
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 amend the Russia (Sanctions) (EU Exit) (Amendment) Regulations 2019 (S.I. 2019/855) (“the 2019 Regulations”). These Regulations provide for new aviation and trade sanctions measures in relation to Russia.

The Regulations prohibit Russian aircraft from overflying or landing in the United Kingdom. The Regulations also confer powers on the Secretary of State, air traffic control and airport operators to issue directions for the purpose of preventing Russian aircraft from entering the airspace over the United Kingdom or from landing in the United Kingdom, or requiring aircraft to leave the airspace over the United Kingdom. The Regulations also confer powers on the CAA to refuse, suspend or revoke permissions in respect of Russian aircraft. The registration of aircraft on the register kept by the CAA is prohibited where they are owned, operated or chartered by demise by a designated person.

An exception from the prohibitions on landing and overflight is provided for where failing to land would endanger the lives of persons on board or the safety of the aircraft. The Regulations make it a criminal offence to contravene any of the prohibitions or fail to comply with a direction in these Regulations.

The Regulations also amend the trade measures in the 2019 Regulations to add new categories of aviation and space goods and technology, based on items falling within chapter 88 of the Tariff of the United Kingdom. The existing prohibitions applying to restricted goods and restricted technology are extended to these goods and technology, as well as a new prohibition on insurance and reinsurance services. Existing exceptions in relation to aircraft and vessels, for emergencies in certain cases, for authorised conduct and for purposes of national security or prevention of serious crime are applied to the new prohibition.

Parts 4, 7 and 9 also amend the 2019 Regulations and the Merchant Shipping (Registration of Ships) Regulations 1993 (S.I. 1993/3138) to correct certain omissions and errors in the Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/203).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen. Instead 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 £5 million per year. An impact assessment was, however, produced for the primary legislation and can be found at <https://www.gov.uk/government/publications/sanctions-and-anti-money-laundering-bill-impact-assessment>.