
STATUTORY INSTRUMENTS

2020 No. 610

The Nicaragua (Sanctions) (EU Exit) Regulations 2020

PART 1

General

Citation and commencement

- 1.—(1) These Regulations may be cited as the Nicaragua (Sanctions) (EU Exit) Regulations 2020.
- (2) These Regulations come into force in accordance with regulations made under section 56 of the Act.

Interpretation

2. In these Regulations—

- “the Act” means the Sanctions and Anti-Money Laundering Act 2018;
- “arrangement” includes any agreement, understanding, scheme, transaction or series of transactions, whether or not legally enforceable (but see paragraph 12 of Schedule 1 for the meaning of that term in that Schedule);
- “conduct” includes acts and omissions;
- “document” includes information recorded in any form and, in relation to information recorded otherwise than in legible form, references to its production include producing a copy of the information in legible form;
- “the EU Nicaragua Regulation” means Council Regulation (EU) 2019/1716 of 14 October 2019 concerning restrictive measures in view of the situation in Nicaragua⁽¹⁾, as it has effect in EU law;
- “serious human rights violation or abuse” means a serious violation or abuse of any of the human rights specified in regulation 4(c);
- “Treasury licence” means a licence under regulation 20(1);
- “United Kingdom person” has the same meaning as in section 21 of the Act.

Application of prohibitions and requirements outside the United Kingdom

- 3.—(1) A United Kingdom person may contravene a relevant prohibition by conduct wholly or partly outside the United Kingdom.
- (2) Any person may contravene a relevant prohibition by conduct in the territorial sea.
- (3) In this regulation, a “relevant prohibition” means any prohibition imposed by—
- (a) regulation 9(2) (confidential information),
 - (b) Part 3 (Finance), or

(1) OJ No. L 262, 15.10.2019, p.1.

- (c) a condition of a Treasury licence.
- (4) A United Kingdom person may comply, or fail to comply, with a relevant requirement by conduct wholly or partly outside the United Kingdom.
- (5) Any person may comply, or fail to comply, with a relevant requirement by conduct in the territorial sea.
- (6) In this regulation a “relevant requirement” means any requirement imposed—
 - (a) by or under Part 6 (Information and records), or by reason of a request made under a power conferred by that Part, or
 - (b) by a condition of a Treasury licence.
- (7) Nothing in this regulation is to be taken to prevent a relevant prohibition or a relevant requirement from applying to conduct (by any person) in the United Kingdom.

Purposes

- 4. The purposes of the regulations contained in this instrument that are made under section 1 of the Act are to encourage the Government of Nicaragua to—
 - (a) respect democratic principles and institutions, the separation of powers and the rule of law in Nicaragua;
 - (b) refrain from actions, policies and activities which repress civil society in Nicaragua;
 - (c) comply with international human rights law and to respect human rights, including in particular to—
 - (i) respect the right to life of persons in Nicaragua;
 - (ii) respect the right of persons not to be subjected to torture or cruel, inhuman or degrading treatment or punishment in Nicaragua, including inhuman and degrading conditions in prisons;
 - (iii) respect the right to liberty and security, including refraining from arbitrary arrest and detention of persons in Nicaragua;
 - (iv) afford persons in Nicaragua charged with criminal offences the right to a fair trial;
 - (v) afford journalists, human rights defenders and other persons in Nicaragua the right to freedom of expression, association and peaceful assembly;
 - (vi) secure the human rights of persons in Nicaragua without discrimination, including on the basis of a person’s sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.