
STATUTORY INSTRUMENTS

2019 No. 411

The Democratic People's Republic of Korea (Sanctions) (EU Exit) Regulations 2019

PART 3

Specification of ships

Specification of ships

11.—(1) The Secretary of State may specify ships within the meaning of section 7 of the Act for the purposes of—

- (a) regulation 29 (insurance and reinsurance services in relation to ships),
- (b) regulation 60 (ship classification services),
- (c) regulation 61 (ship supply services),
- (d) regulation 72 (directions prohibiting port entry),
- (e) regulation 73 (movement of ships),
- (f) regulation 75 (detention of ships), and
- (g) regulation 77 (registration of ships in the United Kingdom).

(2) The Secretary of State may specify a ship which is a naval, military or air-force ship of any country for the purposes of any regulation mentioned in paragraph (1)(a), (b) or (c).

(3) 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.

(4) 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.

(5) For the purposes of this regulation a ship is “involved in a relevant activity” if—

- (a) the ship carries prohibited goods;
- (b) the ship carries frozen funds or goods;
- (c) the ship is used to transfer any thing to a ship carrying prohibited goods or frozen funds or goods, or is used in contravention of regulation 74 (DPRK ships: transfers of goods);
- (d) funds or goods carried on the ship are made available to a person in contravention of—
 - (i) any provision of Chapter 1 of Part 4 (finance: asset-freeze etc.), or
 - (ii) any provision of the law of a country other than the United Kingdom made for purposes corresponding to a purpose of a provision within that Chapter;

Changes to legislation: *The Democratic People's Republic of Korea (Sanctions) (EU Exit) Regulations 2019, PART 3 is up to date with all changes known to be in force on or before 27 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (e) a person deals with the ship, or the ship is made available to a person, in contravention of, or where the dealing or making available enables or facilitates the contravention of—
 - (i) any provision of Part 4 (Finance),
 - (ii) any provision of Part 6 (Trade),
 - (iii) the prohibition in regulation 70 (dealing with UN-designated ships subject to asset-freeze), or
 - (iv) any provision of the law of a country other than the United Kingdom made for purposes corresponding to a purpose of a provision within any of paragraphs (i) to (iii);
 - (f) the ship moves at sea in contravention of—
 - (i) a prohibition in regulation 71 (prohibition on port entry),
 - (ii) a direction under regulation 72 (directions prohibiting port entry),
 - (iii) a direction under regulation 73 (movement of ships),
 - (iv) a direction under regulation 75 (detention of ships), or
 - (v) any provision of the law of a country other than the United Kingdom made for purposes corresponding to a purpose of a provision within any of paragraphs (i) to (iv); or
 - (g) the ship is otherwise used for any activity whose object or effect is to contravene or circumvent, or to enable or facilitate the contravention or circumvention of, any relevant DPRK-related provisions, in particular—
 - (i) by carrying any thing,
 - (ii) by transporting any individual, or
 - (iii) as the place where any thing is done.
- (6) In paragraph (5) “prohibited goods” means goods dealt with in contravention of—
- (a) a prohibition—
 - (i) in any of regulations 35 to 38 (trade sanctions relating to restricted goods),
 - (ii) in any of regulations 43 to 52 (trade sanctions relating to goods other than restricted goods), or
 - (iii) imposed by a condition of a trade licence in relation to a prohibition mentioned in paragraph (i) or (ii);
 - (b) any provision of the law of a country other than the United Kingdom made for purposes corresponding to a purpose of a prohibition within sub-paragraph (a).
- (7) In paragraph (5) “frozen funds or goods” means funds or goods whose carriage on the ship amounts to a contravention of, or enables or facilitates a contravention of—
- (a) the prohibition in regulation 13 (asset-freeze);
 - (b) any provision of the law of a country other than the United Kingdom made for purposes corresponding to a purpose of that regulation.
- (8) The reference in paragraph (5)(e) to a person who “deals” with a ship is to be construed in accordance with regulation 70.
- (9) In paragraph (5) a “relevant DPRK-related provision” means—
- (a) any provision of Part 4 or Parts 6 to 8;
 - (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 4 or Parts 6 to 8;

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- (c) any provision of resolution 1718, 1874, 2087, 2094, 2270, 2321, 2356, 2371, 2375 or 2397.

Commencement Information

- I1** Reg. 11 not in force at made date, see [reg. 1\(2\)](#)
I2 [Reg. 11](#) in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 7\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Notification and publicity where specification power used

- 12.**—(1) Paragraph (2) applies where the Secretary of State—
- (a) has specified a ship under regulation 11(1) or (2), 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.

Commencement Information

- I3** Reg. 12 not in force at made date, see [reg. 1\(2\)](#)
I4 [Reg. 12](#) in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 7\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Pt. 4A inserted by S.I. 2024/644 reg. 2(4)
- reg. 5(1)(aa) inserted by S.I. 2024/644 reg. 2(3)
- reg. 89A inserted by S.I. 2024/644 reg. 2(5)
- reg. 95A inserted by S.I. 2024/644 reg. 2(7)
- reg. 115(3A)-(3D) inserted by S.I. 2024/644 reg. 2(10)(a)
- reg. 115(7) inserted by S.I. 2024/644 reg. 2(10)(b)