulations 2012(c) are amended as follows.

3. In regulation 3(3), after “8” insert “, 8B”.
4. In regulations 4(2) and 5(3), before “9” insert “8B, ”.
5. After regulation 8, insert the following—

“Syrian Arab Airlines

8B. The prohibitions in regulations 3, 4 and 5 do not apply to any payments made to or for the benefit of Syrian Arab Airlines for the sole purpose of evacuating citizens of the European Union and their family members from Syria.”.

6. For regulation 9(1) substitute—

(a) S.I. 2010/1834.

(b) 1972 c.68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c.51) and the European Union (Amendment) Act 2008 (c.7), Schedule, Part 1.

(c) S.I. 2012/129, as amended by S.I. 2012/639 and S.I. 2012/2524.

“9.—(1) The prohibitions in regulations 4 and 5 are not contravened by a person who credits a frozen account with—

- (a) interest or other earnings due on the account,
- (b) payments due under contracts, agreements or obligations that were concluded or arose before the account became a frozen account, or
- (c) payments due under judicial, administrative or arbitral decisions rendered in a European Union Member State or enforceable in the Member State concerned.”.

7. In regulation 9(3), after “1(b)” insert “, (c)”.

*David Evennett
Stephen Crabb*

15th April 2013

Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Syria (European Union Financial Sanctions) Regulations 2012 (S.I. 2012/129) (“the 2012 Regulations”). The 2012 Regulations make provision relating to the enforcement of Council Regulation (EU) No. 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria (OJ L 16, 19.01.2012, p.1) (“the first Council Regulation”). The measures include the freezing of funds and economic resources of designated persons and prohibitions on funds and economic resources being made available to them or for their benefit.

Council Regulation (EU) No. 325/2013 of 10 April 2013 (OJ L 102, 11.04.2013, p.1) (the “amending Council Regulation”) amends the first Council Regulation by adding an exemption to the asset freezing provisions to permit payments to Syrian Arab Airlines, a designated person, for the sole purpose of evacuating citizens of the European Union and their family members from Syria. The amending Council Regulation also amends an existing exemption to the asset freezing provisions to permit the crediting of funds to frozen accounts when payments are due under judicial, administrative or arbitral decisions rendered in a European Union Member State or enforceable in the Member State concerned. These Regulations amend the 2012 Regulations by making provision for the new exemption and the amendment to the existing exemption.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen. Further information is available from Financial Sanctions, HM Treasury, 1 Horse Guards Road, London SW1A 2HQ and on the HM Treasury website (www.hm-treasury.gov.uk).

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