

STATUTORY INSTRUMENTS

2019 No. 438

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

PART 9

Maritime enforcement

Restrictions on exercise of maritime enforcement powers

62.—(1) The authority of the Secretary of State is required before any maritime enforcement power is exercised in reliance on regulation 58 in relation to—

- (a) a British ship in foreign waters, or
- (b) a foreign ship in international waters.

(2) In relation to a British ship in foreign waters other than the sea and other waters within the seaward limits of the territorial sea adjacent to any relevant British possession, the Secretary of State may give authority under paragraph (1) only if the State in whose waters the power would be exercised consents to the exercise of the power.

(3) In relation to a foreign ship in international waters, the Secretary of State may give authority under paragraph (1) only if—

- (a) the home state has requested the assistance of the United Kingdom for a purpose mentioned in regulation 58(2) or (3),
- (b) the home state has authorised the United Kingdom to act for such a purpose, or
- (c) the United Nations Convention on the Law of the Sea 1982 ^{M1} or a UN Security Council Resolution otherwise permits the exercise of the power in relation to the ship.

Commencement Information

- I1** Reg. 62 not in force at made date, see [reg. 1\(2\)](#)
- I2** [Reg. 62](#) in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 6\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Marginal Citations

- M1** Cmnd 8941.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The South Sudan (Sanctions) (EU Exit) Regulations 2019. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

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\(10\)](#)