

Regulations made by the Secretary of State, laid before Parliament under section 55(3) of the Sanctions and Anti-Money Laundering Act 2018, for approval by resolution of each House of Parliament within sixty days beginning with the first day on which any provision of the Regulations comes into force (as provided for in section 56(5) of that Act), subject to extension for periods of dissolution, prorogation or adjournment for more than four days.

S T A T U T O R Y I N S T R U M E N T S

2020 No. 951

EXITING THE EUROPEAN UNION

SANCTIONS

**The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 4)
Regulations 2020**

Made - - - - *3rd September 2020*

Laid before Parliament *8th September 2020*

Coming into force in accordance with regulation 1(2)

The Secretary of State^(a), in exercise of the powers conferred by sections 1 and 45 of the Sanctions and Anti-Money Laundering Act 2018^(b), considers that the requirements of section 45(2) of the Act are satisfied and, having decided upon consideration of the matters set out in section 56(1) of the Act that it is appropriate to do so, makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Sanctions (EU Exit) (Miscellaneous Amendments) (No. 4) Regulations 2020.

(2) These Regulations come into force in accordance with regulations made by the Secretary of State under section 56 of the Sanctions and Anti-Money Laundering Act 2018.

Amendment of the Iran (Sanctions) (Human Rights) (EU Exit) Regulations 2019

2.—(1) The Iran (Sanctions) (Human Rights) (EU Exit) Regulations 2019^(c) are amended as follows.

(2) After regulation 33, insert—

(a) The power to make regulations under Part 1 of the Sanctions and Anti-Money Laundering Act 2018 (c.13) is conferred on an appropriate Minister. Section 1(9)(a) of the Act defines an “appropriate Minister” as including the Secretary of State.
(b) 2018 c.13.
(c) S.I. 2019/134, amended by S.I. 2020/590.

“Exception for authorised conduct in a relevant country

33A.—(1) Where a person’s conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) or Chapters 2 and 3 of Part 5 (Trade) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(2) In this regulation—

“relevant country” means—

- (a) any of the Channel Islands,
- (b) the Isle of Man, or
- (c) any British overseas territory.”

Amendment of the Venezuela (Sanctions) (EU Exit) Regulations 2019

3.—(1) The Venezuela (Sanctions) (EU Exit) Regulations 2019(a) are amended as follows.

(2) After regulation 33, insert—

“Exception for authorised conduct in a relevant country

33A.—(1) Where a person’s conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) or Chapters 2 to 4 of Part 5 (Trade) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(2) In this regulation—

“relevant country” means—

- (a) any of the Channel Islands,
- (b) the Isle of Man, or
- (c) any British overseas territory.”

Amendment of the Burma (Sanctions) (EU Exit) Regulations 2019

4.—(1) The Burma (Sanctions) (EU Exit) Regulations 2019(b) are amended as follows.

(2) After regulation 33, insert—

“Exception for authorised conduct in a relevant country

33A.—(1) Where a person’s conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) or Chapters 2 to 4 of Part 5 (Trade) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

(a) S.I. 2019/135, amended by S.I. 2020/590.

(b) S.I. 2019/136, amended by S.I. 2020/590.

- (a) under the law of the relevant country, and
 - (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.
- (2) In this regulation—
- “relevant country” means—
- (a) any of the Channel Islands,
 - (b) the Isle of Man, or
 - (c) any British overseas territory.”

Amendment of the Republic of Guinea-Bissau (Sanctions) (EU Exit) Regulations 2019

5.—(1) The Republic of Guinea-Bissau (Sanctions) (EU Exit) Regulations 2019(a) are amended as follows.

- (2) After regulation 18 insert—

“Finance: exception for authorised conduct in a relevant country

18A.—(1) Where a person’s conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

- (2) In this regulation—

“relevant country” means—

- (a) any of the Channel Islands,
- (b) the Isle of Man, or
- (c) any British overseas territory.”

Amendment of the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019

6.—(1) The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019(b) are amended as follows.

- (2) After regulation 30, insert—

“Exception for authorised conduct in a relevant country

30A.—(1) Where a person’s conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) or Chapter 2 of Part 5 (Trade) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

- (2) In this regulation—

(a) S.I. 2019/554, amended by S.I. 2020/590.
 (b) S.I. 2019/600, amended by S.I. 2020/590.

- “relevant country” means—
- (a) any of the Channel Islands,
 - (b) the Isle of Man, or
 - (c) any British overseas territory.”

Amendment of the Zimbabwe (Sanctions) (EU Exit) Regulations 2019

- 7.—(1) The Zimbabwe (Sanctions) (EU Exit) Regulations 2019(a) are amended as follows.
- (2) After regulation 31, insert—

“Exception for authorised conduct in a relevant country

31A.—(1) Where a person’s conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) or Chapters 2 and 3 of Part 5 (Trade) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(2) In this regulation—

- “relevant country” means—
- (a) any of the Channel Islands,
 - (b) the Isle of Man, or
 - (c) any British overseas territory.”

Amendment of the Chemical Weapons (Sanctions) (EU Exit) Regulations 2019

- 8.—(1) The Chemical Weapons (Sanctions) (EU Exit) Regulations 2019(b) are amended as follows.
- (2) After regulation 18 insert—

“Finance: exception for authorised conduct in a relevant country

18A.—(1) Where a person’s conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(2) In this regulation—

- “relevant country” means—
- (a) any of the Channel Islands,
 - (b) the Isle of Man, or
 - (c) any British overseas territory.”

(a) S.I. 2019/604, amended by S.I. 2020/590.
(b) S.I. 2019/618, amended by S.I. 2020/590.

Amendment of the Syria (Sanctions) (EU Exit) Regulations 2019

9.—(1) The Syria (Sanctions) (EU Exit) Regulations 2019^(a) are amended as follows.

(2) After regulation 59, insert—

“Exception for authorised conduct in a relevant country

59A.—(1) Where a person’s conduct in a relevant country would, in the absence of this regulation, contravene a relevant prohibition, the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(2) In this regulation—

“relevant country” means—

- (a) any of the Channel Islands,
- (b) the Isle of Man, or
- (c) any British overseas territory;

“relevant prohibition” means a prohibition in—

- (a) any of regulations 11 to 15 (asset-freeze etc.),
- (b) regulation 16 (UK credit or financial institutions),
- (c) regulation 21 (investments in relation to crude oil and electricity production),
- (d) Chapters 2 to 5 of Part 5 (Trade), or
- (e) regulation 51(1) (movement of aircraft).”

Amendment of the Russia (Sanctions) (EU Exit) Regulations 2019

10.—(1) The Russia (Sanctions) (EU Exit) Regulations 2019^(b) are amended as follows.

(2) After regulation 62, insert—

“Exception for authorised conduct in a relevant country

62A.—(1) Where a person’s conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) and 18 (investments in relation to Crimea) or Chapters 2 to 6 of Part 5 (Trade) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(2) In this regulation—

“relevant country” means—

- (a) any of the Channel Islands,
- (b) the Isle of Man, or
- (c) any British overseas territory.”

(a) S.I. 2019/792, amended by S.I. 2020/590.

(b) S.I. 2019/855, amended by S.I. 2020/590.

Amendment of the Burundi (Sanctions) (EU Exit) Regulations 2019

11.—(1) The Burundi (Sanctions) (EU Exit) Regulations 2019(a) are amended as follows.

(2) After regulation 18 insert—

“Finance: exception for authorised conduct in a relevant country

18A.—(1) Where a person’s conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(2) In this regulation—

“relevant country” means—

- (a) any of the Channel Islands,
- (b) the Isle of Man, or
- (c) any British overseas territory.”

Amendment of the Guinea (Sanctions) (EU Exit) Regulations 2019

12.—(1) The Guinea (Sanctions) (EU Exit) Regulations 2019(b) are amended as follows.

(2) After regulation 18 insert—

“Finance: exception for authorised conduct in a relevant country

18A.—(1) Where a person’s conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(2) In this regulation—

“relevant country” means—

- (a) any of the Channel Islands,
- (b) the Isle of Man, or
- (c) any British overseas territory.”

Amendment of the Cyber (Sanctions) (EU Exit) Regulations 2020

13.—(1) The Cyber (Sanctions) (EU Exit) Regulations 2020(c) are amended as follows.

(2) After regulation 18 insert—

(a) S.I. 2019/1142, amended by S.I. 2020/590.
(b) S.I. 2019/1145, amended by S.I. 2020/590.
(c) S.I. 2020/597

“Finance: exception for authorised conduct in a relevant country

18A.—(1) Where a person’s conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(2) In this regulation—

“relevant country” means—

- (a) any of the Channel Islands,
- (b) the Isle of Man, or
- (c) any British overseas territory.”

Amendment of the Bosnia and Herzegovina (Sanctions) (EU Exit) Regulations 2020

14.—(1) The Bosnia and Herzegovina (Sanctions) (EU Exit) Regulations 2020(a) are amended as follows.

(2) After regulation 18 insert—

“Finance: exception for authorised conduct in a relevant country

18A.—(1) Where a person’s conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(2) In this regulation—

“relevant country” means—

- (a) any of the Channel Islands,
- (b) the Isle of Man, or
- (c) any British overseas territory.”

Amendment of the Nicaragua (Sanctions) (EU Exit) Regulations 2020

15.—(1) The Nicaragua (Sanctions) (EU Exit) Regulations 2020(b) are amended as follows.

(2) After regulation 18 insert—

“Finance: exception for authorised conduct in a relevant country

18A.—(1) Where a person’s conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and

(a) S.I. 2020/608.
(b) S.I. 2020/610.

- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(2) In this regulation—

“relevant country” means—

- (a) any of the Channel Islands,
- (b) the Isle of Man, or
- (c) any British overseas territory.”

Ahmad

Minister of State

Foreign, Commonwealth and Development Office

3rd September 2020

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Sanctions and Anti-Money Laundering Act 2018 (c.13) (“the Sanctions Act”).

The Regulations makes corrections and amendments to a number of sanctions regulations which have been made under section 1 of the Sanctions Act, namely the Iran (Sanctions) (Human Rights) (EU Exit) Regulations 2019 (S.I. 2019/134), the Venezuela (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/135), the Burma (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/136), the Republic of Guinea-Bissau (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/554), the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/600), the Zimbabwe (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/604), the Chemical Weapons (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/618), the Syria (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/792), the Russia (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/855), the Burundi (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/1142), the Guinea (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/1145), the Cyber (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/597); the Bosnia and Herzegovina (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/608) and the Nicaragua (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/610).

The amendments made by this instrument are to introduce a new exception into these regimes to provide that a prohibition or requirement is not contravened if conduct is authorised by a licence or other authorisation issued under the law as it applies in a British Overseas Territory or Crown Dependency

An impact assessment has not been produced for these Regulations, as the instrument is intended to ensure existing sanctions remain in place following the United Kingdom’s withdrawal from the European Union. An impact assessment was, however, produced for the Sanctions and Anti-Money Laundering Act 2018 and can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/653271/Sanctions_and_Anti-Money_Laundering_Bill_Impact_Assessment_18102017.pdf.

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