
STATUTORY INSTRUMENTS

2023 No. 1314

The Iran (Sanctions) Regulations 2023

PART 2

Designation of persons

Power to designate persons

5.—(1) The Secretary of State may designate persons by name for the purposes of any of the following—

- (a) regulations 15 to 19 (asset-freeze etc.);
- (b) regulation 21 (director disqualification sanctions);
- (c) regulation 22 (immigration);
- (d) regulations 46 and 48 to 50 (ships: prohibition on port entry etc.).

(2) The Secretary of State may provide that persons of a description specified by the Secretary of State are designated persons for the purposes of any of the following—

- (a) regulations 15 to 19 (asset-freeze etc.);
- (b) regulation 22 (immigration);
- (c) regulations 46 and 48 to 50 (ships: prohibition on port entry etc.).

(3) The Secretary of State may designate different persons for the purposes of different provisions mentioned in paragraph (1) or (2).

(4) For the purposes of these Regulations, persons “designated under regulation 5” for the purpose of a particular regulation means—

- (a) persons who are designated by name under paragraph (1) for the purposes of that particular regulation, and
- (b) where the Secretary of State makes provision under paragraph (2) that persons of a specified description are designated persons for the purposes of that particular regulation, persons of that description.

Conditions for the designation of persons by name

6.—(1) This regulation applies to a person designated under regulation 5(1) (power to designate persons by name).

(2) The Secretary of State may choose whether to designate a person under—

- (a) the standard procedure, or
- (b) the urgent procedure.

(3) Paragraph (4) applies where the Secretary of State chooses to designate a person under the standard procedure.

(4) The Secretary of State may not designate a person except where condition A is met.

(5) Paragraphs (6) to (8) apply where the Secretary of State chooses to designate a person under the urgent procedure.

(6) The Secretary of State may designate a person where condition A is not met, but conditions B and C are met.

(7) A person ceases to be a designated person at the end of the period of 56 days beginning with the day following the day on which the person became a designated person unless, within that period, the Secretary of State certifies that—

- (a) condition A is met, or
- (b) conditions B and C continue to be met.

(8) Where the Secretary of State makes a certification under paragraph (7)(b), the designation ceases to have effect at the end of the period of 56 days beginning with the day immediately following the period mentioned in paragraph (7), unless within that period the Secretary of State certifies that condition A is met.

(9) Condition A is that the Secretary of State has reasonable grounds to suspect that that person is an involved person.

(10) Condition B is that relevant provision (whenever made) applies under the law of—

- (a) the United States of America;
- (b) the European Union;
- (c) Australia;
- (d) Canada.

(11) Condition C is that the Secretary of State considers that it is in the public interest to designate a person under the urgent procedure.

(12) For the purposes of Condition B, “relevant provision” is provision that the Secretary of State considers—

- (a) corresponds, or is similar, to the type of sanction or sanctions in these Regulations, or
- (b) is made for purposes corresponding, or similar, to any purpose of any type of sanction or sanctions in these Regulations.

(13) In this regulation “involved person” has the meaning given in regulation 8 (designation criteria: meaning of “involved person”).

Conditions for the designation of persons by description

7.—(1) This regulation applies to persons designated under regulation 5(2) (power to designate persons by description).

(2) The Secretary of State may choose whether to designate persons under—

- (a) the standard procedure, or
- (b) the urgent procedure.

(3) Paragraph (4) applies where the Secretary of State chooses to designate persons under the standard procedure.

(4) The Secretary of State may not designate persons except where conditions A and C are met.

(5) Paragraphs (6) to (8) apply where the Secretary of State chooses to designate persons under the urgent procedure.

(6) The Secretary of State may designate persons where condition C is not met, but conditions A, D and E are met.

(7) The persons cease to be designated persons at the end of the period of 56 days beginning with the day following the day on which the persons became designated persons unless, within that period, the Secretary of State certifies that—

- (a) conditions A and C are met, or
- (b) conditions A, D and E continue to be met.

(8) Where the Secretary of State makes a certification under paragraph (7)(b), the designation ceases to have effect at the end of the period of 56 days beginning with the day immediately following the period mentioned in paragraph (7), unless within that period the Secretary of State certifies that conditions A and C are met.

(9) Condition A is that the description of persons specified is such that a reasonable person would know whether that person fell within it.

(10) Condition C is that the Secretary of State has reasonable grounds to suspect—

- (a) in a case where the specified description is members of a particular organisation, that the organisation is an involved person, or
- (b) in the case of any other specified description, that any person falling within that description would necessarily be an involved person.

(11) Condition D is that the description of persons specified is of persons (or some persons) to which, or in relation to which, relevant provision (whenever made) applies under the law of—

- (a) the United States of America;
- (b) the European Union;
- (c) Australia;
- (d) Canada.

(12) Condition E is that the Secretary of State considers that it is in the public interest to designate persons under the urgent procedure.

(13) For the purposes of condition D, “relevant provision” is provision that the Secretary of State considers—

- (a) corresponds, or is similar, to the type of sanction or sanctions in these Regulations, or
- (b) is made for purposes corresponding, or similar, to any purpose of any type of sanction or sanctions in these Regulations.

(14) In this regulation—

“involved person” has the meaning given in regulation 8 (designation criteria: meaning of “involved person”);

“organisation” includes any body, association or combination of persons.

Designation criteria: meaning of “involved person”

8.—(1) For the purposes of regulations 6(9) (conditions for the designation of persons by name) and 7(10) (conditions for the designation of persons by description), an “involved person” means a person who—

- (a) is or has been involved in—
 - (i) the commission of a serious human rights violation or abuse in Iran;
 - (ii) hostile activity by the Government of Iran;
 - (iii) hostile activity by an armed group backed by the Government of Iran,
- (b) is owned or controlled directly or indirectly (within the meaning of regulation 9) by a person who is or has been so involved,

- (c) is acting on behalf of or at the direction of a person who is or has been so involved, or
- (d) is a member of, or associated with, a person who is or has been so involved.

(2) Any reference in this regulation to being involved in the commission of a serious human rights violation or abuse in Iran includes being so involved in whatever way and wherever any actions constituting the involvement take place, and in particular includes—

- (a) being responsible for, engaging in, providing support for, or promoting, any serious human rights violation or abuse in Iran;
- (b) providing financial services, or making available funds or economic resources, that could contribute to any serious human rights violation or abuse in Iran;
- (c) being involved in the supply to Iran of restricted goods or restricted technology or of material related to such goods or technology, or in providing financial services relating to such supply;
- (d) being involved in the supply to Iran of goods or technology which could contribute to any serious human rights violation or abuse in Iran, or in providing financial services relating to such supply;
- (e) being involved in assisting the contravention or circumvention of any relevant provision.

(3) Any reference in this regulation to being involved in hostile activity by the Government of Iran or hostile activity by an armed group backed by the Government of Iran includes being so involved in whatever way and wherever any actions constituting the involvement take place, and in particular includes—

- (a) threatening, planning or conducting attacks against persons and assets in the United Kingdom or any other country including—
 - (i) assassination, kidnap, threats to life, physical threat, assault, harassment, intimidation;
 - (ii) sabotage of assets;
- (b) threatening, planning or conducting attacks against ships including the detention and sabotage of ships;
- (c) threatening, planning or conducting activity which is intended to cause the destabilisation of the United Kingdom or any other country including—
 - (i) activity which undermines or is intended to undermine—
 - (aa) the integrity, prosperity or security of the United Kingdom or any other country;
 - (bb) the resolution of any armed conflict or the protection of civilians in conflict zones;
 - (ii) activity which aids or facilitates serious organised crime in the United Kingdom or any other country;
- (d) planning or conducting espionage for the Government of Iran;
- (e) carrying on business in the Iranian defence sector;
- (f)
 - (i) owning or controlling directly or indirectly (within the meaning of regulation 9), or
 - (ii) working as a director (whether executive or non-executive), trustee, or other manager or equivalent, of, or
 - (iii) holding the right, directly or indirectly, to nominate at least one director (whether executive or non-executive), trustee or equivalent of,
 a person, other than an individual, which falls within sub-paragraph (e);

- (g) any conduct which facilitates (or is intended to facilitate) or gives support or assistance to activity falling within sub-paragraphs (a) to (e);
 - (h) being involved in assisting the contravention or circumvention of any relevant provision.
- (4) In paragraph (1)(d), being “associated with” a person includes—
- (a) obtaining a financial benefit or other material benefit from that person;
 - (b) being an immediate family member of that person.
- (5) In paragraphs (2), (3) and (4) (as the case may be)—
- “asset” means an asset of any kind whether tangible or intangible and includes in particular real and personal property, electronic systems and information, and ships;
- “carrying on business in the Iranian defence sector” includes—
- (a) supplying and exporting controlled goods and controlled technology to Iran;
 - (b) developing and stockpiling controlled goods and controlled technology in Iran;
 - (c) importing controlled goods and controlled technology into Iran;
- “espionage” includes, without authority—
- (a) obtaining, copying, recording or retaining protected information or a trade secret,
 - (b) disclosing or providing access to protected information or a trade secret,
 - (c) entering a restricted place,
 - (d) materially assisting the Iranian intelligence services;
- “immediate family member” means—
- (a) a wife or husband;
 - (b) a civil partner;
 - (c) a parent or step-parent;
 - (d) a child or step-child;
 - (e) a sibling or step-sibling;
 - (f) a niece or nephew;
 - (g) an aunt or uncle;
 - (h) a grandparent;
 - (i) a grandchild;
- “integrity”, in respect of a country, includes—
- (a) the exercise of governmental functions of that country;
 - (b) the exercise of parliamentary functions in that country;
 - (c) the functioning of bodies, organisations or institutions involved in public elections or the voting process;
 - (d) the operation of the criminal or civil justice system in that country;
 - (e) the provision of essential services to the population, including banking, education, energy, healthcare, sewerage, transport or water;
 - (f) the operation of critical national infrastructure;
 - (g) the functioning of free and independent news media;
- “prosperity”, in respect of a country, includes the effective functioning of the economy, or part of it, of that country;
- “relevant provision” means—

- (a) any provision of Part 3 (Finance), Part 6 (Trade) or Part 7 (Ships);
- (b) any provision of the law of a country other than the United Kingdom made for purposes corresponding to a purpose of any provision of Part 3 (Finance), Part 6 (Trade) or Part 7 (Ships);

“restricted goods” and “restricted technology” have the meanings given by Part 6;

“sabotage” means conduct that results in (or is intended to result in) damage to any asset;

“ship” includes every description of vessel (including a hovercraft) used in navigation.

(6) In paragraph (5)—

“controlled goods” means the goods specified in Schedules 1, 2 and 3 to the Export Control Order 2008(1);

“controlled technology” means any thing which is described in Schedules 2 and 3 to the Export Control Order 2008 as software or technology within the meaning of those Schedules;

“damage” includes any of the following (whether permanent or temporary)—

- (a) destruction;
- (b) alteration;
- (c) contamination;
- (d) interference;
- (e) loss of or reduction in access or availability;
- (f) loss of or reduction in function, utility or reliability;

“disclosing protected information or a trade secret” includes parting with possession;

“entering a restricted place” means—

- (a) accessing, entering, inspecting, passing over or under, approaching or being in the vicinity of a restricted place, or
- (b) causing an unmanned vehicle or device to enter, inspect, pass over or under, approach or be in the vicinity of a restricted place,

whether that conduct is carried out in person, or by electronic or remote means;

“Iranian intelligence services” includes—

- (a) the Ministry of Intelligence and Security;
- (b) the Islamic Revolutionary Guard Corps Intelligence Organisation;
- (c) the Islamic Revolutionary Guard Corps Quds Force;

“materially assisting the Iranian intelligence services” includes providing, or providing access to, information, goods, services or financial benefits (whether directly or indirectly);

“restricted place” means any vehicle, building or land in the United Kingdom or in any other country which is used, at the time of entry, for the defence or security of the United Kingdom or any other country;

“protected information” means any information, document or other article where, for the purpose of protecting the safety or interests of the United Kingdom or a country other than Iran—

(1) [S.I. 2008/3231](#). Schedule 1 was substituted by [S.I. 2010/2007](#) and subsequently amended by [S.I. 2014/702](#); [S.I. 2015/940](#); and [S.I. 2018/939](#). Schedule 2 was substituted by [S.I. 2017/85](#) and subsequently amended by [S.I. 2017/697](#); [S.I. 2018/165](#); [S.I. 2018/939](#), [S.I. 2019/137](#); [S.I. 2019/989](#); [S.I. 2021/586](#); [S.I. 2022/1042](#); and [S.I. 2023/302](#). Schedule 3 was substituted by [S.I. 2010/2007](#) and subsequently amended by [S.I. 2015/940](#); [S.I. 2017/85](#); [S.I. 2018/939](#); [S.I. 2019/137](#); [S.I. 2019/1159](#); [S.I. 2021/586](#); and [S.I. 2023/302](#). There are other instruments which amend other parts of the Order, which are not relevant to these Regulations.

- (a) access to the information, document or other article is restricted in any way, or
- (b) it is reasonable to expect that access to the information, document or other article would be restricted in any way;

“retaining protected information or a trade secret” means a person retains it in their possession or under their control;

“trade secret” means any information, document or other article which—

- (a) is not generally known by, or available to, persons with knowledge of or expertise in the field to which it relates,
- (b) has actual or potential industrial, economic or commercial value which would be, or could reasonably be expected to be, adversely affected if it became generally known by, or available to, such persons, and
- (c) could reasonably be expected to be subject to measures to prevent it becoming generally known by, or available to, such persons (whether or not it is actually subject to such measures).

(7) In paragraph (6)—

“building” includes any part of a building;

“financial benefits” means money or money’s worth;

“vehicle” means any form of transport.

(8) Nothing in any sub-paragraph of paragraphs (2) or (3) is to be taken to limit the meaning of any of the other sub-paragraphs of those paragraphs.

Meaning of “owned or controlled directly or indirectly”

9.—(1) A person who is not an individual (“C”) is “owned or controlled directly or indirectly” by another person (“P”) if either of the following two conditions is met (or both are met).

(2) The first condition is that P—

- (a) holds directly or indirectly more than 50% of the shares in C,
- (b) holds directly or indirectly more than 50% of the voting rights in C, or
- (c) holds the right directly or indirectly to appoint or remove a majority of the board of directors of C.

(3) Schedule 1 contains provision applying for the purpose of interpreting paragraph (2).

(4) The second condition is that it is reasonable, having regard to all the circumstances, to expect that P would (if P chose to) be able, in most cases or in significant respects, by whatever means and whether directly or indirectly, to achieve the result that affairs of C are conducted in accordance with P’s wishes.

Notification and publicity where power to designate by name is used

10.—(1) Paragraph (2) applies where the Secretary of State—

- (a) has made a designation under regulation 5(1), or
- (b) has by virtue of section 22 of the Act varied or revoked a designation made under that regulation.

(2) The Secretary of State—

- (a) must without delay take such steps as are reasonably practicable to inform the designated person of the designation, variation or revocation, and

- (b) must take steps to publicise the designation, variation or revocation.
- (3) The information given under paragraph (2)(a)—
 - (a) where the Secretary of State designates a person under the standard procedure, must include a statement of reasons, or
 - (b) where the Secretary of State designates a person under the urgent procedure, must include a statement—
 - (i) that the provision is made under the urgent procedure,
 - (ii) identifying the relevant provision by reference to which the Secretary of State considers that condition B is met in relation to the person, and
 - (iii) setting out why the Secretary of State considers that condition C is met.
- (4) Where the Secretary of State designates a person under the urgent procedure, the Secretary of State must, after the end of the period mentioned in paragraph (7) of regulation 6 (conditions for the designation of persons by name), or if the Secretary of State has made a certification under paragraph (7)(b) of that regulation, the period mentioned in paragraph (8) of that regulation, but otherwise without delay—
 - (a) in a case where the person ceases to be a designated person, take such steps as are reasonably practicable to inform the person that they have ceased to be a designated person, or
 - (b) in any other case, take such steps as are reasonably practicable to give the person a statement of reasons.
- (5) In this regulation, a “statement of reasons” means a brief statement of the matters that the Secretary of State knows, or has reasonable cause to suspect, in relation to that person—
 - (a) in the case of a designation under the standard procedure, which have led the Secretary of State to make the designation, and
 - (b) in the case of a designation under the urgent procedure, as a result of which the person does not cease to be a designated person at the end of the period mentioned in regulation 6(7) or (8) (as the case may be).
- (6) Matters that would otherwise be required by paragraph (5) to be included in a statement of reasons may be excluded from it where the Secretary of State considers that they should be excluded—
 - (a) in the interests of national security or international relations,
 - (b) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or
 - (c) in the interests of justice.
- (7) The steps taken under paragraph (2)(b) must—
 - (a) unless one or more of the restricted publicity conditions is met, be steps to publicise generally—
 - (i) the designation, variation or revocation, and
 - (ii) in the case of a designation, the statement of reasons relating to it;
 - (b) if one or more of those conditions is met, be steps to inform only such persons as the Secretary of State considers appropriate of the designation, variation or revocation and (in the case of a designation) the statement of reasons.
- (8) The “restricted publicity conditions” are that the Secretary of State considers that disclosure of the designation, variation or revocation should be restricted—
 - (a) in the interests of national security or international relations,

- (b) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or
- (c) in the interests of justice.
- (9) Paragraph (10) applies if—
 - (a) when a designation is made one or more of the restricted publicity conditions is met, but
 - (b) at any time when the designation has effect, it becomes the case that none of the restricted publicity conditions is met.
- (10) The Secretary of State must—
 - (a) take such steps as are reasonably practicable to inform the designated person that none of the restricted publicity conditions is now met, and
 - (b) take steps to publicise generally the designation and the statement of reasons relating to it.

Confidential information in certain cases where power to designate by name is used

11.—(1) Where the Secretary of State, in accordance with regulation 10(7)(b), informs only certain persons of a designation, variation or revocation and, in the case of a designation, the content of the statement of reasons relating to it, the Secretary of State may specify that any of that information is to be treated as confidential.

- (2) A person (“P”) who—
 - (a) is provided with information that is to be treated as confidential in accordance with paragraph (1), or
 - (b) otherwise obtains such information,

must not, subject to paragraph (3), disclose it if P knows, or has reasonable cause to suspect, that the information is to be treated as confidential.

(3) The prohibition in paragraph (2) does not apply to any disclosure made by P with lawful authority.

- (4) For this purpose information is disclosed with lawful authority only if and to the extent that—
 - (a) the disclosure is by, or is authorised by, the Secretary of State,
 - (b) the disclosure is by or with the consent of the person who is or was the subject of the designation,
 - (c) the disclosure is necessary to give effect to a requirement imposed under or by virtue of these Regulations or any other enactment, or
 - (d) the disclosure is required, under rules of court, tribunal rules or a court or tribunal order, for the purposes of legal proceedings of any description.

(5) This regulation does not prevent the disclosure of information that is already, or has previously been, available to the public from other sources.

(6) A person who contravenes the prohibition in paragraph (2) commits an offence.

(7) The High Court (in Scotland, the Court of Session) may, on the application of—

- (a) the person who is the subject of the information, or
- (b) the Secretary of State,

grant an injunction (in Scotland, an interdict) to prevent a breach of the prohibition in paragraph (2).

(8) In paragraph (4)(c), “enactment” has the meaning given by section 54(6) of the Act.

Notification and publicity where power to designate by description is used

12.—(1) Paragraph (2) applies where the Secretary of State—

- (a) has provided that persons of a specified description are designated persons under regulation 5(2) (power to designate persons by description), or
- (b) has by virtue of section 22 of the Act varied or revoked a designation made under that regulation.

(2) The Secretary of State—

- (a) must without delay take such steps as are reasonably practicable to inform persons of the specified description of the designation, variation or revocation, and
- (b) must take steps to publicise the designation, variation or revocation.

(3) The information given under paragraph (2)(a)—

- (a) where the Secretary of State provides that persons of a specified description are designated persons under the standard procedure, must include a statement of reasons, or
- (b) where the Secretary of State provides that persons of a specified description are designated persons under the urgent procedure, must include a statement—
 - (i) that the provision is made under the urgent procedure,
 - (ii) identifying the relevant provision by reference to which the Secretary of State considers that condition D is met in relation to persons of the specified description, and
 - (iii) setting out why the Secretary of State considers that condition E is met.

(4) Where the Secretary of State provides that persons of a specified description are designated persons under the urgent procedure, the Secretary of State must, after the end of the period mentioned in paragraph (7) of regulation 7 (conditions for the designation of persons by description), or if the Secretary of State has made a certification under paragraph (7)(b) of that regulation the period mentioned in paragraph (8) of that regulation, but otherwise without delay—

- (a) in a case where the persons cease to be designated persons, take such steps as are reasonably practicable to inform persons of the specified description that they have ceased to be designated persons, or
- (b) in any other case, take such steps as are reasonably practicable to give each person of the specified description a statement of reasons.

(5) In this regulation, a “statement of reasons”, in relation to a provision designating persons of a specified description, means a brief statement of the matters that the Secretary of State knows, or has reasonable cause to suspect, in relation to persons of the specified description—

- (a) in the case of a designation under the standard procedure, which have led the Secretary of State to make the provision designating persons of that description, and
- (b) in the case of a designation under the urgent procedure, as a result of which the persons do not cease to be designated persons at the end of the period mentioned in regulation 7(7) or (8) (as the case may be).

(6) Matters that would otherwise be required by paragraph (5) to be included in a statement of reasons may be excluded from it where the Secretary of State considers that they should be excluded—

- (a) in the interests of national security or international relations,
- (b) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or
- (c) in the interests of justice.

- (7) The steps taken under paragraph (2)(b) must—
- (a) unless one or more of the restricted publicity conditions is met, be steps to publicise generally—
 - (i) the designation, variation or revocation, and
 - (ii) in the case of in the case of a designation, the statement of reasons relating to it;
 - (b) if one or more of those conditions is met, be steps to inform only such persons as the Secretary of State considers appropriate of the designation, variation or revocation and (in the case of a designation) the statement of reasons.
- (8) The “restricted publicity conditions” are that the Secretary of State considers that disclosure of the designation, variation or revocation should be restricted—
- (a) in the interests of national security or international relations,
 - (b) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or
 - (c) in the interests of justice.
- (9) Paragraph (10) applies if—
- (a) when a designation is made one or more of the restricted publicity conditions is met, but
 - (b) at any time when the designation has effect, it becomes the case that none of the restricted publicity conditions is met.
- (10) The Secretary of State must—
- (a) take such steps as are reasonably practicable to inform persons of the specified description that none of the restricted publicity conditions is now met, and
 - (b) take steps to publicise generally the designation and the statement of reasons relating to it.

Confidential information in certain cases where power to designate by description is used

13.—(1) Where the Secretary of State, in accordance with regulation 12(7)(b), informs only certain persons of a designation, variation or revocation and, in the case of a designation, the content of the statement of reasons relating to it, the Secretary of State may specify that any of that information is to be treated as confidential.

- (2) A person (“P”) who—
- (a) is provided with information that is to be treated as confidential in accordance with paragraph (1), or
 - (b) otherwise obtains such information,
- must not, subject to paragraph (3), disclose it if P knows, or has reasonable cause to suspect, that the information is to be treated as confidential.

(3) The prohibition in paragraph (2) does not apply to any disclosure made by P with lawful authority.

- (4) For this purpose information is disclosed with lawful authority only if and to the extent that—
- (a) the disclosure is by, or is authorised by, the Secretary of State,
 - (b) the disclosure is by or with the consent of the person who is or was the subject of the designation,
 - (c) the disclosure is necessary to give effect to a requirement imposed under or by virtue of these Regulations or any other enactment, or
 - (d) the disclosure is required under rules of court, tribunal rules or a court or tribunal order, for the purposes of legal proceedings of any description.

(5) This regulation does not prevent the disclosure of information that is already, or has previously been, available to the public from other sources.

(6) A person who contravenes the prohibition in paragraph (2) commits an offence.

(7) The High Court (in Scotland, the Court of Session) may, on the application of—

(a) the person who is the subject of the information, or

(b) the Secretary of State,

grant an injunction (in Scotland, an interdict) to prevent a breach of the prohibition in paragraph (2).

(8) In paragraph (4)(c), “enactment” has the meaning given by section 54(6) of the Act.