
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 give effect to the United Kingdom's international obligations resulting from United Nations Security Council Resolution 2653 (2022) imposing a sanctions regime in view of the situation in Haiti.

The Regulations provide that those persons designated by the UN as responsible for or complicit in, or having engaged in, directly or indirectly, actions that threaten the peace, security or stability of Haiti are designated for the purposes of these Regulations. Designated persons are subject to various sanctions measures set out in subsequent Parts of the Regulations.

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

Part 4 of the Regulations imposes trade restrictions on military goods and military technology and associated services.

The Regulations provide 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 Treasury to issue licences in respect of activities that would otherwise be prohibited under the financial sanctions. Schedule 2 to these Regulations sets out the purposes pursuant to which the Treasury may issue such licences.

The Regulations prescribe powers for the provision and sharing of information to enable the effective implementation and enforcement of the sanctions regime. The Regulations make it a criminal offence to contravene, or circumvent, any of the prohibitions in these Regulations and prescribe the mode of trial and penalties that apply to such offences. They also provide for the application of similar types of provision in the Customs and Excise Management Act 1979 to certain offences relating to trade.

The Regulations also confer 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.

An Impact Assessment has not been produced for these Regulations. 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.

Changes to legislation:

There are currently no known outstanding effects for the The Haiti (Sanctions) Regulations 2022.