

## 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) to establish a sanctions regime in relation to Myanmar for the purposes of: promoting the peace, stability and security of Myanmar; promoting respect for democracy, the rule of law and good governance in Myanmar; discouraging actions, policies or activities which repress the civilian population in Myanmar; and promoting compliance with international human rights law and respect for human rights in Myanmar. The Regulations revoke and replace the existing sanctions regime established by the Burma (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/136) (“the 2019 Regulations”).

Part 2 of the Regulations confers a power on the Secretary of State to designate persons who are, or have been, involved in specified activities for the purposes of financial or immigration sanctions.

Part 3 of the Regulations provides for designated persons to be made subject to financial sanctions, including having their funds and/or economic resources frozen.

Part 4 of the Regulations provides that designated persons are “excluded persons” for the purposes of section 8B of the Immigration Act 1971 (c. 77), meaning generally that they must be refused leave to enter the United Kingdom and leave to remain in the United Kingdom, and any leave that has been granted is invalid.

Part 5 of the Regulations imposes trade restrictions on military goods and technology, on dual-use goods and technology, and on specified goods and technology which may be used to repress the civilian population of Myanmar (as specified in Schedule 2) or for intercepting or monitoring their communications (as specified in Schedule 3). It also imposes further trade restrictions in respect of the provision of interception and monitoring services to, or for the benefit of, the Government of Myanmar, or the provision of certain services, funds or armed personnel to, or for the benefit of, the Tatmadaw (i.e. the Myanmar Armed Forces).

Part 6 of the Regulations provides for certain exceptions to this sanctions regime, in particular in relation to financial sanctions (for example to allow for frozen accounts to be credited with interest or other earnings) and also acts done for the purpose of national security or the prevention of serious crime. The Regulations also confer powers on the Secretary of State and the Treasury to issue licences in respect of activities that would otherwise be prohibited under the financial and trade sanctions, and for the Secretary of State to issue directions in relation to a person subject to immigration sanctions. Schedule 4 to the Regulations sets out the purposes for which the Treasury may issue such licences authorising acts by a particular person.

Part 7 of the Regulations confers powers for obtaining and disclosing information to enable the effective implementation and enforcement of the sanctions regime, and imposes obligations on various persons to report relevant information to the appropriate (specified) authorities. In Part 8, the Regulations prescribe the mode of trial and penalties that apply to offences under the Regulations. They also provide for the application of similar types of provision in the Customs and Excise Management Act 1979 (c. 2) to certain offences related to trade.

Part 9 of the Regulations confers powers on specified maritime enforcement officers to stop and search ships in international and foreign waters for the purpose of enforcing specified trade sanctions and to seize goods found on board ships which are being, or have been, dealt with in contravention, or deemed contravention, of those prohibitions.

Part 10 of the Regulations contains supplementary provision, including transitional provision for licences issued under previous legislation to continue to have effect and, where the designated person was previously designated under another enactment, for the provisions relating to prior obligations to be read in accordance with the date that the designated person was first designated.

**Changes to legislation:** *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Myanmar (Sanctions) Regulations 2021. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

A full impact assessment has not been produced for the Regulations as no, or no significant, impact is foreseen on the private, voluntary or public sectors in the United Kingdom. A de minimis assessment has been prepared as this instrument is likely to entail some costs for businesses, but the net impact is estimated to be below £5million per year.

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**Changes and effects yet to be applied to :**

- reg. 2 words inserted by [S.I. 2024/643 reg. 16\(2\)](#)
- reg. 46(1) words inserted by [S.I. 2024/643 reg. 16\(6\)](#)
- reg. 58(1)(b)(i) words inserted by [S.I. 2024/643 reg. 16\(8\)](#)
- reg. 60(3) words inserted by [S.I. 2024/643 reg. 16\(9\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Pt. 3A inserted by [S.I. 2024/643 reg. 16\(4\)](#)
- reg. 5(1)(aa) inserted by [S.I. 2024/643 reg. 16\(3\)](#)
- reg. 44A inserted by [S.I. 2024/643 reg. 16\(5\)](#)
- reg. 47A inserted by [S.I. 2024/643 reg. 16\(7\)](#)
- reg. 65(3A)-(3D) inserted by [S.I. 2024/643 reg. 16\(10\)](#)