
STATUTORY INSTRUMENTS

2019 No. 438

The South Sudan (Sanctions) (EU Exit) Regulations 2019

PART 7

Information and records

Finance: powers to request information

- 41.**—(1) The Treasury may request a designated person to provide information about—
- (a) funds or economic resources owned, held or controlled by or on behalf of the designated person, or
 - (b) any disposal of such funds or economic resources.
- (2) The Treasury may request a designated person to provide such information as the Treasury may reasonably require about expenditure—
- (a) by the designated person, or
 - (b) for the benefit of the designated person.
- (3) For the purposes of paragraph (2), expenditure for the benefit of a designated person includes expenditure on the discharge (or partial discharge) of a financial obligation for which the designated person is wholly or partly responsible.
- (4) The power in paragraph (1) or (2) is exercisable only where the Treasury believe that it is necessary for the purpose of monitoring compliance with or detecting evasion of any provision of Part 3 (Finance).
- (5) The Treasury may request a person acting under a Treasury licence to provide information about—
- (a) funds or economic resources dealt with under the licence, or
 - (b) funds or economic resources made available under the licence.
- (6) The Treasury may request a person to provide information within paragraph (7) if the Treasury believe that the person may be able to provide the information.
- (7) Information within this paragraph is such information as the Treasury may reasonably require for the purpose of—
- (a) establishing for the purposes of any provision of Part 3 (Finance)—
 - (i) the nature and amount or quantity of any funds or economic resources owned, held or controlled by or on behalf of a designated person,
 - (ii) the nature and amount or quantity of any funds or economic resources made available directly or indirectly to, or for the benefit of, a designated person, or
 - (iii) the nature of any financial transactions entered into by a designated person;
 - (b) monitoring compliance with or detecting evasion of—
 - (i) any provision of Part 3,

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- (ii) regulation 39 (finance: reporting obligations), or
- (iii) any condition of a Treasury licence;

(c) detecting or obtaining evidence of the commission of an offence under Part 3 or regulation 36 (finance: licensing offences) or 39 (finance: reporting obligations).

(8) The Treasury may specify the way in which, and the period within which, information is to be provided.

(9) If no such period is specified, the information which has been requested must be provided within a reasonable time.

(10) A request may include a continuing obligation to keep the Treasury informed as circumstances change, or on such regular basis as the Treasury may specify.

(11) Information requested under this regulation may relate to any period of time during which a person is, or was, a designated person.

(12) Information requested by virtue of paragraph (1)(b), (2) or (7)(a)(iii) may relate to any period before a person became a designated person (as well as, or instead of, any subsequent period).

(13) Expressions used in this regulation have the same meaning as they have in Part 3.

Commencement Information

I1 Reg. 41 not in force at made date, see [reg. 1\(2\)](#)

I2 [Reg. 41](#) in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 6\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)

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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. 3A inserted by [S.I. 2024/644 reg. 4\(4\)](#)
- reg. 5(1)(aa) inserted by [S.I. 2024/644 reg. 4\(3\)\(b\)](#)
- reg. 33A inserted by [S.I. 2024/644 reg. 4\(5\)](#)
- reg. 36A inserted by [S.I. 2024/644 reg. 4\(7\)](#)
- reg. 54(3A)-(3D) inserted by [S.I. 2024/644 reg. 4\(10\)](#)