

STATUTORY INSTRUMENTS

2019 No. 600

**The Republic of Belarus (Sanctions)
(EU Exit) Regulations 2019**

PART 7 U.K.

Information and records

Disclosure of information U.K.

46.—(1) The Secretary of State, the Treasury [^{F1}, OFCOM] or the Commissioners may, in accordance with this regulation, disclose—

- (a) any information obtained under or by virtue of Part 6 (Exceptions and licences), this Part or Part 9 (Maritime enforcement), or
- (b) any information held in connection with—
 - (i) anything done under or by virtue of Part 2 (Designation of persons), Part 3 (Finance), [^{F2}Part 3A (Director disqualification sanctions),] Part 5 (Trade), [^{F3}Part 5A (Aircraft)] [^{F4}or Part 5B (Ships)], or
 - (ii) any exception or licence under Part 6 or anything done in accordance with such an exception or under the authority of such a licence.

(2) Information referred to in paragraph (1) may be disclosed for, or in connection with, any of the following purposes—

- (a) the exercise of functions under these Regulations;
- (b) any purpose stated in regulation 4;
- (c) facilitating, monitoring or ensuring compliance with these Regulations;
- (d) taking any action with a view to instituting, or otherwise for the purposes of, any proceedings in the United Kingdom—
 - (i) for an offence under any provision of these Regulations,
 - (ii) for an offence under CEMA in connection with a prohibition mentioned in [^{F5}regulation 21 (export of goods to, or for use in, Belarus) or 27I (import of goods originating from, or consigned from, Belarus)] [^{F6},]
 - (iii) in relation to a monetary penalty under section 146 of the Policing and Crime Act 2017 (breach of financial sanctions legislation) ^{M1}; [^{F7}or]
- [^{F8}(iv) in relation to a monetary penalty under regulation 56A (OFCEM: power to impose monetary penalties).]
- (e) taking any action with a view to instituting, or otherwise for the purposes of, any proceedings in any of the Channel Islands, the Isle of Man, or any British overseas territory, for an offence—

- (i) under a provision in any such jurisdiction that is similar to a provision of these Regulations, or
 - (ii) in connection with a prohibition in any such jurisdiction that is similar to a prohibition referred to in sub-paragraph (d)(ii);
 - (f) compliance with an international obligation^{M2};
 - (g) facilitating the exercise by an authority outside the United Kingdom or by an international organisation of functions which correspond to functions under these Regulations.
- (3) Information referred to in paragraph (1) may be disclosed to the following persons—
- (a) a police officer;
 - (b) any person holding or acting in any office under or in the service of—
 - (i) the Crown in right of the Government of the United Kingdom,
 - (ii) the Crown in right of the Scottish Government, the Northern Ireland Executive or the Welsh Government,
 - (iii) the States of Jersey, Guernsey or Alderney or the Chief Pleas of Sark,
 - (iv) the Government of the Isle of Man, or
 - (v) the Government of any British overseas territory;
 - (c) any law officer of the Crown for Jersey, Guernsey or the Isle of Man;
 - (d) the Scottish Legal Aid Board;
 - (e) the Financial Conduct Authority, the Prudential Regulation Authority, the Bank of England, the Jersey Financial Services Commission, the Guernsey Financial Services Commission or the Isle of Man Financial Services Authority;
 - (f) any other regulatory body (whether or not in the United Kingdom);
 - (g) any organ of the United Nations;
 - (h) the Council of the European Union, the European Commission or the European External Action Service;
 - (i) the Government of any country;
 - (j) any other person where the Secretary of State, the Treasury or the Commissioners (as the case may be) considers that it is appropriate to disclose the information.
- (4) Information referred to in paragraph (1) may be disclosed to any person with the consent of a person who, in their own right, is entitled to the information.
- (5) In paragraph (4) “in their own right” means not merely in the capacity as a servant or agent of another person.
- (6) In paragraph (1)(b)—
- (a) the reference to information includes information obtained at a time when any provision of these Regulations is not in force, and
 - (b) the reference to a licence under Part 6 includes—
 - (i) a licence or authorisation which is treated as if it were a licence which had been issued under that Part, and
 - (ii) a licence which is deemed to have been issued under that Part.]

Textual Amendments

- F1** Word in reg. 46(1) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **17(a)**
- F2** Words in reg. 46(1)(b)(i) inserted (16.5.2024) by The Sanctions (EU Exit) (Miscellaneous Amendments and Revocations) Regulations 2024 (S.I. 2024/643), regs. 1(2), **4(16)**
- F3** Words in reg. 46(1)(b)(i) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **29(a)**
- F4** Words in reg. 46(1)(b)(i) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **39(c)(i)**
- F5** Words in reg. 46(2)(d)(ii) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **39(c)(ii)**
- F6** Reg. 46(2)(d)(ii): comma substituted for full stop (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **17(b)(i)**
- F7** Word in reg. 46(2)(d)(iii) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **17(b)(ii)**
- F8** Reg. 46(2)(d)(iv) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **17(b)(iii)**

Commencement Information

- I1** Reg. 46 not in force at made date, see reg. 1(2)
- I2** Reg. 46 in force at 31.12.2020 by S.I. 2019/627, **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Marginal Citations

- M1** 2017 c.3.
- M2** Section 1(8) of the Sanctions and Anti-Money Laundering Act 2018 defines an “international obligation” as an obligation of the United Kingdom created or arising by or under any international agreement.

Changes to legislation:

There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019, Section 46.