
STATUTORY INSTRUMENTS

2021 No. 496

The Myanmar (Sanctions) Regulations 2021

PART 5

Trade

CHAPTER 2

Restricted goods and restricted technology

Brokering services: non-UK activity relating to restricted goods and restricted technology

28.—(1) A person must not directly or indirectly provide brokering services in relation to an arrangement (“arrangement A”) whose object or effect is—

- (a) the direct or indirect supply or delivery of restricted goods from a third country to a place in Myanmar,
- (b) directly or indirectly making restricted goods available in a third country for direct or indirect supply or delivery—
 - (i) to a person connected with Myanmar, or
 - (ii) to a place in Myanmar,
- (c) directly or indirectly making restricted technology available in a third country for transfer—
 - (i) to a person connected with Myanmar, or
 - (ii) to a place in Myanmar,
- (d) the transfer of restricted technology from a place in a third country—
 - (i) to a person connected with Myanmar, or
 - (ii) to a place in Myanmar,
- (e) the direct or indirect provision, in a non-UK country, of technical assistance relating to restricted goods or restricted technology—
 - (i) to a person connected with Myanmar, or
 - (ii) for use in Myanmar,
- (f) the direct or indirect provision, in a non-UK country, of financial services—
 - (i) to a person connected with Myanmar, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 27(1), or
 - (ii) where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 27(3),
- (g) directly or indirectly making funds available, in a non-UK country, to a person connected with Myanmar, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 27(1), or

(h) the direct or indirect provision of funds from a non-UK country, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 27(3).

(2) Paragraph (1) is subject to Part 6 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that the brokering services were provided in relation to an arrangement mentioned in that paragraph.

(4) In this regulation—

“non-UK country” means a country that is not the United Kingdom;

“third country” means—

(a) for the purposes of paragraph (1)(a) and (b), a country that is not the United Kingdom, the Isle of Man or Myanmar, and

(b) for the purposes of any other provision of paragraph (1), a country that is not the United Kingdom or Myanmar.