

STATUTORY INSTRUMENTS

2019 No. 855

The Russia (Sanctions) (EU Exit) Regulations 2019

PART 5 U.K.

Trade

[^{F1}]^{F2}CHAPTER 4IA U.K.

Maritime transportation of certain oil and oil products

Textual Amendments

- F1** Pt. 5 Chs. 4H-4K inserted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), 12
- F2** Pt. 5 Ch. 4IA inserted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), 4

Interpretation U.K.

46Z9A.—(1) In this Chapter—

“2709 oil and oil products” means those oil and oil products—

- (a) falling within commodity code 2709; and
- (b) which originate in or are consigned from Russia;

“2710 oil and oil products” means those oil and oil products—

- (a) falling within commodity code 2710; and
- (b) which originate in or are consigned from Russia;

“first relevant day” means 5th December 2022;

“second relevant day” means 5th February 2023;

“ship” includes every description of vessel (including a hovercraft) used in navigation, except the naval, military or air-force ships of any country;

“third country” means any country other than the United Kingdom, the Isle of Man or Russia.

(2) Paragraph 1 of Schedule 3 applies for determining whether oil and oil products fall within the commodity codes specified in paragraph (1).

Maritime transportation of certain oil and oil products to and between third countries U.K.

46Z9B.—(1) A person must not directly or indirectly, on or after the first relevant day, supply or deliver by ship, 2709 oil and oil products—

- (a) from a place in Russia to a third country; or

- (b) from one third country to another third country.
- (2) A person must not directly or indirectly, on or after the second relevant day, supply or deliver by ship, 2710 oil and oil products—
 - (a) from a place in Russia to a third country; or
 - (b) from one third country to another third country.
- (3) For the purposes of paragraphs (1) and (2), “supply or deliver by ship” includes any transfer of the goods concerned between ships on which those goods are being supplied or delivered as specified in those paragraphs.
- (4) For the purposes of paragraphs (1) and (2), a person supplying or delivering the goods concerned by ship includes a person who owns, controls, charters or operates a ship—
 - (a) on which those goods are being carried; or
 - (b) from or to which those goods are being transferred.
- (5) For the purposes of paragraph (4), whether a person—
 - (a) owns a ship is to be determined in accordance with regulation 57I(1)(a);
 - (b) controls a ship is to be determined in accordance with regulation 57I(1)(b);
 - (c) has chartered a ship is to be determined in accordance with regulation 57E(3)(c).
- (6) Regulation 57I(2) does not apply for the purposes of paragraph (5)(b).
- (7) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).
- (8) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with an offence of contravening that prohibition to show that the person did not know and had no reasonable cause to suspect that the supply or delivery related to oil and oil products—
 - (a) which fell within commodity code 2709; or
 - (b) which were consigned from or originated in Russia.
- (9) A person who contravenes a prohibition in paragraph (2) commits an offence, but it is a defence for a person charged with an offence of contravening that prohibition to show that the person did not know and had no reasonable cause to suspect that the supply or delivery related to oil and oil products—
 - (a) which fell within commodity code 2710; or
 - (b) which were consigned from or originated in Russia.

Financial services and funds relating to maritime transportation of certain oil and oil products **U.K.**

- 46Z9C.**—(1) A person must not directly or indirectly, on or after the first relevant day, provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is the supply or delivery by ship of 2709 oil and oil products—
- (a) from a place in Russia to a third country; or
 - (b) from one third country to another third country.
- (2) A person must not directly or indirectly, on or after the second relevant day, provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is the supply or delivery by ship of 2710 oil and oil products—
- (a) from a place in Russia to a third country; or
 - (b) from one third country to another third country.
- (3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

(4) A person who contravenes a prohibition in paragraph (1) commits an offence but it is a defence for a person charged with an offence of contravening that prohibition to show that the person did not know and had no reasonable cause to suspect that the financial services or funds (as the case may be) were provided in pursuance of or in connection with the supply or delivery of oil and oil products—

- (a) which fell within commodity code 2709; or
- (b) which were consigned from or originated in Russia.

(5) A person who contravenes a prohibition in paragraph (2) commits an offence but it is a defence for a person charged with an offence of contravening that prohibition to show that the person did not know and had no reasonable cause to suspect that the financial services or funds (as the case may be) were provided in pursuance of or in connection with the supply or delivery of oil and oil products—

- (a) which fell within commodity code 2710; or
- (b) which were consigned from or originated in Russia.

Brokering services relating to maritime transportation of certain oil and oil products **U.K.**

46Z9D.—(1) A person must not directly or indirectly, on or after the first relevant day, provide brokering services in relation to any arrangements described in regulation 46Z9C(1).

(2) A person must not directly or indirectly, on or after the second relevant day, provide brokering services in relation to any arrangements described in regulation 46Z9C(2).

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

(4) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that the brokering services were provided in relation to an arrangement described in that paragraph.

(5) A person who contravenes a prohibition in paragraph (2) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that the brokering services were provided in relation to an arrangement described in that paragraph.]]

Changes to legislation:

There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, CHAPTER4IA.