
STATUTORY INSTRUMENTS

2020 No. 591

**The Sanctions (EU Exit) (Miscellaneous
Amendments) Regulations 2020**

PART 1

Amendments of sanctions regulations

**Amendment of the Democratic People’s Republic of Korea (Sanctions) (EU Exit)
Regulations 2019**

2.—(1) The Democratic People’s Republic of Korea (Sanctions) (EU Exit) Regulations 2019⁽¹⁾ are amended as follows.

(2) In regulation 3(3)(d), for “66(5)” substitute “66(6)”.

(3) In regulation 36—

(a) in paragraph (5)(b), for “Harmonized Commodity Description and Coding System” substitute “Goods Classification Table”;

(b) for paragraph (6) substitute—

“(6) For the purposes of the definition of “arms and related materiel” in paragraph (5)—
“the Goods Classification Table” means the table so named in Annex I in Part Three of the Tariff of the United Kingdom;

“the Tariff of the United Kingdom” means the document containing the legal classification and import rate for products being imported into the United Kingdom, entitled “The Tariff of the United Kingdom”, as revised or re-issued from time to time⁽²⁾, 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.”.

(4) In regulation 38(1)(d), for “originates” substitute “originate”.

(5) In regulation 56(4), for “exit day” substitute “IP completion day⁽⁴⁾”.

(6) In regulation 59(4)(d), for “paragraph (1)(b)” substitute “paragraph (1)(d)”.

(7) In the heading of regulation 61, for “Ship” substitute “Bunkering or ship”.

(8) In regulation 64(1)—

(a) in the definition of “Regulation 2017/1509”, for “exit day” substitute “IP completion day”;

(b) omit the definition of “technology”.

⁽¹⁾ [S.I. 2019/411](#), amended by [S.I. 2019/843](#).

⁽²⁾ The Tariff of the United Kingdom, Version 1.0 is available electronically from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/837199/Tariff_Reference_Document_8th_October.pdf. A hard copy is available for inspection free of charge at the offices of HMRC at 100 Parliament Street, London, SW1A 2BQ.

⁽³⁾ [2018 c. 22](#).

⁽⁴⁾ Schedule 1 to the Interpretation Act [1978 \(c. 30\)](#) provides that “IP completion day” has the same meaning as in the European Union (Withdrawal Agreement) Act [2020 \(c. 1\)](#) (see section 39(1) to (5) of that Act).

- (9) In regulation 71—
- (a) in paragraph (1), after “access to a port” insert “in the United Kingdom”;
 - (b) in paragraph (2), for “any port” substitute “a port in the United Kingdom”.
- (10) In regulation 83—
- (a) in paragraph (2)(c), for “of a licence” substitute “or a licence”;
 - (b) in paragraph (4), for “regulations” substitute “regulation”.
- (11) In regulation 119(2)—
- (a) in sub-paragraph (a), omit the words “, except for the prohibitions in regulation 50(3) (acquisition or transfer of fishing rights)”;
 - (b) in sub-paragraph (b), at the end insert “, except for the prohibitions in regulation 50(3) (acquisition or transfer of fishing rights)”.
- (12) In Schedule 2—
- (a) for paragraph 1(c) substitute—
 - “(c) a reference to a “CAS No” followed by a numerical sequence is a reference to the CAS Registry Numbers (CAS numbers) assigned to chemicals by the Chemical Abstracts Service, a division of the American Chemical Society. In some instances chemicals are listed by name and CAS number. The list applies to chemicals of the same structural formula (including hydrates) regardless of name or CAS number. CAS numbers are shown to assist in identifying a particular chemical or mixture, irrespective of nomenclature. CAS numbers cannot be used as unique identifiers because some forms of the listed chemical have different CAS numbers, and mixtures containing a listed chemical may also have different CAS numbers;”;
 - (b) in paragraph 17, for “Chemical Abstract Number (CAS): [CAS 298-07-7]” substitute “(CAS No 298-07-07)”;
 - (c) in paragraph 18, for “CAS: [7782-41-4]” substitute “(CAS No 7782-41-4)”;
 - (d) in paragraph 30, for “[CAS No 126-73-8]” substitute “(CAS No 126-73-8)”;
 - (e) in paragraph 73—
 - (i) at the end of sub-paragraph (d), for “.” substitute “,”;
 - (ii) omit sub-paragraph (e);
 - (iii) at the end of the paragraph insert “but excluding single mode oscillators.”;
 - (f) in paragraph 78—
 - (i) in sub-paragraph (1)—
 - (aa) omit “),”;
 - (bb) at the end, for “; and” substitute “.”
 - (ii) for sub-paragraph (2) substitute—
 - “(2) Specially designed components for the engines specified in sub-paragraph (1).”
 - (g) in paragraph 81, for “exit day” substitute “IP completion day”.
- (13) In Schedule 3, in paragraphs 1(2)(b)(ii) and (iii), for “payments”, in both places it occurs, substitute “payment”.

Amendment of the Democratic Republic of the Congo (Sanctions) (EU Exit) Regulations 2019

3.—(1) The Democratic Republic of the Congo (Sanctions) (EU Exit) Regulations 2019⁽⁵⁾ are amended as follows.

(2) In regulation 3—

(a) in paragraph (3), for “In paragraphs (1) and (2)” substitute “In this regulation”;

(b) in paragraph (6), for “In paragraphs (4) and (5)” substitute “In this regulation”.

(3) In regulation 5(2), for “the provisions mentioned in each of the sub-paragraphs of” substitute “different provisions mentioned in”.

(4) In regulation 58(2), after sub-paragraph (d)—

(a) for “.” substitute “;”, and

(b) insert—

“(e) a prohibition imposed by a condition of a trade licence in relation to a prohibition mentioned in any of sub-paragraphs (a) to (d).”

(5) In regulation 63(2), for “regulation 58(2)(a) to (d)” substitute “regulation 58(2)(a) to (e)”.

(6) In regulation 69(2), after “existing financial sanctions licence” insert “which authorises an act which would otherwise be prohibited”.

(7) In regulation 70(3), after sub-paragraph (a)—

(a) omit “and”, and

(b) insert—

“(aa) is not an existing trade licence, and”.

(8) In regulation 72(1), for “paragraph (2)” substitute “paragraph (3)”.

(9) In Schedule 2—

(a) in paragraph (1), in the definition of “frozen funds or economic resources”, for “regulation 11” substitute “regulation 12”;

(b) in paragraphs 2(2)(b)(ii) and (iii), for “payments”, in both places it occurs, substitute “payment”;

(c) omit paragraph 7;

(d) after paragraph 10 insert—

“Diplomatic missions

11. To enable anything to be done in order that the functions of a diplomatic mission or consular post in the Democratic Republic of the Congo or of an international organisation enjoying immunities in accordance with international law may be carried out.”

Amendment of the South Sudan (Sanctions) (EU Exit) Regulations 2019

4.—(1) The South Sudan (Sanctions) (EU Exit) Regulations 2019⁽⁶⁾ are amended as follows.

(2) In regulation 3(3), for “In paragraphs (1) and (2)” substitute “In this regulation”.

(3) In regulation 5(2), for “the provisions mentioned in each of the sub-paragraphs of” substitute “different provisions mentioned in”.

(5) [S.I. 2019/433](#).

(6) [S.I. 2019/438](#).

- (4) In regulation 7(4), after “and” omit “,”.
- (5) In regulation 45, for “regulation 33” substitute “regulation 34”.
- (6) In regulation 58(2), after sub-paragraph (d)—
- (a) for “.” substitute “;”, and
 - (b) insert—
 - “(e) a prohibition imposed by a condition of a trade licence in relation to a prohibition mentioned in any of sub-paragraphs (a) to (d).”
- (7) In regulation 63(2), for “regulation 58(2)(a) to (d)” substitute “regulation 58(2)(a) to (e)”.
- (8) In regulation 69(2), after “existing financial sanctions licence” insert “which authorises an act which would otherwise be prohibited”.
- (9) In regulation 70(3), after sub-paragraph (a)—
- (a) omit “and”, and
 - (b) insert—
 - “(aa) is not an existing trade licence, and”.
- (10) In Schedule 2, in paragraphs 2(2)(b)(ii) and (iii), for “payments”, in both places it occurs, substitute “payment”.

Amendment of the Iran (Sanctions) (Nuclear) (EU Exit) Regulations 2019

- 5.—**(1) The Iran (Sanctions) (Nuclear) (EU Exit) Regulations 2019(7) are amended as follows.
- (2) In regulation 3(3), for “In paragraphs (1) and (2)” substitute “In this regulation”.
- (3) In regulation 7(4), after “and” omit “,”.
- (4) In regulation 28—
- (a) in paragraph (4)(b), for “Harmonized Commodity Description and Coding System” substitute “Goods Classification Table”;
 - (b) for paragraph (5) substitute—
 - “(5) For the purposes of the definition of “arms and related materiel” in paragraph (4)—
 - “the Goods Classification Table” means the table so named in Annex I in Part Three of the Tariff of the United Kingdom;
 - “the Tariff of the United Kingdom” means the document containing the legal classification and import rate for products being imported into the United Kingdom, entitled “The Tariff of the United Kingdom”, as revised or re-issued from time to time(8), including by any document published under regulations made under section 8(1) of the Taxation (Cross-border Trade) Act 2018(9) replacing the same in whole or in part.”.
- (5) In regulation 34(1)—
- (a) in the definition of “graphite and relevant metals”, for “exit day” substitute “IP completion day”;
 - (b) in the definition of “other restricted goods”, for “exit day” substitute “IP completion day”;

(7) [S.I. 2019/461](#), amended by [S.I. 2019/843](#).

(8) The Tariff of the United Kingdom, Version 1.0 is available electronically from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/837199/Tariff_Reference_Document_8th_October.pdf. A hard copy is available for inspection free of charge at the offices of HMRC at 100 Parliament Street, London, SW1A 2BQ.

(9) [2018 c. 22](#).

- (c) in the definition of “other restricted technology”, for “exit day” substitute “IP completion day”;
 - (d) omit the definition of “technology”.
 - (6) In regulation 75(2), after “existing financial sanctions licence” insert “which authorises an act which would otherwise be prohibited”.
 - (7) In regulation 76—
 - (a) before paragraph (1) insert—

“(A1) Paragraph (B1) applies in relation to each licence or authorisation granted by the Secretary of State which—

 - (a) was in effect immediately before the relevant date, and
 - (b) authorises an act—
 - (i) which would otherwise be prohibited by any provision of the Export Control Order 2008 except article 20 of that Order (embargoed destinations), or which requires an authorisation under or pursuant to the Dual-Use Regulation, and
 - (ii) which would (on or after the relevant date, and in the absence of paragraph (B1)) be prohibited by Part 5 (Trade),
 - and such a licence or authorisation is referred to in this regulation as an “existing trade licence”.
 - (B1) A licence is deemed to have been issued by the Secretary of State at the beginning of the relevant date under regulation 41 (trade licences)—
 - (a) disapplying every provision of Part 5 which would, in the absence of this paragraph, prohibit any act authorised by the existing trade licence, and
 - (b) otherwise in the same terms as the existing trade licence.”;
 - (b) for paragraph (1) substitute—

“(1) Paragraphs (2) to (4) apply to a licence or authorisation granted by the Secretary of State which—

 - (a) was in effect immediately before the relevant date,
 - (b) is not an existing trade licence, and
 - (c) authorises an act—
 - (i) which would otherwise be prohibited by either—
 - (aa) the EU Iran Regulation, or
 - (bb) the Iran (United Nations Sanctions) Order 2009⁽¹⁰⁾, and
 - (ii) which would (on and after the relevant date, and in the absence of paragraphs (2) to (4)) be prohibited by Part 5 (Trade),
 - and such a licence or authorisation is referred to in this regulation as “an existing trade sanctions licence”.
 - (c) in paragraph (3), after “the Export Control (Iran Sanctions) Order 2016” insert “, the Iran (United Nations Sanctions) Order 2009”.
- (8) In Schedule 2, in paragraphs 1(2)(b)(ii) and (iii), for “payments”, in both places it occurs, substitute “payment”.

⁽¹⁰⁾ S.I. 2009/886, amended by S.I. 2010/2978, 2011/2985, 2016/378, 1119.

Amendment of the ISIL (Da'esh) and Al-Qaida (United Nations Sanctions) (EU Exit) Regulations 2019

6.—(1) The ISIL (Da'esh) and Al-Qaida (United Nations Sanctions) (EU Exit) Regulations 2019⁽¹¹⁾ are amended as follows.

(2) In regulation 3(3), for “In paragraphs (1) and (2)” substitute “In this regulation”.

(3) In regulation 14(3), for ““technology” and “transfer” have the meanings given by paragraph 37 of Schedule 1 to the Act” substitute—

““transfer” has the meaning given by paragraph 37 of Schedule 1 to the Act.”

(4) In regulation 59(2), after “existing financial sanctions licence” insert “which authorises an act which would otherwise be prohibited”.

(5) In Schedule 2, in paragraphs 2(2)(b)(ii) and (iii), for “payments”, in both places it occurs, substitute “payment”.

Amendment of the Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019

7.—(1) The Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019⁽¹²⁾ are amended as follows.

(2) In regulation 7(4), after “and” omit “,”.

(3) In regulation 18(3), for ““technology” and “transfer” have the meanings given by paragraph 37 of Schedule 1 to the Act” substitute—

““transfer” has the meaning given by paragraph 37 of Schedule 1 to the Act.”

⁽¹¹⁾ S.I. 2019/466, amended by S.I. 2019/843.

⁽¹²⁾ S.I. 2019/573, amended by S.I. 2019/843.