
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Sanctions and Anti-Money Laundering Act 2018 (c.13) to establish a sanctions regime in relation to Syria for the purpose of encouraging the Syrian regime to refrain from actions, policies or activities which repress the civilian population in Syria and to participate in negotiations in good faith to reach a negotiated political settlement to bring about a peaceful solution to the conflict in Syria. Following the UK's withdrawal from the European Union, these Regulations replace the EU sanctions regime concerning restrictive measures in view of the situation in Syria, implemented via an EU Council Decision and Regulation.

The Regulations confer a power on the Secretary of State to designate persons who are, or have been, involved in repressing the civilian population in Syria or those persons who support or have benefitted from the Syrian regime. This will include persons who are, or have been, Ministers or high-ranking officials in the Syrian armed forces, prominent businesspersons in Syria and other persons involved in chemical weapons-related activities. Designated persons may be excluded from the United Kingdom and may be made subject to financial sanctions, including having their funds and/or economic resources frozen. These Regulations also impose trade restrictions on specified goods and technology (as specified in Schedule 2 to these Regulations), including goods and technology relating to chemical and biological weapons (as specified in Schedule 3 to these Regulations), which may be used for interception and monitoring services in Syria (as specified in Schedule 4 to these Regulations) and those which may be used to repress the civilian population of Syria (as specified in Schedule 5 to these Regulations). A further trade sanction that is imposed by these Regulations is to prohibit the provision of interception and monitoring services to, or for the benefit of, the Government of Syria. The Regulations also prohibit aircraft from accessing UK airports, by preventing them from landing in the UK.

The Regulations provide for certain exceptions to this sanctions regime, in particular in relation to financial sanctions (for example to allow for frozen accounts to be credited with interest or other earnings) and also acts done for the purpose of national security or the prevention of serious crime. The Regulations also confer powers on the Secretary of State and the Treasury to issue licences in respect of activities that would otherwise be prohibited under the financial, trade and aircraft provisions. Schedule 6 to these Regulations sets out the purposes pursuant to which the Treasury will issue such licences.

The Regulations make it a criminal offence to contravene, or circumvent, any of the prohibitions in these Regulations and prescribe the mode of trial and penalties that apply to such offences. The Regulations also confer powers on specified maritime enforcement officers to stop and search ships in international and foreign waters for the purpose of enforcing specified trade sanctions and to seize goods found on board ships which are being, or have been, dealt with in contravention, or deemed contravention, of those prohibitions. The Regulations prescribe powers for the provision and sharing of information to enable the effective implementation and enforcement of the sanctions regime.

Council Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria is revoked by these Regulations. The Syria (European Union Financial Sanctions) Regulations 2012 (S.I. 2012/129) and certain provisions of the Export Control (Syria Sanctions) Order 2013 (S.I. 2013/2012) are also revoked by these Regulations.

A copy of the Harmonized Commodity Description and Coding System under the International Convention on the Harmonized System as done in Brussels on 14 June 1983 may be inspected free of charge by arrangement with HM Revenue and Customs at 100 Parliament Street, London SW1A 2BQ and is available at:

Changes to legislation: *There are currently no known outstanding effects for the The Syria (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

<http://www.wcoomd.org/en/topics/nomenclature/instrument-and-tools/hs-nomenclature-2017-edition/hs-nomenclature-2017-edition.aspx>.

An Impact Assessment has not been produced for these Regulations, as the instrument is intended to ensure existing sanctions remain in place following the United Kingdom's withdrawal from the European Union. An impact assessment was, however, produced for the Sanctions and Anti-Money Laundering Act 2018 and can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/653271/Sanctions_and_Anti-Money_Laundering_Bill_Impact_Assessment_18102017.pdf.

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