

---

## STATUTORY INSTRUMENTS

---

# 2019 No. 438

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

### PART 2

#### Designation of persons

##### Notification and publicity where designation power used

8.—(1) Paragraph (2) applies where the Secretary of State—

- (a) has made a designation under regulation 5, or
- (b) has by virtue of section 22 of the Act varied or revoked a designation made under that regulation.

(2) The Secretary of State—

- (a) must without delay take such steps as are reasonably practicable to inform the designated person of the designation, variation or revocation, and
- (b) must take steps to publicise the designation, variation or revocation.

(3) The information given under paragraph (2)(a) where a designation is made must include a statement of reasons.

(4) In this regulation a “statement of reasons”, in relation to a designation, means a brief statement of the matters that the Secretary of State knows, or has reasonable grounds to suspect, in relation to the designated person which have led the Secretary of State to make the designation.

(5) Matters that would otherwise be required by paragraph (4) to be included in a statement of reasons may be excluded from it where the Secretary of State considers that they should be excluded—

- (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.

(6) The steps taken under paragraph (2)(b) must—

- (a) unless one or more of the restricted publicity conditions is met, be steps to publicise generally—
  - (i) the designation, variation or revocation, and
  - (ii) in the case of a designation, the statement of reasons;
- (b) if one or more of those conditions is met, be steps to inform only such persons as the Secretary of State considers appropriate of the designation, variation or revocation and (in the case of a designation) of the contents of the statement of reasons.

(7) The “restricted publicity conditions” are as follows—

- (a) the designation is of a person believed by the Secretary of State to be an individual under the age of 18;

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](https://www.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. (See end of Document for details)

- (b) the Secretary of State considers that disclosure of the designation, variation or revocation should be restricted—
  - (i) in the interests of national security or international relations,
  - (ii) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or
  - (iii) in the interests of justice.
- (8) Paragraph (9) applies if—
  - (a) when a designation is made, one or more of the restricted publicity conditions is met, but
  - (b) at any time when the designation has effect, it becomes the case that none of the restricted publicity conditions is met.
- (9) The Secretary of State must—
  - (a) take such steps as are reasonably practicable to inform the designated person that none of the restricted publicity conditions is now met, and
  - (b) take steps to publicise generally the designation and the statement of reasons relating to it.

**Commencement Information**

- I1** Reg. 8 not in force at made date, see [reg. 1\(2\)](#)
- I2** [Reg. 8](#) in force at 25.3.2019 by [S.I. 2019/627](#), [reg. 6\(1\)\(g\)](#)

**Status:**

Point in time view as at 31/12/2020.

**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.