
STATUTORY INSTRUMENTS

2019 No. 855

The Russia (Sanctions) (EU Exit) Regulations 2019

PART 8

Information and records

Disclosure of information

78.—(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 7 (Exceptions and licences), this Part or Part 10 (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), Part 6 (Ships) [^{F3}or Part 6A (Aircraft)], or
 - (ii) any exception or licence under Part 7 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) any purpose stated in regulation 4;
- (b) the exercise of functions under these Regulations;
- (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 any prohibition in Part 5 on imports or exports, ^{F4}...
 - (iii) in relation to a monetary penalty under section 146 of the Policing and Crime Act 2017 (breach of financial sanctions legislation) [^{F5},]
- [^{F6}(iv) in relation to a monetary penalty under regulation 88A (OFCOM: power to impose monetary penalties) [^{F7}, or]]
- [^{F8}(v) in relation to a monetary penalty under regulation 88C(1) or (3) (Treasury: 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

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Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, Section 78. (See end of Document for details)

- (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 ^{M1};
 - (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) consider 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 7 includes—
 - (i) a licence or authorisation which has effect or 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. 78(1) inserted (29.4.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/477\)](#), regs. 1(2), **8(a)**
- F2** Words in [reg. 78\(1\)\(b\)\(i\)](#) inserted (16.5.2024) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments and Revocations\) Regulations 2024 \(S.I. 2024/643\)](#), regs. 1(2), **8(9)**

- F3** Words in reg. 78(1)(b)(i) inserted (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), **8**
- F4** Word in reg. 78(2)(d)(ii) omitted (29.4.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/477), regs. 1(2), **8(b)(i)**
- F5** Comma in reg. 78(2)(d)(iii) substituted (5.12.2022) for word and semi-colon by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **11(a)**
- F6** Reg. 78(2)(d)(iv) inserted (29.4.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/477), regs. 1(2), **8(b)(iii)**
- F7** Word in reg. 78(2)(d)(iv) inserted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **11(b)**
- F8** Reg. 78(2)(d)(v) inserted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **11(c)**

Commencement Information

- I1** Reg. 78 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

Marginal Citations

- M1** Section 1(8) of the Act defines an “international obligation” as an obligation of the United Kingdom created or arising by or under any international agreement.

Status:

Point in time view as at 16/05/2024.

Changes to legislation:

There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, Section 78.