
STATUTORY INSTRUMENTS

2021 No. 1146

The Republic of Belarus (Sanctions) (EU
Exit) (Amendment) (No. 2) Regulations 2021

PART 8

Amendments to Schedules

Schedule 1

36.—(1) In the heading to Schedule 1 (rules for interpretation of certain regulations), for “regulation 7(2)”, substitute “regulations 7(2) and 15D(3) and (4)”.

(2) In the shoulder note to Schedule 1, for “Regulation 7(3)”, substitute “Regulations 7(3) and 15D(5)”.

(3) In paragraph 1(1) of Schedule 1, for “regulation 7(2)”, substitute “regulations 7(2) and 15D(3) and (4)”.

Interception and monitoring goods and technology; other goods

37. After Schedule 2, insert—

“SCHEDULE 2A

Regulation 19

Interception and monitoring goods and interception and monitoring technology

Interception and monitoring equipment

1. Any goods which can perform any of the following functions (whether individually or as part of a system)—

- (a) deep packet inspection;
- (b) network interception, including associated systems management and data retention functions;
- (c) radio frequency monitoring, including associated processing or examination;
- (d) network and satellite jamming;
- (e) remote infection;
- (f) speaker recognition, including associated processing functions;
- (g) IMSI, MSISDN, IMEI and TMSI interception and monitoring;
- (h) tactical SMS, GSM, GPS, GPRS, UMTS, CDMA, and PSTN interception and monitoring;
- (i) DHCP, SMTP and GTP information interception and monitoring;
- (j) pattern recognition and pattern profiling;

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- (k) remote forensics;
 - (l) semantic processing;
 - (m) WEP and WPA code breaking;
 - (n) interception of VoIP (including proprietary and standard protocols);
 - (p) cryptanalysis.
2. Any software which can perform any of the functions described in paragraph 1(a) to (p) (whether individually or as part of a system).

Other software and other technology

3. Any software or other technology which is specially designed for the development, production or use of any goods or software described in paragraph 1 or 2.

Interpretation

4. For the purposes of this Schedule, the following terms have the meaning given to them in the Dual-Use Regulation—
- “development”;
 - “production”;
 - “software”;
 - “technology”;
 - “use”.

Acronyms and abbreviations used in this Schedule

5. The acronyms and abbreviations used in this Schedule have the following meaning—

| <i>ABBREVIATION/ ACRONYM</i> | <i>MEANING</i> | <i>ADDITIONAL INFORMATION</i> |
|----------------------------------|---|--|
| IMSI | International Subscriber Identity | Mobile This is a unique identification code for each mobile telephony device, integrated in the SIM card and which allows identification of that SIM, via GSM and UMTS networks. |
| MSISDN | Mobile Subscriber Services Digital Network Number | This is a number that uniquely identifies a subscription in a GSM or a UMTS mobile network. It is the telephone number to the SIM card in a mobile phone and therefore identifies a mobile subscriber as well as the IMSI. |
| IMEI | International Equipment Identity | Mobile This is a number, usually unique, to identify GSM, WCDMA and IDEN mobile phones as well as some satellite phones. It is usually |

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| <i>ABBREVIATION/ ACRONYM</i> | <i>MEANING</i> | <i>ADDITIONAL INFORMATION</i> |
|----------------------------------|--|--|
| | | found printed inside the battery compartment of the phone. |
| TMSI | Temporary Mobile Subscriber Identity | |
| SMS | Short Message System | |
| GSM | Global System for Mobile Communications | |
| GPS | Global Positioning System | |
| GPRS | General Packet Radio Service | |
| UMTS | Universal Mobile Telecommunications System | |
| CDMA | Code Division Multiple Access | |
| PSTN | Public Switch Telephone Networks | |
| DHCP | Dynamic Host Configuration Protocol | |
| SMTP | Simple Mail Transfer Protocol | |
| GTP | GPRS Tunnelling Protocol | |
| WEP | Wired Equivalent Privacy | |
| WPA | Wi-Fi Protected Access | |
| VoIP | Voice over Internet Protocol | |
| WDCMA | Wideband Code-division Multiple Access | |
| IDEN | Integrated Digital Enhanced Network | |

SCHEDULE 2B

Regulation 20

Potash, petroleum products and tobacco industry goods

- 1.—(1) For the purposes of this Schedule—
- (a) a thing “falls within” a commodity code if it is, or would be, classified under that commodity code, as set out in the Goods Classification Table;
 - (b) where a commodity code or chapter is preceded by “ex”, the goods specified in this Schedule constitute only a part of the scope of the commodity code or chapter and must fall within both the description given to that code or chapter in this Schedule and the scope of the code or chapter in the Goods Classification Table.

(2) For the purposes of determining whether or not a thing is, or would be, “classified” in accordance with paragraph (1)(a), the rules of interpretation contained in the following have effect—

- (a) Part Two (Goods Classification Table Rules of Interpretation) of the Tariff of the United Kingdom;
- (b) notes to a section or chapter of the Goods Classification Table.

(3) For the purposes of this Schedule—

“commodity code” includes a code denoting a heading or sub-heading;

“the Goods Classification Table” means the table so named in Annex # 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 reissued from time to time⁽¹⁾, including by any document published under regulations made under section 8(1) of the Taxation (Cross-border Trade) Act 2018⁽²⁾ replacing the same in whole or in part.

2. For the purposes of Part 5—

“potash” means any thing which falls within any of the following commodity codes—

- (a) 31042010;
- (b) 31042090;
- (c) 31052010;
- (d) 31052090;
- (e) 31056000;
- (f) ex 31059020 or ex 31059080, provided in each case that it is a fertiliser containing potassium chloride;

“petroleum products” means any thing which falls within any of the following commodity codes—

- (a) 2710;
- (b) 2711;
- (c) 2712;
- (d) 2713;
- (e) 2715.

“tobacco industry goods” means anything which falls within any of the following commodity codes—

- (a) ex 48239085, provided that it is a filter;
- (b) 4813;
- (c) ex 330290, provided that it is a flavour for tobacco;
- (d) 8478.”

(1) The Tariff of the United Kingdom, Version 1.0 dated 8 December 2020 is available electronically from: <https://www.gov.uk/government/publications/reference-document-for-the-customs-tariff-establishment-eu-exit-regulations-2020>. A hard copy is available for inspection free of charge at the offices of HMRC at 100 Parliament Street, London, SW1A 2BQ.

(2) 2018 c. 22.

Treasury licences

38. In Schedule 3 (Treasury licences: purposes)—

- (a) paragraphs 1 to 9 become Part 1 of Schedule 3;
- (b) before paragraph 1, insert—
“PART 1

Asset-freeze etc. ”;

- (c) in paragraph 1—
 - (i) for “Schedule”, substitute “Part”;
 - (ii) omit the definitions of “consular post” and “diplomatic mission”;
- (d) after paragraph 9, insert—

“Humanitarian assistance activity

10. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

PART 2

Loans and credit

Humanitarian assistance activity

11. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

Nuclear safety

12. To enable anything to be done for the purposes of nuclear safety.

Extraordinary situation

13. To enable anything to be done to deal with an extraordinary situation.

Diplomatic missions in the United Kingdom

14. To enable anything to be done in order that the functions of a diplomatic mission or consular post of Belarus in the United Kingdom may be carried out.

PART 3

Insurance and reinsurance

Humanitarian assistance activity

15. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

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Nuclear safety

16. To enable anything to be done for the purposes of nuclear safety.

Extraordinary situation

17. To enable anything to be done to deal with an extraordinary situation.”