
STATUTORY INSTRUMENTS

2023 No. 616

The Republic of Belarus (Sanctions) (EU
Exit) (Amendment) Regulations 2023

PART 7

Enforcement

Amendments to regulation 53 (trade enforcement: application of CEMA)

20. In regulation 53, after paragraph (3), insert—

“(3A) The Commissioners may not investigate the suspected commission of an offence listed in paragraph (3B) (a “suspected offence”), unless the suspected offence has been the subject of—

- (a) a referral to the Commissioners by—
 - (i) the Secretary of State,
 - (ii) the Treasury, or
 - (iii) OFCOM, where such referral relates to a suspected offence under regulation 27P(4); or
- (b) a decision by the Commissioners to treat the suspected offence as if it had been referred to them under sub-paragraph (a).

(3B) Paragraph (3A) applies to the suspected commission of an offence under any of the following provisions—

- (a) regulation 22(3),
- (b) regulation 24A(3),
- (c) regulation 27(3),
- (d) regulation 27K(5),
- (e) regulation 27L(3) insofar as it applies to the prohibitions at regulation 27L(1)(c) and (d),
- (f) regulation 27M(4) insofar as it applies to the prohibitions at regulation 27M(1)(c) and (d),
- (g) regulation 27M(5) insofar as it applies to any activity prohibited under regulation 27M(2) which relates to arrangements described in sub-paragraphs 27M(1)(c) and (d),
- (h) regulation 27P(4).

(3C) Regulation 53(3A) also applies to the suspected commission of a relevant offence under any of regulations 36(1), 36(2), 44(6) and 45(5) insofar as—

- (a) the suspected offence relates to a licence issued under regulation 33, and

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- (b) the prohibited activity authorised by that licence would, if no licence had been issued, amount to an offence specified in paragraph (3B)(a) to (h).”.