
STATUTORY INSTRUMENTS

2020 No. 597

The Cyber (Sanctions) (EU Exit) Regulations 2020

PART 2

Designation of persons

Designation criteria

6.—(1) The Secretary of State may not designate a person under regulation 5 unless the Secretary of State—

- (a) has reasonable grounds to suspect that that person is an involved person, and
- (b) considers that the designation of that person is appropriate, having regard to—
 - (i) the purpose stated in regulation 4, and
 - (ii) the likely significant effects of the designation on that person (as they appear to the Secretary of State to be on the basis of the information that the Secretary of State has).

(2) In this regulation an “involved person” means a person who—

- (a) is or has been involved in relevant cyber activity,
- (b) is owned or controlled directly or indirectly (within the meaning of regulation 7) by a person who is or has been so involved,
- (c) is acting on behalf of or at the direction of a person who is or has been so involved, or
- (d) is a member of, or associated with, a person who is or has been so involved.

(3) Any reference in this regulation to being involved in relevant cyber activity includes being so involved in whatever way and wherever any actions constituting the involvement take place, and in particular includes—

- (a) being responsible for, engaging in, providing support for, or promoting the commission, planning or preparation of relevant cyber activity;
- (b) providing financial services, or making available funds or economic resources, that could contribute to relevant cyber activity;
- (c) providing technical assistance that could contribute to relevant cyber activity;
- (d) being involved in the supply of goods or technology that could contribute to relevant cyber activity, or in providing financial services relating to such supply;
- (e) being involved in any other action, policy, activity or conduct which promotes, enables or facilitates the commission of relevant cyber activity;
- (f) being involved in assisting the contravention or circumvention of any relevant provision.

(4) In this regulation—

“relevant provision” means—

- (a) any provision of Part 3 (Finance);

- (b) any provision of the law of a country other than the United Kingdom made for purposes corresponding to a purpose of any provision of Part 3 (Finance).
- (5) Nothing in any sub-paragraph of paragraph (3) is to be taken to limit the meaning of any of the other sub-paragraphs of that paragraph.