
STATUTORY INSTRUMENTS

2020 No. 1502

The Export Control (Amendment) (EU Exit) Regulations 2020

PART 5

**Amendment of the Trade in Torture etc. Goods
(Amendment) (EU Exit) Regulations 2020**

Amendment of the Trade in Torture etc. Goods (Amendment) (EU Exit) Regulations 2020

12. The Trade in Torture etc. Goods (Amendment) (EU Exit) Regulations 2020⁽¹⁾ are amended in accordance with this Part.

Amendment of regulation 1 (citation and commencement)

13. In regulation 1, for “the later of exit day or the day after the day on which they are made” substitute “IP completion day”.

Amendment of regulation 2 (amendment of the torture Regulation)

14. In regulation 2,—

(a) for paragraph (38)(a), substitute—

“(a) for the Introductory Note, in each Annex, substitute—

“The commodity codes in this Annex refer to the codes specified in the Tariff of the United Kingdom⁽²⁾, which is the document containing the legal classification and import rate for products being imported into the United Kingdom and entitled “The Tariff of the United Kingdom”, as revised or reissued from time to time including by any document published under regulations made under section 8(1) of the Taxation (Cross-border Trade) Act 2018⁽³⁾ replacing the same in whole or in part.

If “ex” precedes the code, the goods specified in this Annex constitute only a part of the scope of the commodity code and are determined by both the description given in this Annex and the scope of the code in the Tariff of the United Kingdom.”;”;

(b) in paragraph (42), for subparagraph (f), substitute—

“(f) in box 15 of the form,—

(i) for “Article 9(1)”, substitute “Article 21(1)”; and

(ii) for “setout”, substitute “set out”;; and

(c) in paragraph (43),—

(i) before subparagraph (c), insert—

(1) S.I. 2020/1479.

(2) A copy of the UK Global Tariff along with a tool to check the commodity code applying to particular goods may be found online at <https://www.gov.uk/guidance/uk-tariffs-from-1-january-2021>.

(3) 2018 c. 22.

- “(ba) in box 5 of the form, for “Consingnee” substitute “Consignee”;;
- (ii) in subparagraph (e)(i), for “Article 22(1)” substitute “Article 21(1)”; and
- (iii) in subparagraph (f)(vii)(aa), for “the Customs Tariff (Establishment) (EU Exit) Regulations 2019”, substitute “the Tariff of the United Kingdom”.

Amendment of regulation 3 (transitional provision relating to the torture Regulation)

15.—(1) In the heading to regulation 3, for “(EC) No”, substitute “(EU)”.

(2) In regulation 3,—

(a) in paragraph (1), for “these Regulations came into force”, substitute “IP completion day”; and

(b) in paragraph (2),—

(i) for the definition of “existing authorisation” substitute—

““existing authorisation” means an authorisation granted by the Secretary of State under Article 3, 11, 15, 16, or 19 of the EU Torture Regulation;”;

(ii) in the definition of “EU Torture Regulation”, for “exit day”, substitute “IP completion day”;

(iii) in the definition of “new authorisation”, for the words “retained Torture Regulation, as amended by these Regulations”, substitute “replacement torture Regulation”; and

(iv) for the definition of “retained Torture Regulation”, substitute—

““replacement torture Regulation”, in relation to—

(a) England and Wales and Scotland, means Regulation (EU) 2019/125 of the European Parliament and of the Council of 16 January 2019 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment⁽⁴⁾;

(b) Northern Ireland, means Regulation (EU) 2019/125 of the European Parliament and of the Council of 16 January 2019 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment⁽⁵⁾ as it has effect by virtue of the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement.”.

⁽⁴⁾ EUR 2019/125, as amended by S.I. 2020/1479.

⁽⁵⁾ OJ No. L 30, 31.1.2019, p. 1, amended by OJ No. L 144, 7.5.2020, p. 1.