

STATUTORY INSTRUMENTS

2019 No. 600

**EXITING THE EUROPEAN UNION
SANCTIONS**

**The Republic of Belarus (Sanctions)
(EU Exit) Regulations 2019**

Made - - - - 18th March 2019

Laid before Parliament 20th March 2019

Coming into force in accordance with regulation 1(2)

The Secretary of State ^{M1}, in exercise of the powers conferred by sections 1(1)(c) and (3)(b), 3(1)(a), (b)(ii), (d)(i) and (ii), 4, 5, 9(2)(a), 10(2)(a) and (c), (3) and (4), 11(2) to (9), 15(2)(a) and (b), (3), (4) (b), (5) and (6), 16, 17(2) to (9), 19, 20, 21(1), 54(1) and (2)(a), 56 and 62(4) to (6) of, and paragraphs 2(b), 4(b) and (c), 5(a)(ii) and (b), 6(a)(ii) and (b), 11(a)(ii), 13(b), (h), (k), (l), (m) and (n), 14(a), (f) and (k), 17(a), 19(a), 20 to 23 and 27 of Schedule 1 to, the Sanctions and Anti-Money Laundering Act 2018 ^{M2}, and having decided, upon consideration of the matters set out in section 2(2) and 56(1) of that Act, that it is appropriate to do so, makes the following Regulations:

Modifications etc. (not altering text)

- C1** Regulations extended (British overseas territories) (with modifications) (31.12.2020 immediately after both [S.I. 2020/590](#) and [S.I. 2020/951](#) have come into force) by [The Republic of Belarus \(Sanctions\) \(Overseas Territories\) Order 2020 \(S.I. 2020/1271\)](#), arts. 1(1), 2, [Sch. 1](#), [Sch. 2](#) (as amended (11.11.2021) by [S.I. 2021/1256](#), [art. 3](#)); [S.I. 2020/1514](#), [regs. 4](#), [18](#); and (15.12.2022) by [S.I. 2022/1339](#), [arts. 3-31](#))
- C2** Regulations extended (Isle of Man) (with modifications) (11.11.2021) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Isle of Man\) Order 2021 \(S.I. 2021/1257\)](#), arts. 1, 2, [Sch.](#)

Marginal Citations

- M1** The power to make regulations under Part 1 of the Sanctions and Anti-Money Laundering Act 2018 is conferred on an “appropriate Minister”. Section 1(9)(a) of the Act defines an “appropriate Minister” as including the Secretary of State.
- M2** [2018 c.13](#).

PART 1

General

Citation and commencement

1.—(1) These Regulations may be cited as the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019.

(2) These Regulations come into force in accordance with regulations made under section 56 of the Act.

Commencement Information

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|-----------|---|
| II | Reg. 1 not in force at made date, see reg. 1(2) |
| I2 | Reg. 1 in force at 22.3.2019 by S.I. 2019/627 , reg. 12(1)(a) |

Interpretation

2.—^[F1](1) In these Regulations—

“the Act” means the Sanctions and Anti-Money Laundering Act 2018;

^[F2]“the Amendment Regulations 2021” means the Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2021;

^[F3]“the Amendment Regulations 2022” means the Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022;

^[F3]“aircraft licence” means a licence under regulation 33A;

“arrangement” includes any agreement, understanding, scheme, transaction or series of transactions, whether or not legally enforceable (but see paragraph 12 of Schedule 1 for the meaning of that term in that Schedule);

“Belarus” means the Republic of Belarus;

“CEMA” means the Customs and Excise Management Act 1979 ^{M3};

“the Commissioners” means the Commissioners for Her Majesty's Revenue and Customs;

“conduct” includes acts and omissions;

^[F4]“consular post” has the same meaning as in the Vienna Convention on Consular Relations done at Vienna on 24 April 1963, and any reference to the functions of a consular post is to be read in accordance with that Convention;

“diplomatic mission”, and any reference to the functions of a diplomatic mission, are to be read in accordance with the Vienna Convention on Diplomatic Relations done at Vienna on 18 April 1961;

“document” includes information recorded in any form and, in relation to information recorded otherwise than in legible form, references to its production include producing a copy of the information in legible form;

“the Dual-Use Regulation” means Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items;

“the EU Belarus Regulation” means Council Regulation (EC) No 765/2006 of 18 May 2006 concerning restrictive measures in respect of Belarus ^{M4}, as it has effect in EU law;

“the Government of Belarus” includes its public bodies, corporations or agencies, or any person acting on its behalf or at its direction;

[^{F5}“humanitarian assistance activity” includes the work of international and non-governmental organisations carrying out humanitarian and relief activities in Belarus for the benefit of the civilian population of Belarus;]

[^{F6}“OFCOM” means the Office of Communications;]

“serious human rights violation or abuse” means a serious violation or abuse of any of the human rights specified in regulation 4;

“trade licence” means a licence under regulation 33;

“Treasury licence” means a licence under regulation [^{F7}32];

“United Kingdom person” has the same meaning as in section 21 of the Act.]

[^{F8}(2) For the purposes of [^{F9}Part 3 (Finance), Part 5 (Trade), Part 5A (Aircraft), Part 5B (Ships) and Part 6 (Exceptions and licences)], a person is to be regarded as “connected with” Belarus if the person is—

- (a) an individual who is, or an association or combination of individuals who are, ordinarily resident in Belarus,
- (b) an individual who is, or an association or combination of individuals who are, located in Belarus,
- (c) a person, other than an individual, which is incorporated or constituted under the law of Belarus, or
- (d) a person, other than an individual, which is domiciled in Belarus.]

Textual Amendments

- F1** Reg. 2 renumbered as reg. 2(1) (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **3(1)**
- F2** Words in reg. 2(1) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **3(2)(a)**
- F3** Words in reg. 2(1) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **3(a)**
- F4** Words in reg. 2(1) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **3(2)(b)**
- F5** Words in reg. 2(1) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **3(2)(c)**
- F6** Words in reg. 2(1) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **3**
- F7** Word in reg. 2(1) substituted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **3(2)(d)**
- F8** Reg. 2(2) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **3(3)**
- F9** Words in reg. 2(2) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **3(b)**

Commencement Information

- I3** Reg. 2 not in force at made date, see reg. 1(2)
- I4** Reg. 2 in force at 22.3.2019 by S.I. 2019/627, **reg. 12(1)(b)**

Marginal Citations

- M3** 1979 c.2. Amendments have been made to this Act and are cited, where relevant, in respect of the applicable regulations.
- M4** OJ L 134 20.5.2006, p.1.

Application of prohibitions and requirements outside the United Kingdom

3.—(1) A United Kingdom person may contravene a relevant prohibition by conduct wholly or partly outside the United Kingdom.

(2) Any person may contravene a relevant prohibition by conduct in the territorial sea.

(3) [^{F10}In this regulation] a “relevant prohibition” means any prohibition imposed—

[^{F11}(a) regulation 9(2) (confidential information),]

(b) by Part 3 (Finance),

(c) by Part 5 (Trade), ^{F12}...

[^{F13}(ca) by regulation 29C(6) (disclosure of confidential information), ^{F14}...]

[^{F15}(cb) by Part 5B (Ships), or]

(d) by a condition of a Treasury licence or a trade licence.

(4) A United Kingdom person may comply, or fail to comply, with a relevant requirement by conduct wholly or partly outside the United Kingdom.

(5) Any person may comply, or fail to comply, with a relevant requirement ^{F16}... by conduct in the territorial sea.

(6) In this regulation a “relevant requirement” means any requirement imposed—

(a) by or under Part 7 (Information and records), or by reason of a request made under a power conferred by [^{F17}that Part,]

(b) by a condition of a [^{F18}Treasury licence, a trade licence or an aircraft licence],

[^{F19}(c) by a direction under regulation 29A(2) (direction by air traffic control to operator or pilot of Belarusian aircraft), or

(d) by a direction under regulation 29H (movement of ships).]

(7) Nothing in this regulation is to be taken to prevent a relevant prohibition or a relevant requirement from applying to conduct (by any person) in the United Kingdom.

Textual Amendments

- F10** Words in reg. 3(3) substituted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020](#) (S.I. 2020/590), regs. 1(2), **6(2)**; S.I. 2020/1514, **reg. 4**
- F11** [Reg. 3\(3\)\(a\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022](#) (S.I. 2022/748), regs. 1(2), **4(a)(i)**
- F12** Word in [reg. 3\(3\)\(c\)](#) omitted (14.10.2021 at noon) by virtue of [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021](#) (S.I. 2021/1146), regs. 1(2), **4(a)**
- F13** [Reg. 3\(3\)\(ca\)](#) inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021](#) (S.I. 2021/1146), regs. 1(2), **4(b)**
- F14** Word in [reg. 3\(3\)\(ca\)](#) omitted (5.7.2022) by virtue of [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022](#) (S.I. 2022/748), regs. 1(2), **4(a)(ii)**

- F15** Reg. 3(3)(cb) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **4(a)(iii)**
- F16** Words in reg. 3(5) omitted (5.7.2022) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **4(b)**
- F17** Words in reg. 3(6)(a) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **4(c)(i)**
- F18** Words in reg. 3(6)(b) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **4(c)(ii)**
- F19** Reg. 3(6)(c)(d) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **4(c)(iii)**

Commencement Information

- I5** Reg. 3 not in force at made date, see reg. 1(2)
- I6** Reg. 3 in force at 31.12.2020 by S.I. 2019/627, **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Purposes

4. The purposes of the regulations contained in this instrument that are made under section 1 of the Act are to encourage the Government of Belarus to—

- (a) respect democratic principles and institutions, the separation of powers and the rule of law in Belarus,
- (b) refrain from actions, policies or activities which repress civil society in Belarus,
- (c) investigate properly and institute criminal proceedings against the persons responsible for the disappearances of Yury Zakharenka, Viktor Hanchar, Anatol Krasouski and Dzmitry Zavadski, ^{F20} ...
- (d) comply with international human rights law and to respect human rights, including in particular to—
 - (i) respect the right to life of persons in Belarus;
 - (ii) respect the right of persons not to be subjected to torture or cruel, inhuman or degrading treatment or punishment in Belarus, including inhuman or degrading conditions in prisons;
 - (iii) afford persons in Belarus charged with criminal offences the right to a fair trial;
 - (iv) respect the right to liberty and security, including refraining from the arbitrary arrest and detention of persons in Belarus;
 - (v) afford journalists, human rights defenders and other persons in Belarus the right to freedom of expression, association and peaceful assembly;
 - (vi) secure the human rights of persons in Belarus without discrimination, including on the basis of a person's sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.
- ^{F21}(e) cease actions destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine, including by supporting or facilitating Russia's actions in respect of Ukraine, and
- (f) refrain from any other action which undermines or threatens peace, security or stability in Europe.]

Textual Amendments

- F20** Word in [reg. 4\(c\)](#) omitted (5.7.2022) by virtue of [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), [regs. 1\(2\)](#), [5\(a\)](#)
- F21** [Reg. 4\(e\)\(f\)](#) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), [regs. 1\(2\)](#), [5\(b\)](#)

Commencement Information

- I7** [Reg. 4](#) not in force at made date, see [reg. 1\(2\)](#)
- I8** [Reg. 4](#) in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(c\)](#)

PART 2

Designation of persons

Power to designate persons

5.—(1) The Secretary of State may designate persons ^{M5} by name for the purposes of any of the following—

- (a) regulations 11 to 15 (Finance); ^{F22}...
- (b) regulation 17 (Immigration) [^{F23}; and]
- [^{F24}(c) regulation 27N (technical assistance in relation to aircraft and ships);
- [^{F25}(ca) regulation 27P (internet services);]
- (d) regulations 29A and 29CA (aircraft);
- (e) regulations 29F, 29H, 29I and 29J (ships: prohibition on port entry etc.)]

[^{F26}(1A) 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 11 to 15 (finance);
- (b) regulation 17 (immigration);
- (c) regulation 27N (technical assistance relating to aircraft and ships);
- [regulation 27P (internet services);]
- ^{F27}(ca)
- (d) regulations 29A and 29CA (aircraft);
- (e) regulations 29F, 29H, 29I and 29J (ships: prohibition on port entry etc.)]

(2) The Secretary of State may designate different persons for the purposes of [^{F28}different provisions mentioned in] paragraph (1) [^{F29}or (1A)].

[^{F30}(3) 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 (1A) that persons of a specified description are designated persons for the purposes of that particular regulation, persons of that description.]

Textual Amendments

- F22** Word in reg. 5(1)(a) omitted (14.10.2021 at noon) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **5(a)**
- F23** Word in reg. 5(1)(b) substituted for full stop (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **5(b)**
- F24** Reg. 5(1)(c)-(e) substituted for reg. 5(1)(c) (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **6(a)**
- F25** Reg. 5(1)(ca) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **4(a)**
- F26** Reg. 5(1A) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **6(b)**
- F27** Reg. 5(1A)(ca) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **4(b)**
- F28** Words in reg. 5(2) substituted (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), **6(3)**; S.I. 2020/1514, **reg. 4**
- F29** Words in reg. 5(2) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **6(c)**
- F30** Reg. 5(3) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **6(d)**

Commencement Information

- I9** Reg. 5 not in force at made date, see reg. 1(2)
- I10** Reg. 5 in force at 22.3.2019 by S.I. 2019/627, **reg. 12(1)(d)**

Marginal Citations

- M5** “Person” is defined by section 9(5) of the Sanctions and Anti-Money Laundering Act 2018 to include (in addition to an individual and a body of persons corporate or unincorporate) any organisation and any association or combination of persons.

[^{F31}Conditions for the designation of persons by name

5A.—(1) The Secretary of State may choose whether to designate a person under regulation 5(1) (power to designate persons by name) in accordance with—

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

(2) Paragraph (3) applies where the Secretary of State chooses to designate a person mentioned in regulation 5(1) under the standard procedure.

(3) The Secretary of State may not provide that a person is a designated person under regulation 5(1) except where condition A is met.

(4) Condition A is that the Minister has reasonable grounds to suspect that that person is an involved person.

(5) Paragraphs (6) to (8) apply where the Secretary of State chooses to designate a person mentioned in regulation 5(1) under the urgent procedure.

(6) The Secretary of State may designate a person mentioned in regulation 5(1) where condition A is not met, but conditions B and C are met.

(7) The 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 B is that relevant provision (whenever made) applies to, or in relation to, the person under the law of—

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

(10) Condition C is that the Secretary of State considers that it is in the public interest to make designations under the urgent procedure.

(11) 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.

(12) In this regulation, “involved person” has the meaning given in regulation 6(2) (meaning of involved person).

Textual Amendments

F31 [Regs. 5A, 5B](#) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), 7

Conditions for the designation of persons by description

5B.—(1) The Secretary of State may choose whether persons mentioned in regulation 5(1A) (power to designate persons by description) are designated persons under—

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

(2) Paragraph (3) applies where the Secretary of State chooses that persons mentioned in regulation 5(1A) are designated persons under the standard procedure.

(3) The Secretary of State may not provide that persons of a specified description are designated persons under regulation 5(1A) except where conditions A and C are met.

(4) Paragraphs (5) to (7) apply where the Secretary of State chooses that persons mentioned in regulation 5(1A) are designated persons under the urgent procedure.

(5) The Secretary of State may provide that persons of a specified description are designated persons where condition C is not met, but conditions A, D and E are met.

(6) The persons of the specified description 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.

(7) Where the Secretary of State makes a certification under paragraph (6)(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 (6), unless within that period the Secretary of State certifies that conditions A and C are met.

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

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

- (a) Fin 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.

(10) 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.

(11) Condition E is that the Secretary of State considers that it is in the public interest to provide that persons of a specified description are designated persons under the urgent procedure.

(12) 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.

(13) In this regulation—

- “involved person” has the meaning given in regulation 6(2) (meaning of “involved person”);
- “organisation” includes any body, association or combination of persons.]

Textual Amendments

F31 Regs. 5A, 5B inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), 7

Designation [^{F32}criteria: meaning of “involved person]

6.—^{F33}(1)

(2) [^{F34}For the purposes of regulations 5A(4) (condition relating to the designation of persons by name) and 5B(9) (condition relating to designation of persons by description)] an “involved person” means a person who—

- (a) is or has been involved in—

- (i) conduct enabling or facilitating—
 - (aa) the disappearance of Yury Zakharanka, Viktor Hanchar, Anatol Krasouski or Dzmitry Zavadski, or
 - (bb) the failure to investigate properly or institute criminal proceedings against the persons responsible for those disappearances,
 - (ii) the commission of a serious human rights violation or abuse in Belarus,
 - (iii) the repression of civil society or democratic opposition in Belarus, ^{F35} ...
 - (iv) other actions, policies or activities which undermine democracy or the rule of law in Belarus,
 - [^{F36}(v) conduct destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine, including by supporting or facilitating Russia’s actions in respect of Ukraine, in particular by—
 - (aa) providing logistical support to the Russian army, or
 - (bb) spreading disinformation about Russia’s invasion of Ukraine,
 - (vi) other actions undermining or threatening peace, security or stability in Europe, or
 - (vii) obtaining a benefit from or supporting the Government of Belarus through carrying on a relevant business activity,]
 - (b) is owned or controlled directly or indirectly (within the meaning of regulation 7) 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.
- (3) Any reference in this regulation to being involved in an activity set out in [^{F37}paragraphs (2)(a) (i) to (vi)] above 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 such activity;
 - (b) providing financial services, or making available funds or economic resources, that could contribute to any such activity;
 - (c) being involved in the supply to Belarus of [^{F38}goods or technology mentioned in regulation 23(1A) (making available goods and technology to a person connected with, or for use in, Belarus)] 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 Belarus of goods or technology which could contribute to any such activity, or in providing financial services relating to such supply;
 - [^{F39}(da) providing support for or obtaining an economic benefit from the Government of Belarus;]
 - (e) being involved in assisting the contravention or circumvention of any relevant provision.
- [^{F40}(3A) For the purposes of this regulation, being “involved in obtaining a benefit from or supporting the Government of Belarus through carrying on a relevant business activity” means—
- (a) carrying on business as a Government of Belarus-affiliated entity,
 - (b) carrying on business of economic significance to the Government of Belarus,
 - (c) carrying on business in a sector of strategic significance to the Government of Belarus,
- ^{F41} ...

(d) owning or controlling directly or indirectly (within the meaning of regulation 7), or working as a manager, director (whether executive or non-executive), trustee, or equivalent, of—

(i) a Government of Belarus-affiliated entity, or

(ii) a person, other than an individual, which falls within sub-paragraph (b) or (c) [^{F42};

[holding the right, directly or indirectly, to nominate at least one director (whether executive or non-executive), trustee or equivalent of—^{F43}(e)

(i) a Government of Belarus-affiliated entity, or

(ii) a person, other than an individual, which falls within sub-paragraph (b) or (c).]

[^{F44}(3B) For the purposes of this regulation, a person is involved in “conduct destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine” or “obtaining a benefit from or supporting the Government of Belarus through carrying on a relevant business activity” if they work for, or are affiliated to, the Government of Belarus, as—

(a) an aide or adviser to the President of Belarus;

(b) a head or deputy head of any public body, service or committee subordinate to the President of Belarus or the Council of Ministers of the Republic of Belarus, including the Administration of the President of the Republic of Belarus;

(c) a member of the Security Council of Belarus;

(d) a Prime Minister, First Deputy Prime Minister or Deputy Prime Minister of Belarus;

(e) a Minister or Deputy Minister of any Ministry of Belarus;

(f) a Chairperson or member of the Board of Directors of the National Bank of the Republic of Belarus;

(g) a head or deputy head of the Minsk City Executive Committee or any Regional Executive Committee;

(h) a head or deputy head of any other public body, committee or agency of the Government of Belarus;

(i) a member of the armed forces or law-enforcement organs of Belarus holding a rank of Lieutenant-Colonel, or equivalent, or higher;

(j) a member of the Belarussian security and intelligence services of the rank of Lieutenant-Colonel, or equivalent, or higher; or

(k) a director or manager, or equivalent position or higher, of a Government of Belarus-affiliated entity.

(3C) In paragraph (2)(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.]

[^{F45}(4) In this regulation—

“Belarusian authority” has the meaning given in regulation 15D;

“Government of Belarus-affiliated entity” means a person, other than an individual—

(a) which is owned or controlled directly or indirectly (within the meaning of regulation 7) by the President of Belarus or a Belarusian authority,

(b) in which the President of Belarus or a Belarusian authority holds directly or indirectly a minority interest,

(c) which receives, or has received, financing, directly or indirectly, from the President of Belarus or a Belarusian authority, or

- (d) which otherwise obtains a financial benefit or other material benefit from the President of Belarus or a Belarusian authority;

[^{F46cc}“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;]

“minority interest” means any shareholding, voting right or right to appoint or remove members of the board of directors which does not meet the condition set out in regulation 7(2);

“relevant provision” means—

- (a) any provision of Parts 3 (Finance), 5 (Trade), 5A (Aircraft) or 5B (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 Parts 3 (Finance), 5 (Trade), 5A (Aircraft) or 5B (Ships);

“sector of strategic significance to the Government of Belarus” means—

- (a) the Belarusian chemicals sector;
- (b) the Belarusian construction sector;
- (c) the Belarusian defence sector;
- (d) the Belarusian electronics sector;
- (e) the Belarusian energy sector;
- (f) the Belarusian extractives sector;
- (g) the Belarusian forestry sector;
- (h) the Belarusian financial services sector;
- (i) the Belarusian information, communications and digital technologies sector;
- (j) the Belarusian mechanical engineering sector;
- (k) the Belarusian metallurgy sector;
- (l) the Belarusian transport sector.]

(5) Nothing in any paragraph of sub-paragraph (2)(a) is to be taken to limit the meaning of any of the other paragraphs of that sub-paragraph.

(6) Nothing in any sub-paragraph of paragraph (3) is to be taken to limit the meaning of any of the other sub-paragraphs of that paragraph.

^{F47}(7)

Textual Amendments

F32 Words in reg. 6 heading substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **8(a)**

- F33** Reg. 6(1) omitted (5.7.2022) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **8(b)**
- F34** Words in reg. 6(2) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **8(c)(i)**
- F35** Word in reg. 6(2)(a)(iii) omitted (5.7.2022) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **8(c)(ii)(aa)**
- F36** Reg. 6(2)(a)(v)-(vii) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **8(c)(ii)(bb)**
- F37** Words in reg. 6(3) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **8(d)(i)**
- F38** Words in reg. 6(3)(c) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **8(d)(ii)**
- F39** Reg. 6(3)(da) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **6(a)**
- F40** Reg. 6(3A) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **8(e)**
- F41** Word in reg. 6(3A)(c) omitted (9.6.2023) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **5(a)(i)**
- F42** Reg. 6(3A)(d)(ii): semicolon substituted for full stop (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **5(a)(ii)**
- F43** Reg. 6(3A)(e) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **5(a)(iii)**
- F44** Reg. 6(3B)(3C) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **5(b)**
- F45** Reg. 6(4) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **8(f)**
- F46** Words in reg. 6(4) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **5(c)**
- F47** Reg. 6(7) omitted (5.7.2022) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **8(g)**

Commencement Information

- I11** Reg. 6 not in force at made date, see reg. 1(2)
- I12** Reg. 6 in force at 22.3.2019 by S.I. 2019/627, **reg. 12(1)(e)**

Meaning of “owned or controlled directly or indirectly”

7.—(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 ^{F48}... whether directly or indirectly, to achieve the result that affairs of C are conducted in accordance with P's wishes.

Textual Amendments

- F48** Reg. 7(4): comma omitted (31.12.2020 immediately after IP completion day) by virtue of [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **6(4)**; S.I. 2020/1514, **reg. 4**

Commencement Information

- I13** Reg. 7 not in force at made date, see [reg. 1\(2\)](#)
I14 Reg. 7 in force at 22.3.2019 by [S.I. 2019/627](#), **reg. 12(1)(f)**

Notification and publicity where ^{F49}power to designate by name] used

- 8.**—(1) Paragraph (2) applies where the Secretary of State—
- (a) has made a designation under ^{F50}regulation 5(1)], or
 - (b) has by virtue of section 22 of the Act varied or revoked a designation made under ^{F51}that paragraph of 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.
- ^{F52}(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;
 - (b) where the Secretary of State designates a person under the urgent procedure, must include a statement—
 - (i) that the designation 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.
- (3A) 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 5A (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.]
- ^{F53}(4) In this regulation, a “statement of reasons” means a brief statement of the matters that the Secretary of State knows, or has reasonable grounds to suspect, in relation to the person—
- (a) in the case of a designation under the standard procedure, which have led the Secretary of State to make 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 5A(7) or (8) (as the case may be).]
- (5) Matters that would otherwise be required by paragraph (4) 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.
- (6) 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;
 - (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) of the contents of the statement of reasons.
- (7) The “restricted publicity conditions” are as follows—
 - (a) the designation is of a person believed by the Secretary of State to be an individual under the age of 18;
 - (b) the Secretary of State considers that disclosure of the designation, variation or revocation should be restricted—
 - (i) in the interests of national security or international relations,
 - (ii) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or
 - (iii) in the interests of justice.
- (8) Paragraph (9) 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.
- (9) 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.

Textual Amendments

- F49** Words in [reg. 8 heading](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **9(a)**
- F50** Words in [reg. 8\(1\)\(a\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **9(b)(i)**
- F51** Words in [reg. 8\(1\)\(b\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **9(b)(ii)**
- F52** [Reg. 8\(3\)\(3A\)](#) substituted for [reg. 8\(3\)](#) (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **9(c)**

F53 Reg. 8(4) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **9(d)**

Commencement Information

I15 Reg. 8 not in force at made date, see reg. 1(2)

I16 Reg. 8 in force at 22.3.2019 by S.I. 2019/627, **reg. 12(1)(g)**

Confidential information in certain cases where designation power used

9.—(1) Where the Secretary of State in accordance with regulation 8(6)(b) informs only certain persons of a designation, variation or revocation and (in the case of a designation) of the contents of the statement of reasons, 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.

Commencement Information

I17 Reg. 9 not in force at made date, see reg. 1(2)

I18 Reg. 9 in force at 31.12.2020 by S.I. 2019/627, **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

^{F54}Notification and publicity where power to designate by description is used

9A.—(1) Paragraph (2) applies where the Secretary of State—

- (a) has provided that persons of a specified description are designated persons under regulation 5(1A) (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 paragraph of 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 (6) of regulation 5B (conditions for the designation of persons by description), or if the Secretary of State has made a certification under paragraph (6)(b) of that regulation, the period mentioned in paragraph (7) 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 grounds 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 5B(6) or (7) (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 be steps to publicise generally—
- (a) the designation, variation or revocation, and

- (b) in the case of—
- (i) a designation under the standard procedure, the statement of reasons relating to it, or
 - (ii) a designation under the urgent procedure, the contents of the statement required under paragraph (3)(b) relating to it.]

Textual Amendments

F54 Reg. 9A inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **10**

PART 3

Finance

[^{F55}CHAPTER 1

Asset-freeze etc.]

Textual Amendments

F55 Pt. 3 Ch. 1 heading inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **7(2)**

[^{F56}Meaning of “designated person” in Part 3

10. In this Part a “designated person” means a person who is designated under regulation 5 for the purposes of regulations 11 to 15.

Textual Amendments

F56 Regs. 10-15 become Pt. 3 Ch. 1 (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **7(1)**

Commencement Information

I19 Reg. 10 not in force at made date, see reg. 1(2)

I20 Reg. 10 in force at 31.12.2020 by S.I. 2019/627, reg. **12(2)**; 2020 c. 1, Sch. **5 para. 1(1)**

Asset-freeze in relation to designated persons

11.—(1) A person (“P”) must not deal with funds or economic resources owned, held or controlled by a designated person if P knows, or has reasonable cause to suspect, that P is dealing with such funds or economic resources.

- (2) Paragraph (1) is subject to Part 6 (Exceptions and licences).
- (3) A person who contravenes the prohibition in paragraph (1) commits an offence.
- (4) For the purposes of paragraph (1), a person “deals with” funds if the person—
 - (a) uses, alters, moves, transfers or allows access to the funds,
 - (b) deals with the funds in any other way that would result in any change in volume, amount, location, ownership, possession, character or destination, or

- (c) makes any other change, including portfolio management, that would enable use of the funds.
- (5) For the purposes of paragraph (1), a person “deals with” economic resources if the person—
 - (a) exchanges the economic resources for funds, goods or services, or
 - (b) uses the economic resources in exchange for funds, goods or services (whether by pledging them as security or otherwise).
- (6) The reference in paragraph (1) to funds or economic resources that are “owned, held or controlled” by a person includes, in particular, a reference to—
 - (a) funds or economic resources in which the person has any legal or equitable interest, regardless of whether the interest is held jointly with any other person and regardless of whether any other person holds an interest in the funds or economic resources;
 - (b) any tangible property (other than real property), or bearer security, that is comprised in funds or economic resources and is in the possession of the person.
- (7) For the purposes of paragraph (1) funds or economic resources are to be treated as owned, held or controlled by a designated person if they are owned, held or controlled by a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.
- (8) For the avoidance of doubt, the reference in paragraph (1) to a designated person includes P if P is a designated person.

Textual Amendments

F56 Regs. 10-15 become Pt. 3 Ch. 1 (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **7(1)**

Commencement Information

I21 Reg. 11 not in force at made date, see [reg. 1\(2\)](#)

I22 Reg. 11 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Making funds available to designated persons

12.—(1) A person (“P”) must not make funds available directly or indirectly to a designated person if P knows, or has reasonable cause to suspect, that P is making the funds so available.

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

(3) A person who contravenes the prohibition in paragraph (1) commits an offence.

(4) The reference in paragraph (1) to making funds available indirectly to a designated person includes, in particular, a reference to making them available to a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.

Textual Amendments

F56 Regs. 10-15 become Pt. 3 Ch. 1 (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **7(1)**

Commencement Information

I23 Reg. 12 not in force at made date, see [reg. 1\(2\)](#)

I24 Reg. 12 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Making funds available for benefit of designated persons

13.—(1) A person (“P”) must not make funds available to any person for the benefit of a designated person if P knows, or has reasonable cause to suspect, that P is making the funds so available.

- (2) Paragraph (1) is subject to Part 6 (Exceptions and licences).
- (3) A person who contravenes the prohibition in paragraph (1) commits an offence.
- (4) For the purposes of this regulation—
 - (a) funds are made available for the benefit of a designated person only if that person thereby obtains, or is able to obtain, a significant financial benefit, and
 - (b) “financial benefit” includes the discharge (or partial discharge) of a financial obligation for which the designated person is wholly or partly responsible.

Textual Amendments

F56 Regs. 10-15 become Pt. 3 Ch. 1 (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **7(1)**

Commencement Information

I25 Reg. 13 not in force at made date, see [reg. 1\(2\)](#)

I26 Reg. 13 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Making economic resources available to designated persons

14.—(1) A person (“P”) must not make economic resources available directly or indirectly to a designated person if P knows, or has reasonable cause to suspect—

- (a) that P is making the economic resources so available, and
- (b) that the designated person would be likely to exchange the economic resources for, or use them in exchange for, funds, goods or services.
- (2) Paragraph (1) is subject to Part 6 (Exceptions and licences).
- (3) A person who contravenes the prohibition in paragraph (1) commits an offence.
- (4) The reference in paragraph (1) to making economic resources available indirectly to a designated person includes, in particular, a reference to making them available to a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.

Textual Amendments

F56 Regs. 10-15 become Pt. 3 Ch. 1 (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **7(1)**

Commencement Information

I27 Reg. 14 not in force at made date, see [reg. 1\(2\)](#)

I28 Reg. 14 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Making economic resources available for benefit of designated persons

15.—(1) A person (“P”) must not make economic resources available to any person for the benefit of a designated person if P knows, or has reasonable cause to suspect, that P is making the economic resources so available.

- (2) Paragraph (1) is subject to Part 6 (Exceptions and licences).
- (3) A person who contravenes the prohibition in paragraph (1) commits an offence.
- (4) For the purposes of paragraph (1)—
 - (a) economic resources are made available for the benefit of a designated person only if that person thereby obtains, or is able to obtain, a significant financial benefit, and
 - (b) “financial benefit” includes the discharge (or partial discharge) of a financial obligation for which the designated person is wholly or partly responsible.]

Textual Amendments

F56 Regs. 10-15 become Pt. 3 Ch. 1 (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **7(1)**

Commencement Information

I29 Reg. 15 not in force at made date, see [reg. 1\(2\)](#)

I30 Reg. 15 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

[^{F57}CHAPTER 2

Other financial restrictions

Textual Amendments

F57 [Pt. 3 Ch. 2](#) inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **8**

Dealing with transferable securities or money-market instruments

15A.—(1) A person (“P”) must not directly or indirectly deal with a transferable security or money-market instrument falling within paragraph (2) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

- (2) A transferable security or money-market instrument falls within this paragraph if it—
 - (a) has a maturity exceeding 90 days,
 - (b) is issued by a relevant person, and
 - [^{F58}(c) is issued—
 - (i) after the date on which the Amendment Regulations 2021 come into force, and
 - (ii) before the Amendment Regulations 2022 come into force.]

[^{F59}(2A) A person (“P”) must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraphs (2B) or (2C) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(2B) A transferable security or money-market instrument falls within this paragraph if it is issued after the Amendment Regulations 2022 come into force [^{F60}by—

- (a) a relevant person;
- (b) a person, other than an individual, acting on behalf or upon the direction of a person falling within any of sub-paragraphs (a) to (c) of the definition of relevant person in regulation 15D(1)].

(2C) A transferable security or money-market instrument falls within this paragraph if it is issued after the Amendment Regulations 2022 come into force by—

- (a) a person connected with Belarus, which is not—
 - (i) a relevant person,
 - (ii) a person, other than an individual, which on the date on which the Amendment Regulations 2022 come into force is domiciled in a country other than Belarus, or
 - (iii) a person which on the date on which the Amendment Regulations 2022 come into force is a branch or subsidiary, wherever located, of a person mentioned in paragraph (ii);
- (b) a person, other than an individual, which is majority owned by a person falling within sub-paragraph (a) [^{F61}; or]

[a person, other than an individual, acting on behalf or at the direction of a person falling ^{F62}(c) within sub-paragraph (a) or sub-paragraph (b).]

[^{F63}(3) Paragraphs (1) and (2A) are subject to Part 6 (Exceptions and licences).]

(4) A person who contravenes the prohibition in [^{F64}paragraph (1) or (2A)] commits an offence.

(5) For the purposes of this regulation, a reference to “dealing with” a transferable security or money-market instrument includes a reference to purchasing or selling the security or instrument, providing investment services relating to the security or instrument, or assisting in the issuance of the security or instrument.

(6) In this regulation—

“investment services” means—

- (a) the reception and transmission of orders in relation to one or more financial instruments,
- (b) the execution of orders on behalf of clients,
- (c) dealing on own account,
- (d) portfolio management,
- (e) the provision of investment advice,
- (f) the underwriting of financial instruments or placing of financial instruments on a firm commitment basis,
- (g) the placing of financial instruments without a firm commitment basis, or
- (h) any service in relation to the admission to trading on a regulated market or trading on a multilateral trading facility;

“money-market instrument” means an instrument of a kind normally dealt in on the money market, such as treasury bills, certificates of deposit and commercial papers, excluding instruments of payment;

“transferable security” means a security, negotiable on the capital market, of any of the following kinds, but excluding instruments of payment—

- (a) shares in companies and other securities equivalent to shares in companies, partnerships or other entities, and depositary receipts in respect of shares;
- (b) bonds or other forms of securitised debt, including depositary receipts in respect of such securities;

- (c) any other securities giving the right to purchase or sell any security of a kind mentioned in paragraph (a) or (b).

Textual Amendments

- F58** Reg. 15A(2)(c) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **11(a)**
- F59** Reg. 15A(2A)-(2C) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **11(b)**
- F60** Words in reg. 15A(2B) substituted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **6(a)**
- F61** Word in reg. 15A(2C)(b) substituted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **6(b)(i)**
- F62** Reg. 15A(2C)(c) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **6(b)(ii)**
- F63** Reg. 15A(3) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **11(c)**
- F64** Words in reg. 15A(4) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **11(d)**

Loans and credit arrangements

15B.—(1) A person (“P”) must not directly or indirectly grant a relevant loan if P knows, or has reasonable cause to suspect, that P is granting a relevant loan.

(2) A person must not directly or indirectly enter into any arrangement to grant a relevant loan if the person knows, or has reasonable cause to suspect, that the arrangement relates to a relevant loan.

(3) Paragraphs (1) and (2) are subject to Part 6 (Exceptions and licences).

(4) A person who contravenes a prohibition in paragraph (1) or (2) commits an offence.

[^{F65}(5) In this regulation—

“category A loan” means a loan or credit which—

- (a) has a maturity exceeding 90 days,
- (b) is made or granted to a relevant person, and
- (c) is first made or granted—
 - (aa) after the date on which the Amendment Regulations 2021 come into force, and
 - (bb) before the Amendment Regulations 2022 come into force;

“category B loan” means a loan or credit which—

- (a) is made or granted to a relevant person,
- (b) is first made or granted after the Amendment Regulations 2022 come into force;

“category C loan” means a loan or credit which—

- (a) has a maturity exceeding 30 days,
- (b) is made or granted—
 - (i) to a person, other than an individual, which is connected with Belarus and which is not—
 - (aa) a person which on the date on which the Amendment Regulations 2022 come into force is domiciled in a country other than Belarus,

- (bb) a person which is majority owned by a person falling within paragraph (aa), or
 - (ii) to a person, other than an individual, which is majority owned by a person within sub-paragraph (i),
 - (c) is first made or granted after the Amendment Regulations 2022 come into force, and
 - (d) is not a category B loan;
- “relevant loan” means a category A loan, a category B loan or a category C loan.]

Textual Amendments

F65 Reg. 15B(5) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), 12

Insurance and reinsurance services

15C.—(1) A person (“P”) must not provide insurance or reinsurance services to a person falling within paragraph (2) if P knows, or has reasonable cause to suspect, that P is providing such services to such a person.

(2) The following persons fall within this paragraph—

- (a) Belarus;
- (b) a Belarusian authority;
- (c) a person, other than an individual, which is wholly owned by Belarus or a Belarusian authority;
- (d) a person acting on behalf of or at the direction of a person within sub-paragraphs (a) to (c).

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

(4) A person who contravenes the prohibition in paragraph (1) commits an offence.

(5) Nothing in this regulation prohibits compliance with an insurance or reinsurance agreement concluded before the date on which the Amendment Regulations 2021 come into force.

(6) For the purposes of this regulation—

- (a) “insurance and reinsurance services” include the provision of services relating to the extension or renewal of an insurance or reinsurance agreement, except where there is an obligation, which arose before the date on which the Amendment Regulations 2021 come into force, of the insurer or re-insurer to accept the extension or renewal;
- (b) paragraph (2)(d) does not include any person who is acting under a direction which is given in relation to a ship or aircraft for the purposes of docking, loading or unloading the ship or aircraft or for any purpose in connection with the safe transit of the ship or aircraft through Belarus or the airspace above it.

[^{F66} **Provision of financial services relating to foreign exchange reserve and asset management**

15CA.—(1) A person (“P”) must not provide financial services to a person mentioned in paragraph (2) where—

- (a) the financial services are for the purpose of foreign exchange reserve and asset management; and
- (b) P knows, or has reasonable cause to suspect, that the financial services are provided to such a person.

(2) The persons mentioned in this paragraph are—

- (a) the National Bank of Belarus,
 - (b) the Ministry of Finance of Belarus,
 - (c) a person owned or controlled directly or indirectly (within the meaning of regulation 7) by a person mentioned in sub-paragraphs (a) or (b), or
 - (d) a person acting on behalf of or at the direction of a person mentioned in sub-paragraphs (a) or (b).
- (3) Paragraph (1) is subject to Part 6 (Exceptions and licences).
- (4) A person who contravenes the prohibition in paragraph (1) commits an offence.]

Textual Amendments

F66 Reg. 15CA inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), 13

Interpretation of terms relating to other financial restrictions

15D.—(1) In this Chapter—

“Belarusian authority” means—

- (a) public bodies and agencies subordinate to the President of Belarus, including the Administration of the President of Belarus and the Committee of State Control;
- (b) the Council of Ministers of Belarus and each of its members;
- (c) any Ministry of the Government of Belarus;
- (d) any public body, agency or state concern subordinate to the Council of Ministers of Belarus;
- (e) any State Committee of Belarus;
- (f) the National Bank of Belarus; and
- (g) any local government body of Belarus, including the Councils of Deputies and Executive Committees;

[^{F67c}“branch” means, in relation to a credit or financial institution, a place of business which forms a legally dependent part of that institution and which carries out all or some of the transactions inherent in the business of that institution;]

“credit or financial institution” means—

- (a) a person, other than an individual, which would satisfy the threshold conditions for permission under Part 4A of the Financial Services and Markets Act 2000 if it had its registered office (or if it does not have one, its head office) in the United Kingdom; or
- (b) an undertaking which by way of business—
 - (i) operates a currency exchange office,
 - (ii) transmits money (or any representation of monetary value) by any means, or
 - (iii) cashes cheques that are made payable to customers;

[^{F67c}“foreign exchange reserve and asset management” means activities relating to the reserves or assets of the persons mentioned in paragraph (2) of regulation 15CA, such reserves or assets to include the following—

- (a) money market instruments (including cheques, bills and certificates of deposit),
- (b) foreign exchange,

- (c) derivative products (including futures and options),
- (d) exchange rate and interest rate instruments (including products such as swaps and forward rate agreements),
- (e) transferable securities,
- (f) other negotiable instruments and financial assets (including bullion),
- (g) special drawing rights;]

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

“relevant person” means—

- (a) Belarus;
- (b) a Belarusian authority;
- (c) a person, other than an individual, which is not a person within sub-paragraphs (d), (e) or (f) and which is wholly owned by Belarus or a Belarusian authority;
- (d) a credit or financial institution which is majority owned by Belarus or a Belarusian authority;
- (e) a person, other than an individual, which is—
 - (i) incorporated or constituted under the law of a non-UK country, and
 - (ii) majority owned by a person within sub-paragraph (d);
- (f) a person acting on behalf of or at the direction of a person within sub-paragraph (d) or sub-paragraph (e).

[^{F67}“subsidiary” has the meaning given by section 1159 of the Companies Act 2006;]

(2) The definition of “Belarusian authority” in paragraph (1) does not apply to any individual in their private capacity, and in that definition none of paragraphs (a) to (g) is to be taken to limit the meaning of any other of those paragraphs.

(3) For the purposes of this Chapter, a person (“C”) is “majority owned” by another person (“P”) if P—

- (a) holds directly or indirectly more than 50% of the shares in C, or
- (b) holds directly or indirectly more than 50% of the voting rights in C.

(4) For the purposes of this Chapter, a person (“C”) is “wholly owned” by another person (“P”) if P—

- (a) holds directly or indirectly 100% of the shares in C, or
- (b) holds directly or indirectly 100% of the voting rights in C.

(5) Schedule 1 applies for the purpose of interpreting paragraphs (3) and (4).]

[^{F68}(6) In this Chapter, the definition of “credit or financial institution” is to be read with section 22 of the Financial Services and Markets Act 2000, any relevant order under that section and Schedule 2 to that Act.]

Textual Amendments

F67 Words in reg. 15D(1) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **14(a)**

F68 Reg. 15D(6) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **14(b)**

[^{F69}CHAPTER 3 Further Provision]

Textual Amendments

- F69** Pt. 3 Ch. 3 heading inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **8**

Circumventing etc prohibitions

16.—(1) A person must not intentionally participate in activities knowing that the object or effect of them is, whether directly or indirectly—

- (a) to circumvent any of the prohibitions in [^{F70}[^{F71}Chapter] 1 or 2], or
 - (b) to enable or facilitate the contravention of any such prohibition.
- (2) A person who contravenes a prohibition in paragraph (1) commits an offence.

Textual Amendments

- F70** Words in [reg. 16\(1\)\(a\)](#) substituted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **9**
- F71** Word in [reg. 16\(1\)\(a\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **15**

Commencement Information

- I31** Reg. 16 not in force at made date, see [reg. 1\(2\)](#)
- I32** Reg. 16 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

PART 4

Immigration

Immigration

17. A person who is designated under regulation 5 for the purposes of this regulation is an excluded person for the purposes of section 8B of the Immigration Act 1971 ^{M6}.

Commencement Information

- I33** Reg. 17 not in force at made date, see [reg. 1\(2\)](#)
- I34** Reg. 17 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Marginal Citations

- M6** [1971 c. 77](#). Section 8B was inserted by the [Immigration and Asylum Act 1999 \(c.33\)](#), [section 8](#) and amended by the [Immigration Act 2016 \(c.19\)](#), [section 76](#); and the [Sanctions and Anti-Money Laundering Act \(c.13\)](#), section 59 and Schedule 3, Part 1.

PART 5

Trade

CHAPTER 1

Interpretation

Definition of “restricted goods” and “restricted technology”

^{F72}18.

Textual Amendments

F72 Reg. 18 omitted (5.7.2022) by virtue of [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **16(a)**

[^{F73}Definitions [^{F74}of “interception and monitoring goods” and “interception and monitoring technology”]

19.—(1) For the purposes of [^{F75}this Part] —

“interception and monitoring goods” means any item mentioned in sub-paragraph (a) or (b), provided that it may be used for interception and monitoring services—

- (a) a relevant Schedule 2A item;
- (b) any tangible storage medium on which interception and monitoring technology is recorded or from which it can be derived;

“interception and monitoring technology” means any thing—

- (a) which is described as software in paragraph 2 of Schedule 2A, provided that it may be used for interception and monitoring services, and
- (b) which is described as software or other technology in paragraph 3 of Schedule 2A, (but see paragraph (3));

^{F76} ...
^{F76} ...
^{F76} ...
^{F76} ...

(2) For the purpose of paragraph (1), “a relevant Schedule 2A item” means any thing described in Schedule 2A, other than—

- (a) any thing which is interception and monitoring technology, or
- (b) any thing for the time being specified in—
 - (i) Schedule 2 to the Export Control Order 2008, or
 - (ii) Annex I of the Dual-Use Regulation.

(3) The definition of “interception and monitoring technology” does not apply to software which is—

- (a) generally available to the public, or
- (b) in the public domain.

- (4) For the purpose of paragraph (3)—
- (a) software is “generally available to the public” if—
- (i) the software is sold from stock at retail selling points without restriction, by means of—
- (aa) over the counter transactions,
- (bb) mail order transactions,
- (cc) electronic transactions, or
- (dd) telephone order transactions, and
- (ii) the software is designed for installation by the user without further substantial support by the supplier;
- (b) software is “in the public domain” if the software has been made available without restrictions upon its further dissemination (and for this purpose copyright restrictions do not constitute a restriction upon its further dissemination).]

Textual Amendments

- F73** Reg. 19 substituted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **11**
- F74** Words in reg. 19 heading substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **16(b)(i)**
- F75** Words in reg. 19(1) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **16(b)(ii)(aa)**
- F76** Words in reg. 19(1) omitted (5.7.2022) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **16(b)(ii)(bb)**

[^{F77} Definition of “interception and monitoring services”

19A.—(1) For the purposes of this Part, “interception and monitoring services” means any service that has as its object or effect the interception of a communication in the course of its transmission by means of a telecommunication system.

(2) A person intercepts a communication in the course of its transmission by means of a telecommunication system if, and only if—

- (a) the person does a relevant act in relation to the system, and
- (b) the effect of the relevant act is to make any content of the communication available, at a relevant time, to a person who is not the sender or intended recipient of the communication.

(3) In paragraph (2) a “relevant act”, in relation to a telecommunication system, means—

- (a) modifying, or interfering with, the system or its operation;
- (b) monitoring transmissions made by means of the system;
- (c) monitoring transmissions made by wireless telegraphy to or from apparatus that is part of the system.

(4) In paragraph (2), a “relevant time”, in relation to a communication transmitted by means of a telecommunication system, means—

- (a) any time while the communication is being transmitted, and
- (b) any time when the communication is stored in or by the system (whether before or after its transmission).

(5) For the purpose of paragraph (2), the cases in which any content of a communication is to be taken to be made available to a person at a relevant time include any case in which any of the communication is diverted or recorded at a relevant time so as to make the content of the communication available to a person after that time.

(6) In paragraph (3), references to modifying a telecommunication system include references to attaching any apparatus to, or otherwise modifying or interfering with—

- (a) any part of the system, or
- (b) any wireless telegraphy apparatus used for making transmissions to or from apparatus that is part of the system.

(7) For the purposes of this regulation, the following definitions also apply—

“apparatus” includes any equipment, machinery or device (whether physical or logical) and any wire or cable;

“communication”, for the purpose of a telecommunication system, includes—

- (a) anything comprising speech, music, sounds, visual images or data of any description, and
- (b) signals serving for the impartation of anything between persons, between a person and a thing or between things, for the actuation or control of any apparatus;

“content”, in relation to a communication and a telecommunication system, means any element of the communication, or any data attached to or logically associated with the communication, which reveals anything of what might reasonably be considered to be the meaning (if any) of the communication, but—

- (a) any meaning arising from the fact of the communication or from any data relating to the transmission of the communication is to be disregarded, and
- (b) anything which is systems data is not content;

“systems data” means any data that enables or facilitates, or identifies or describes anything connected with enabling or facilitating, the functioning of a telecommunication system (including any apparatus forming part of the system);

“a telecommunication system” means a system (including the apparatus comprised in it) that exists for the purpose of facilitating the transmission of communications by any means involving the use of electrical or electromagnetic energy;

“wireless telegraphy” and “wireless telegraphy apparatus” have the same meaning as in sections 116 and 117 of the Wireless Telegraphy Act 2006.]

Textual Amendments

F77 Reg. 19A inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **12**

Interpretation of other expressions used in this Part

20.—(1) Paragraphs 32 and 36 of Schedule 1 to the Act (trade sanctions) apply for the purpose of interpreting expressions in this Part.

(2) In this Part, any reference to the United Kingdom includes a reference to the territorial sea.

(3) In this Part—

[^{F78}“banknotes” means—

- (a) sterling denominated banknotes issued by the Bank of England and banks in Scotland and Northern Ireland, and

- (b) banknotes denominated in any official currency of the European Union;]
- “brokering service” means any service to secure, or otherwise in relation to, an arrangement, including (but not limited to)—
- (a) the selection or introduction of persons as parties or potential parties to the arrangement,
 - (b) the negotiation of the arrangement,
 - (c) the facilitation of anything that enables the arrangement to be entered into, and
 - (d) the provision of any assistance that in any way promotes or facilitates the arrangement;
- [^{F78cc}“cement” has the meaning given to it in paragraph 2 of Schedule 2J;]
- [^{F78cc}“chemical and biological weapons-related goods” means—
- (a) any thing specified in Part 2 of Schedule 2H, other than chemical and biological weapons-related technology (but see paragraph (4)), and
 - (b) any tangible storage medium on which chemical and biological weapons-related technology is recorded or from which it can be derived;]
- [^{F78cc}“chemical and biological weapons-related technology” means any thing specified as technology or software in Part 2 of Schedule 2H, other than technology which is—
- (a) the minimum necessary for—
 - (i) the installation, operation, maintenance and repair of any goods which are not subject to a prohibition under this Part, or
 - (ii) patent applications,
 - (b) in the public domain,
 - (c) a medical device, or
 - (d) used for basic scientific research;]
- [^{F79cc}“critical-industry goods” means—
- (a) any thing specified in Schedule 2C, other than—
 - (i) any thing which is critical-industry technology, or
 - (ii) any thing for the time being specified in—
 - (aa) Schedule 2 or 3 to the Export Control Order 2008, or
 - (bb) Annex I of the Dual-Use Regulation,
 - (cc) Schedule 2 (list of internal repression goods and internal repression technology),
 - (bb) Schedule 2A (interception and monitoring goods and interception and monitoring technology), and
 - (b) any tangible storage medium on which critical-industry technology is recorded or from which it can be derived;]
- [^{F79cc}“critical-industry technology” means any thing described in Schedule 2C as software or technology, other than any thing for the time being specified in—
- (a) Schedule 2 or 3 to the Export Control Order 2008, or
 - (b) Annex I of the Dual-Use Regulation,
 - (c) Schedule 2 (internal repression goods and internal repression technology),
 - (d) Schedule 2A (interception and monitoring goods and interception and monitoring technology);]

[^{F80}“dual-use goods” means—

- (a) any thing for the time being specified in Annex I of the Dual-Use Regulation, other than any thing which is dual-use technology, and
- (b) any tangible storage medium on which dual-use technology is recorded or from which it can be derived;

“dual-use technology” means any thing for the time being specified in Annex I of the Dual-Use Regulation which is described as software or technology;]

[^{F78}“gold” has the meaning given to it in paragraph 3 of Schedule 2J;]

[^{F78}“gold jewellery” has the meaning given to it in paragraph 4 of Schedule 2J;]

[^{F79}“internal repression goods” means—

- (a) any thing specified in Schedule 2, other than—
 - (i) any thing which is internal repression technology, or
 - (ii) any thing for the time being specified in—
 - (aa) Schedule 2 to the Export Control Order 2008, or
 - (bb) Annex # of the Dual-Use Regulation, and
- (b) any tangible storage medium on which internal repression technology is recorded or from which it can be derived;]

[^{F79}“internal repression technology” means any thing which is described in Schedule 2 as software or technology, within the meaning of that Schedule;]

[^{F79}“iron and steel products” has the meaning given to it in Schedule 2B;]

[^{F79}“luxury goods” means any thing specified in Schedule 2E, other than any thing for the time being specified in—

- (a) Schedules 2 or 3 to the Export Control Order 2008,
- (b) Annex I of the Dual-Use Regulation, or
- (c) Schedule 2C (critical-industry goods and critical-industry technology);]

[^{F78}“machinery-related goods” means any thing falling within Part 2 of Schedule 2I, other than—

- (a) any thing which is machinery-related technology, or
- (b) any thing for the time being specified in—
 - (i) Schedule 2 or 3 to the Export Control Order 2008,
 - (ii) Annex I of the Dual-Use Regulation, or
 - (iii) Schedule 2C (critical-industry goods and critical-industry technology);]

[^{F78}“machinery-related technology” means any thing described in Part 2 of Schedule 2I as software or technology, other than any thing for the time being specified in—

- (a) Schedule 3 to the Export Control Order 2008,
- (b) Annex I of the Dual-Use Regulation, or
- (c) Schedule 2C;]

[^{F79}“military goods” means—

- (a) any thing for the time being specified in Schedule 2 to the Export Control Order 2008, other than any thing which is military technology, and

- (b) any tangible storage medium on which military technology is recorded or from which it can be derived;]

[^{F79}“military technology” means any thing for the time being specified in Schedule 2 to the Export Control Order 2008 which is described as software or technology;]

[^{F79}“mineral products” has the meaning given to it in Schedule 2B;]

[^{F79}“oil refining goods” means—

- (a) any thing specified in Schedule 2F, other than—
 - (i) any thing which is oil refining technology, or
 - (ii) any thing for the time being specified in—
 - (aa) Schedule 3 to the Export Control Order 2008,
 - (bb) Annex I of the Dual-Use Regulation, or
 - (cc) Schedule 2C (critical-industry goods and critical-industry technology), and
- (b) any tangible storage medium on which oil refining technology is recorded or from which it can be derived;]

[^{F79}“oil refining technology” means any thing described in Schedule 2F as software or technology, other than any thing for the time being specified in —

- (a) Schedule 3 to the Export Control Order 2008,
- (b) Annex 1 of the Dual-Use Regulation, or
- (c) Schedule 2C (critical-industry goods and critical-industry technology);]

“potash” has the meaning given to it in Schedule 2B;

F81 ...

[^{F79}“quantum computing and advanced materials goods” means—

- (a) any thing specified in Schedule 2G, other than—
 - (i) any thing which is quantum computing and advanced materials technology, or
 - (ii) any thing for the time being specified in—
 - (aa) Schedule 2 or 3 to the Export Control Order 2008,
 - (bb) Annex I of the Dual-Use Regulation,
 - (cc) Schedule 2C (critical-industry goods and critical-industry technology),
 - (dd) Schedule 2F (oil refining goods and oil refining technology), and
- (b) any tangible storage medium on which quantum computing and advanced materials technology is recorded or from which it can be derived;]

[^{F79}“quantum computing and advanced materials technology” means any thing described in Schedule 2G as software or technology, other than anything for the time being specified in—

- (a) Schedule 2 or 3 to the Export Control Order 2008,
- (b) Annex I of the Dual-Use Regulation,
- (c) Schedule 2C (critical-industry goods and critical-industry technology),
- (d) Schedule 2F (oil refining goods and oil refining technology);]

[^{F78}“relevant processed gold” means gold which—

- (a) has been processed in a third country, and
- (b) incorporates gold that, on or after 21st July 2022—

- (i) originated in Belarus, and
- (ii) has been exported from Belarus;]

[^{F78c}“rubber” has the meaning given to it in paragraph 5 of Schedule 2J;]

“technical assistance”, in relation to goods or technology, means—

- (a) technical support relating to the repair, development, production, assembly, testing, use or maintenance of the goods or technology, or
- (b) any other technical service relating to the goods or technology;

[^{F82c}“tobacco industry goods” has the meaning given to it in Schedule 2B;]

“transfer” has the meaning given by paragraph 37 of Schedule 1 to the Act [^{F83};

[^{F78c}“wood” has the meaning given to it in paragraph 6 of Schedule 2J.]

[^{F84}(3A) The definition of “chemical and biological weapons-related goods” does not apply to anything specified in Schedule 2H—

- (a) which is—
 - (i) a pharmaceutical formulation designed for human administration in the treatment of a medical condition, and
 - (ii) pre-packaged for distribution as a medicinal product, or
- (b) which is a medical device.]

^{F85}(4)

Textual Amendments

- F78** Words in [reg. 20\(3\)](#) inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **7(a)(ii)**
- F79** Words in [reg. 20\(3\)](#) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **16(c)(ii)**
- F80** Words in [reg. 20\(3\)](#) inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **13(a)(i)**
- F81** Words in [reg. 20\(3\)](#) omitted (5.7.2022) by virtue of [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **16(c)(i)**
- F82** Words in [reg. 20\(3\)](#) inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **13(a)(ii)**
- F83** [Reg. 20\(3\)](#): semicolon substituted for full stop (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **7(a)(i)**
- F84** [Reg. 20\(3A\)](#) inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **7(b)**
- F85** [Reg. 20\(4\)](#) omitted (14.10.2021 at noon) by virtue of [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **13(b)**

Commencement Information

- I35** [Reg. 20](#) not in force at made date, see [reg. 1\(2\)](#)
- I36** [Reg. 20](#) in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

CHAPTER 2

[^{F86}Exports to Belarus and related activities]

Textual Amendments

F86 Pt. 5 Ch. 2 heading substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **17(a)**

Export of [^{F87}goods to, or for use in, Belarus]

[^{F88}**21.**—(1) The export of the following goods to or for use in Belarus is prohibited—

- [^{F89}(a) banknotes;
- (b) chemical and biological weapons-related goods;
 - (c) critical-industry goods;
 - (d) dual-use goods;
 - (e) interception and monitoring goods;
 - (f) internal repression goods;
 - (g) luxury goods;
 - (h) machinery-related goods;
 - (i) military goods;
 - (j) oil refining goods;
 - (k) quantum computing and advanced materials goods;
 - (l) tobacco industry goods.]

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

Textual Amendments

F87 Words in [reg. 21](#) heading substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **17(b)(i)**

F88 [Reg. 21\(1\)](#) substituted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **15(2)**

F89 [Reg. 21\(1\)\(a\)-\(l\)](#) substituted for [reg. 21\(1\)\(a\)-\(i\)](#) (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **8(a)**

Commencement Information

I37 [Reg. 21](#) not in force at made date, see [reg. 1\(2\)](#)

I38 [Reg. 21](#) in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Supply and delivery of [^{F90}goods from a third country to Belarus]

[^{F91}**22.**—(1) A person must not directly or indirectly supply or deliver the following goods from a third country to a place in Belarus—

- [^{F92}(a) banknotes;
- (b) chemical and biological weapons-related goods;

- (c) critical-industry goods;
- (d) dual-use goods;
- (e) interception and monitoring goods;
- (f) internal repression goods;
- (g) luxury goods;
- (h) machinery-related goods;
- (i) military goods;
- (j) oil refining goods;
- (k) quantum computing and advanced materials goods;
- (l) tobacco industry goods.]

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

(3) A person who contravenes the 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 goods were destined (or ultimately destined) for Belarus.

(4) In this regulation, “third country” means a country that is not the United Kingdom, the Isle of Man or Belarus.]

Textual Amendments

- F90** Words in [reg. 22](#) heading substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **17(c)(i)**
- F91** [Reg. 22\(1\)](#) substituted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **16(2)**
- F92** [Reg. 22\(1\)\(a\)-\(l\)](#) substituted for [reg. 22\(1\)\(a\)-\(i\)](#) (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **8(b)**

Commencement Information

- I39** [Reg. 22](#) not in force at made date, see [reg. 1\(2\)](#)
- I40** [Reg. 22](#) in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

[^{F93} Making available goods and technology to a person connected with, or for use in, Belarus]

[^{F94} **23.**—(1) A person must not—

- (a) directly or indirectly make goods or technology to which this paragraph applies available to a person connected with Belarus;
- (b) directly or indirectly make goods or technology to which this paragraph applies available for use in Belarus.

(1A) Paragraph (1) applies to—

- [^{F95} (a) banknotes;
- (b) chemical and biological weapons-related goods and chemical and biological weapons-related technology;
- (c) critical-industry goods and critical-industry technology;
- (d) dual-use goods and dual-use technology;
- (e) interception and monitoring goods and interception and monitoring technology;

- (f) internal repression goods and internal repression technology;
 - (g) luxury goods;
 - (h) machinery-related goods and machinery-related technology;
 - (i) military goods and military technology;
 - (j) oil refining goods and oil refining technology;
 - (k) quantum computing and advanced materials goods and quantum computing and advanced materials technology;
 - (l) tobacco industry goods.]
- (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—
- (a) it is a defence for a person charged with the offence of contravening paragraph (1)(a) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Belarus;
 - (b) it is a defence for a person charged with the offence of contravening paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the goods or technology were for use in Belarus.]

Textual Amendments

- F93** Reg. 23 heading substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **17(d)(i)**
- F94** Reg. 23(1)(1A) substituted for reg. 23(1) (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **17(2)**
- F95** Reg. 23(1A)(a)-(l) substituted for reg. 23(1A)(a)-(i) (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **8(c)**

Commencement Information

- I41** Reg. 23 not in force at made date, see [reg. 1\(2\)](#)
- I42** Reg. 23 in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 12(2)**; 2020 c. 1, Sch. 5 para. 1(1)

Transfer of ^{F96}technology to a place in, or person connected with, Belarus]

- 24.—(1) A person must not—
- (a) transfer ^{F97}technology to which this paragraph applies] to a place in Belarus;
 - (b) transfer ^{F98}technology to which this paragraph applies] to a person connected with ^{F99}Belarus.]
- ^{F100}(1A) Paragraph (1) applies to—
- ^{F101}(a) chemical and biological weapons-related technology;
- (b) critical-industry technology;
 - (c) dual-use technology;
 - (d) interception and monitoring technology;
 - (e) internal repression technology;
 - (f) machinery-related technology;
 - (g) military technology;

- (h) oil refining technology;
 - (i) quantum computing and advanced materials technology.]]
- (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—
- (a) it is a defence for a person charged with the offence of contravening paragraph (1)(a) to show that the person did not know and had no reasonable cause to suspect that the transfer was to a place in Belarus;
 - (b) it is a defence for a person charged with the offence of contravening paragraph (1)(b) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Belarus.

Textual Amendments

- F96** Words in reg. 24 heading substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **17(e)(i)**
- F97** Words in reg. 24(1)(a) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **17(e)(ii)**
- F98** Words in reg. 24(1)(b) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **17(e)(iii)(aa)**
- F99** Words in reg. 24(1)(b) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **17(e)(iii)(bb)**
- F100** Reg. 24(1A) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **17(e)(iv)**
- F101** Reg. 24(1A)(a)-(i) substituted for reg. 24(1A)(a)-(g) (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **8(d)**

Commencement Information

- I43** Reg. 24 not in force at made date, see reg. 1(2)
- I44** Reg. 24 in force at 31.12.2020 by S.I. 2019/627, **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

[^{F102}Provision of interception and monitoring services

24A.—(1) A person must not directly or indirectly provide interception and monitoring services to, or for the benefit of, the Government of Belarus.

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

(3) A person who contravenes the prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence (“P”) to show that P did not know and had no reasonable cause to suspect that the services were provided to or for the benefit of the Government of Belarus.]

Textual Amendments

- F102** Reg. 24A inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **18**

Technical assistance relating to [^{F103}certain goods and technology]

25.—(1) A person must not directly or indirectly provide technical assistance relating to [^{F104}goods or technology to which this paragraph applies] —

- (a) to a person connected with Belarus, or
- (b) for use in Belarus.

[^{F105}(1A) Paragraph (1) applies to—

- [^{F106}(a) chemical and biological weapons-related goods and chemical and biological weapons-related technology;
 - (b) critical-industry goods and critical-industry technology;
 - (c) dual-use goods and dual-use technology;
 - (d) interception and monitoring goods and interception and monitoring technology;
 - (e) internal repression goods and internal repression technology;
 - (f) machinery-related goods and machinery-related technology;
 - (g) military goods and military technology;
 - (h) oil refining goods and oil refining technology;
 - (i) quantum computing and advanced materials goods and quantum computing and advanced materials technology.]]
- (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—
- (a) it is a defence for a person charged with the offence of contravening paragraph (1)(a) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Belarus;
 - (b) it is a defence for a person charged with the offence of contravening paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the goods or technology were for use in Belarus.

Textual Amendments

- F103** Words in [reg. 25](#) heading substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **17(f)(i)**
- F104** Words in [reg. 25\(1\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **17(f)(ii)**
- F105** [Reg. 25\(1A\)](#) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **17(f)(iii)**
- F106** [Reg. 25\(1A\)\(a\)-\(i\)](#) substituted for [reg. 25\(1A\)\(a\)-\(g\)](#) (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **8(e)**

Commencement Information

- I45** [Reg. 25](#) not in force at made date, see [reg. 1\(2\)](#)
- I46** [Reg. 25](#) in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Financial services and funds relating to [^{F107}certain arrangements]

26.—(1) A person must not directly or indirectly provide, to a person connected with Belarus, financial services in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of [^{F108}relevant] goods,
- (b) the direct or indirect supply or delivery of [^{F108}relevant] goods,

- (c) directly or indirectly making [^{F108}relevant] goods or [^{F108}relevant] technology available to a person,
 - (d) the transfer of [^{F108}relevant] technology, or
 - (e) the direct or indirect provision of technical assistance relating to [^{F108}relevant] goods or [^{F108}relevant] technology.
- (2) A person must not directly or indirectly make funds available to a person connected with Belarus in pursuance of or in connection with an arrangement mentioned in paragraph (1).
- (3) A person must not directly or indirectly provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is—
- (a) the export of [^{F109}relevant] goods to, or for use in, Belarus,
 - (b) the direct or indirect supply or delivery of [^{F109}relevant] goods to a place in Belarus,
 - (c) directly or indirectly making [^{F109}relevant] goods or [^{F109}relevant] technology available—
 - (i) to a person connected with Belarus, or
 - (ii) for use in Belarus,
 - (d) the transfer of [^{F109}relevant] technology—
 - (i) to a person connected with Belarus, or
 - (ii) for use in Belarus, or
 - (e) the direct or indirect provision of technical assistance relating to [^{F109}relevant] goods or [^{F109}relevant] technology—
 - (i) to a person connected with Belarus,
 - (ii) for use in Belarus.
- (4) Paragraphs (1) to (3) are subject to Part 6 (Exceptions and licences).
- (5) A person who contravenes a prohibition in any of paragraphs (1) to (3) commits an offence, but—
- (a) it is a defence for a person charged with an offence of contravening paragraph (1) or (2) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Belarus;
 - (b) it is a defence for a person charged with an offence of contravening a prohibition in paragraph (3) to show that the person did not know and had no reasonable cause to suspect that the financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.
- [^{F110}(6) In this regulation—
- “relevant goods” means—
- (a) chemical and biological weapons-related goods;
 - (b) critical-industry goods;
 - (c) dual-use goods;
 - (d) interception and monitoring goods;
 - (e) internal repression goods;
 - (f) machinery-related goods;
 - (g) military goods;
 - (h) oil refining goods;

- (i) quantum computing and advanced materials goods;
“relevant technology” means—
- (a) chemical and biological weapons-related technology;
- (b) critical-industry technology;
- (c) dual-use technology;
- (d) interception and monitoring technology;
- (e) internal repression technology;
- (f) machinery-related technology;
- (g) military technology;
- (h) oil refining technology;
- (i) quantum computing and advanced materials technology.]

Textual Amendments

- F107** Words in [reg. 26](#) heading substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **17(g)(i)**
- F108** Word in [reg. 26\(1\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **17(g)(ii)**
- F109** Word in [reg. 26\(3\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **17(g)(ii)**
- F110** [Reg. 26\(6\)](#) substituted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **8(f)**

Commencement Information

- I47** [Reg. 26](#) not in force at made date, see [reg. 1\(2\)](#)
- I48** [Reg. 26](#) in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Brokering services: [^{F111}certain arrangements relating to non-UK activities]

27.—(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 [^{F112}relevant] goods from a third country to a place in Belarus,
- (b) directly or indirectly making [^{F112}relevant] goods available in a third country for direct or indirect supply or delivery—
 - (i) to a person connected with Belarus, or
 - (ii) to a place in Belarus,
- (c) directly or indirectly making [^{F112}relevant] technology available in a third country for transfer—
 - (i) to a person connected with Belarus, or
 - (ii) to a place in Belarus,
- (d) the transfer of [^{F112}relevant] technology from a place in a third country—
 - (i) to a person connected with Belarus, or
 - (ii) to a place in Belarus,

- (e) the direct or indirect provision, in a non-UK country, of technical assistance relating to ^[F112]relevant] goods or ^[F112]relevant] technology—
- (i) to a person connected with Belarus, or
 - (ii) for use in Belarus,
- (f) the direct or indirect provision, in a non-UK country, of financial services—
- (i) to a person connected with Belarus, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 26(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 26(3),
- (g) directly or indirectly making funds available, in a non-UK country, to a person connected with Belarus where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 26(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 26(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;
- ^[F113]“relevant goods” and “relevant technology” have the meanings given in regulation 26;]
- “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 Belarus, and
 - (b) for the purposes of any other provision of paragraph (1), a country that is not the United Kingdom or Belarus.

Textual Amendments

- F111** Words in *reg. 27* heading substituted (5.7.2022) by *The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748)*, regs. 1(2), **17(h)(i)**
- F112** Word in *reg. 27(1)* substituted (5.7.2022) by *The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748)*, regs. 1(2), **17(h)(ii)**
- F113** Words in *reg. 27(4)* inserted (5.7.2022) by *The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748)*, regs. 1(2), **17(h)(iii)**

Commencement Information

- I49** *Reg. 27* not in force at made date, see *reg. 1(2)*
- I50** *Reg. 27* in force at 31.12.2020 by *S.I. 2019/627*, **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

^{F114}CHAPTER 2A

Dual-use goods, dual-use technology and related activities

Textual Amendments

F114 Pt. 5 Ch. 2A omitted (5.7.2022) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **18**

Interpretation of this Chapter

27A.

Export of dual-use goods

27B.

Supply and delivery of dual-use goods

27C.

Making dual-use goods and dual-use technology available

27D.

Transfer of dual-use technology

27E.

Technical assistance relating to dual-use goods and dual-use technology

27F.

Financial services and funds relating to dual-use goods and dual-use technology

27G.

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

27H.

^{F115}CHAPTER 2B

^{F116}Imports from Belarus and related activities]

Textual Amendments

F115 Pt. 5 Chs. 2A-2C inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **19**

F116 Pt. 5 Ch. 2B heading substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **19(a)**

Import of [^{F117}goods originating in, or consigned from, Belarus]

27I.—(1) The import of goods to which this paragraph applies which originate in Belarus is prohibited.

(2) The import of goods to which this paragraph applies which are consigned from Belarus is prohibited.

(3) Paragraphs (1) and (2) apply to—

- [^{F118}(a) arms and related materiel;
- (b) cement;
- (c) gold and gold jewellery which has been exported from Belarus on or after the relevant day;
- (d) iron and steel products;
- (e) mineral products;
- (f) potash;
- (g) relevant processed gold;
- (h) rubber;
- (i) wood.]

(4) Paragraphs (1) and (2) are subject to Part 6 (Exceptions and licences).

[
^{F119}(5) In this regulation and regulation 27J “arms and related materiel” means—

- (a) military goods, and
- (b) any thing which falls within chapter 93 of the Goods Classification Table, other than military goods.

(6) For the purposes of the definition of “arms and related materiel”, whether a thing “falls within chapter 93 of the Goods Classification Table” is to be interpreted in accordance with paragraph 1 of Schedule 2B.]

[
^{F120}(7) In this Chapter, “relevant day” means the day on which this paragraph comes into force.]

Textual Amendments

F117 Words in reg. 27I heading substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **19(b)(i)**

F118 Reg. 27I(3)(a)-(i) substituted for reg. 27I(3)(a)-(d) (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **9(a)(i)**

F119 Reg. 27I(5)(6) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **19(b)(iii)**

F120 Reg. 27I(7) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **9(a)(ii)**

Acquisition of [^{F121}goods connected to Belarus]

27J.—(1) A person must not directly or indirectly acquire goods to which this paragraph applies—

- (a) which originate in Belarus;
- (b) which are located in Belarus.

(2) Paragraph (1) applies to—

[^{F122}(a) arms and related materiel;

(b) cement;

(c) gold and gold jewellery which has been exported from Belarus on or after the relevant day;

(d) iron and steel products;

(e) mineral products;

(f) potash;

(g) rubber;

(h) wood.]

(3) A person must not directly or indirectly acquire potash [^{F123}, military goods or military technology] from a person connected with Belarus.

(4) Paragraphs (1) and (3) are subject to Part 6 (Exceptions and licences).

(5) A person who contravenes a prohibition in paragraph (1) or (3) commits an offence, but—

(a) it is a defence for a person charged with the offence of contravening paragraph (1)(a) to show that the person did not know and had no reasonable cause to suspect that the goods originated in Belarus;

(b) it is a defence for a person charged with the offence of contravening paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the goods were located in Belarus;

(c) it is a defence for a person charged with the offence of contravening paragraph (3) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Belarus.

Textual Amendments

F121 Words in [reg. 27J](#) heading substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **19(c)(i)**

F122 [Reg. 27J\(2\)\(a\)-\(h\)](#) substituted for [reg. 27J\(2\)\(a\)-\(d\)](#) (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **9(b)**

F123 Words in [reg. 27J\(3\)](#) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **19(c)(iii)**

Supply and delivery of [^{F124}goods to places outside the UK]

27K.—(1) A person must not directly or indirectly supply or deliver goods to which this paragraph applies from a place in Belarus to a third country.

(2) A person must not directly or indirectly supply or deliver goods to which this paragraph applies from a place in a non-UK country to a place in a different non-UK country where those goods originate in Belarus.

[^{F125}(3) Paragraph (1) applies to—

[^{F126}(a) arms and related materiel;

(b) cement;

(c) gold and gold jewellery which has been exported from Belarus on or after the relevant day;

(d) iron and steel products;

- (e) mineral products;
 - (f) potash;
 - (g) rubber;
 - (h) wood.]
- (3A) Paragraph (2) applies to—
- [^{F127}(a) cement;
- (b) gold and gold jewellery which has been exported from Belarus on or after the relevant day;
 - (c) mineral products;
 - (d) potash;
 - (e) rubber;
 - (f) wood.]]
- (4) Paragraphs (1) and (2) are subject to Part 6 (Exceptions and licences).
- (5) A person who contravenes a prohibition in paragraph (1) or (2) commits an offence, but—
- (a) it is a defence for a person charged with the offence of contravening paragraph (1) to show that the person did not know and had no reasonable cause to suspect that the supply or delivery was from a place in Belarus, whether directly or indirectly;
 - (b) it is a defence for a person charged with the offence of contravening paragraph (2) to show that the person did not know and had no reasonable cause to suspect that the goods originated in Belarus.
- (6) In this regulation—
- “non-UK country” means a country that is not the United Kingdom or the Isle of Man;
- “third country” means a country that is not the United Kingdom, the Isle of Man or Belarus.

Textual Amendments

- F124** Words in reg. 27K heading substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **19(d)(i)**
- F125** Reg. 27K(3)(3A) substituted for reg. 27K(3) (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **19(d)(ii)**
- F126** Reg. 27K(3)(a)-(h) substituted for reg. 27K(3)(a)-(d) (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **9(c)(i)**
- F127** Reg. 27K(3A)(a)-(f) substituted for reg. 27K(3A)(a)(b) (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **9(c)(ii)**

Technical assistance relating to [^{F128}certain activities]

- 27L.**—(1) A person must not directly or indirectly provide technical assistance relating to—
- (a) the import of [^{F129}cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, iron and steel products, mineral products, potash, relevant processed gold, rubber or wood] which—
 - (i) originate in Belarus, or
 - (ii) are consigned from Belarus;
 - (b) the direct or indirect acquisition of [^{F130}cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, iron and steel products, mineral products, potash, relevant processed gold, rubber or wood]—

- (i) originating in Belarus, or
 - (ii) located in Belarus;
 - (c) the direct or indirect supply or delivery of [^{F131}cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, iron and steel products, mineral products, potash, relevant processed gold, rubber or wood] from a place in Belarus to a third country;
 - (d) the direct or indirect supply or delivery of [^{F132}cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, mineral products, potash, relevant processed gold, rubber or wood] from a place in a non-UK country to a place in a different non-UK country where the [^{F132}cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, mineral products, potash, relevant processed gold, rubber or wood] originate in Belarus.
- (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—
- (a) it is a defence for a person charged with an offence of contravening paragraph 1(a), to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to an import described in that paragraph;
 - (b) it is a defence for a person charged with an offence of contravening paragraph 1(b), to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to an acquisition described in that paragraph;
 - (c) it is a defence for a person charged with an offence of contravening paragraph 1(c) or (d), to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to a supply or delivery described in paragraph (c) or (d), as applicable.
- (4) In this regulation—
- “non-UK country” means a country that is not the United Kingdom or the Isle of Man;
 - “third country” means a country that is not the United Kingdom, the Isle of Man or Belarus.

Textual Amendments

- F128** Words in reg. 27L heading substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **19(e)(i)**
- F129** Words in reg. 27L(1)(a) substituted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **9(d)(i)**
- F130** Words in reg. 27L(1)(b) substituted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **9(d)(i)**
- F131** Words in reg. 27L(1)(c) substituted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **9(d)(i)**
- F132** Words in reg. 27L(1)(d) substituted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **9(d)(ii)**

Financial services, funds and brokering services relating to [^{F133}certain arrangements]

27M.—(1) A person must not directly or indirectly provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the import of [^{F134}cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, iron and steel products, mineral products, potash, relevant processed gold, rubber or wood] which—
- (i) originate in Belarus, or
 - (ii) are consigned from Belarus;
- (b) the direct or indirect acquisition of [^{F135}cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, iron and steel products, mineral products, potash, relevant processed gold, rubber or wood]—
- (i) originating in Belarus, or
 - (ii) located in Belarus;
- (c) the direct or indirect supply or delivery of [^{F136}cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, iron and steel products, mineral products, potash, relevant processed gold, rubber or wood] from a place in Belarus to a third country;
- (d) the direct or indirect supply or delivery of [^{F137}cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, mineral products, potash, relevant processed gold, rubber or wood] from a place in a non-UK country to a place in a different non-UK country where the [^{F137}cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, mineral products, potash, relevant processed gold, rubber or wood] originate in Belarus.
- (2) A person must not directly or indirectly provide brokering services in relation to any arrangements described in paragraph (1).
- (3) Paragraphs (1) and (2) are subject to Part 6 (Exceptions and licences).
- (4) A person who contravenes the 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 financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.
- (5) A person who contravenes a prohibition in paragraph (2) 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.
- (6) In this regulation—
- “non-UK country” means a country that is not the United Kingdom or the Isle of Man;
- “third country” means a country that is not the United Kingdom, the Isle of Man or Belarus.

Textual Amendments

- F133** Words in [reg. 27M heading](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), [regs. 1\(2\), 19\(f\)\(i\)](#)
- F134** Words in [reg. 27M\(1\)\(a\)](#) substituted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), [regs. 1\(2\), 9\(e\)\(i\)](#)
- F135** Words in [reg. 27M\(1\)\(b\)](#) substituted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), [regs. 1\(2\), 9\(e\)\(i\)](#)
- F136** Words in [reg. 27M\(1\)\(c\)](#) substituted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), [regs. 1\(2\), 9\(e\)\(i\)](#)
- F137** Words in [reg. 27M\(1\)\(d\)](#) substituted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), [regs. 1\(2\), 9\(e\)\(ii\)](#)

CHAPTER 2C

[^{F138}Other trade prohibitions]

Textual Amendments

F138 Pt. 5 Ch. 2C heading substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **20(a)**

Technical assistance relating to aircraft [^{F139}and ships]

27N.—(1) A person must not directly or indirectly provide technical assistance to, or for the benefit of, [^{F140}any designated person, where the assistance relates to an aircraft or a ship.]

(2) Paragraph (1) does not apply to any technical assistance which is prohibited under [^{F141}regulation 25 (technical assistance relating to certain goods and technology).]

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

(4) A person who contravenes the prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence (“P”) to show that P did not know and had no reasonable cause to suspect that the technical assistance was provided to or for the benefit of a [^{F142}designated person].

[^{F143}(5) In this regulation—

“aircraft” includes unmanned aircraft and aircraft capable of spaceflight activities;

“designated person” means a person designated under regulation 5 (power to designate persons) for the purposes of this regulation;

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

“spaceflight activities” has the meaning given in section 1(6) of the Space Industry Act 2018.]]

Textual Amendments

F139 Words in [reg. 27N](#) heading substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **20(b)**

F140 Words in [reg. 27N\(1\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **20(c)(i)**

F141 Words in [reg. 27N\(2\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **20(c)(ii)**

F142 Words in [reg. 27N\(4\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **20(c)(iii)**

F143 [Reg. 27N\(5\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **20(c)(iv)**

[^{F144}Enabling or facilitating military activities]

27O.—(1) A person must not directly or indirectly provide—

- (a) technical assistance,
- (b) armed personnel,
- (c) financial services or funds, or

(d) brokering services in relation to an arrangement whose object or effect is to provide, in a non-UK country, anything mentioned in sub-paragraphs (a) to (c), where such provision enables or facilitates the conduct of military activities carried on or proposed to be carried on by the Belarusian military or any other military end-user who is a person connected with Belarus.

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

(3) A person who contravenes the 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 provision as mentioned in paragraph (1) would enable or facilitate the conduct of military activities carried on or proposed to be carried on by the Belarusian military or any other military end-user who is a person connected with Belarus.

(4) In this regulation—

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

“technical assistance” means the provision of technical support or any other technical service.

(5) Nothing in this regulation is to be taken to limit the meaning of any of the prohibitions contained in this Part.]

Textual Amendments

F144 [Reg. 27O](#) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **20(d)**

[^{F145}CHAPTER 2D

Internet services

Textual Amendments

F145 [Pt. 5 Ch. 2D](#) inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **10**

Preventing provision of internet services to or for the benefit of designated persons

27P.—(1) A person who provides a social media service must take reasonable steps to prevent content that is generated directly on the service, or uploaded to or shared on the service, by a designated person being encountered by a user of the service in the United Kingdom.

(2) A person who provides an internet access service must take reasonable steps to prevent a user of the service in the United Kingdom from accessing, by means of that service, an internet service provided by a designated person.

(3) A person who provides an application store through which an application for an internet service may be downloaded or otherwise accessed must take reasonable steps to prevent a user of the application store in the United Kingdom from downloading or otherwise accessing, by means of that application store, an internet service provided by a designated person.

(4) A person who fails to comply with the requirement in paragraph (1), paragraph (2) or paragraph (3) commits an offence.

(5) In this regulation—

“content” means anything communicated by means of an internet service, whether publicly or privately, including written material or messages, oral communications, photographs, videos, visual images, music and data of any description;

“designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of this regulation;

“encounter”, in relation to content, means read, view, hear or otherwise experience content;

“internet access service” means a service that provides access to virtually all (or just some) of the end points of the internet;

“internet service” means a service that is made available by means of the internet;

“social media service” has the meaning given by section 43(3) of the Finance Act 2020.]

CHAPTER 3

Further provision

Circumventing etc prohibitions

28.—(1) A person must not intentionally participate in activities knowing that the object or effect of them is, whether directly or indirectly—

- (a) to circumvent any of the prohibitions in [^{F146}Chapter 2 ^{F147}..., 2B or 2C] of this Part, or
- (b) to enable or facilitate the contravention of any such prohibition.

(2) A person who contravenes a prohibition in paragraph (1) commits an offence.

Textual Amendments

F146 Words in [reg. 28\(1\)\(a\)](#) substituted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **20(1)**

F147 Word in [reg. 28\(1\)\(a\)](#) omitted (5.7.2022) by virtue of [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **21**

Commencement Information

I51 Reg. 28 not in force at made date, see [reg. 1\(2\)](#)

I52 Reg. 28 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Defences

29.—(1) Paragraph (2) applies where a person relies on a defence under [^{F148}Chapter 2 ^{F149}..., 2B or 2C] of this Part.

(2) If evidence is adduced which is sufficient to raise an issue with respect to the defence, the court must assume that the defence is satisfied unless the prosecution proves beyond reasonable doubt that it is not.

Textual Amendments

F148 Words in [reg. 29\(1\)](#) substituted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **20(2)**

F149 Word in [reg. 29\(1\)](#) omitted (5.7.2022) by virtue of [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **21**

Commencement Information

- I53** Reg. 29 not in force at made date, see [reg. 1\(2\)](#)
I54 Reg. 29 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

[^{F150}PART 5A

Aircraft

Textual Amendments

- F150** Pt. 5A inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), [regs. 1\(2\)](#), **21**

Movement of aircraft

- 29A.**—[
- ^{F151}(A1) A Belarusian aircraft must not—
- (a) overfly the United Kingdom, or
 - (b) land in the United Kingdom.
- (A2) Paragraph (A1) is subject to Part 6 (Exceptions and licences).]
- (1) The Secretary of State may direct the CAA to—
 - (a) refuse permission under article 250 of the ANO in respect of Belarusian aircraft;
 - (b) refuse permission under article 252 of the ANO in respect of Belarusian aircraft;
 - (c) suspend or revoke any permission granted under article 250 of the ANO in respect of Belarusian aircraft;
 - (d) suspend or revoke any permission granted under article 252 of the ANO in respect of Belarusian aircraft.
 - (2) Air traffic control may direct the operator or pilot in command of a Belarusian aircraft—
 - (a) not to enter the airspace over the United Kingdom;
 - (b) to leave the airspace over the United Kingdom by a specified route.
 - (3) The Secretary of State may direct air traffic control to give directions under paragraph (2).
 - [^{F152}(4) An airport operator may direct the operator or pilot in command of a Belarusian aircraft—
 - (a) not to take off, or not to permit the aircraft to take off, from an airport the operator manages,
 - (b) to take off, or to require the aircraft to take off, from an airport the operator manages, or
 - (c) not to land, or not to permit the aircraft to land, at an airport the operator manages.
 - (5) The Secretary of State may direct an airport operator to—
 - (a) give a direction under paragraph (4),
 - (b) secure the detention of a Belarusian aircraft at an airport, or
 - (c) secure the movement of a Belarusian aircraft to an airport specified in the direction.
 - (6) An airport operator giving a direction under paragraph (4)(a) must take such steps as are reasonably practicable to detain the aircraft.
 - (7) In this regulation “Belarusian aircraft” means an aircraft—

- (a) owned, chartered or operated by—
 - (i) a designated person, or
 - (ii) a person connected with Belarus, or
- (b) registered in Belarus.

(8) In paragraph (7), a “designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of this regulation.]

Textual Amendments

F151 Reg. 29A(A1)(A2) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **22(a)**

F152 Reg. 29A(4)-(8) substituted for reg. 29A(4)(5) (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **22(b)**

Directions under regulation 29A

29B.—(1) Paragraphs (3) to (5) apply in relation to a direction given under regulation 29A (movement of aircraft).

(2) A direction under regulation 29A(5) may be given to any airport operator or to airport operators generally.

(3) A person to whom a direction is given has a duty to comply with it.

(4) A direction may be of indefinite duration or a defined duration.

(5) A person who gives a direction may vary, revoke or suspend it at any time.

[
^{F153}(6) Any directions made by the Secretary of State under regulation 29A may make different provision for different purposes.

(7) Any directions in regulation 29A(1) to (5) are subject to the exceptions in regulation 31H (aircraft: exceptions relating to safety of persons or aircraft).]

Textual Amendments

F153 Reg. 29B(6)(7) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **23**

Directions under regulation 29A: supplementary

29C.—(1) Where a direction is given under regulation 29A(1)(c) or (d)—

(a) to the extent that the direction conflicts with the requirements of article 255 of the ANO (revocation etc. of permissions), those requirements are to be disregarded, and

(b) article 255(4) of the ANO does not apply in relation to the [^{F154}suspension or] revocation which is the subject of the direction.

(2) Where a direction is given under regulation 29A which conflicts with a permission under article 250 of the ANO, the permission is to be disregarded.

(3) In so far as a direction under regulation 29A conflicts with the requirements of section 93 of the Transport Act 2000 or of an order under section 94 of that Act, the direction is to be disregarded.

(4) In so far as a direction under regulation 29A conflicts with the requirements of an enactment other than section 93 of the Transport Act 2000 or an order under section 94 of that Act, the requirements are to be disregarded.

(5) The Secretary of State may notify a person that the existence, any part of the content of a direction under regulation 29A, or anything done under the direction, is to be treated as confidential.

(6) A person must not disclose any information which the Secretary of State has notified that person under paragraph (5) is to be treated as confidential.

Textual Amendments

F154 Words in reg. 29C(1)(b) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), 24

[^{F155}Registration of an aircraft in the United Kingdom

29CA.—(1) The CAA must refuse to register an aircraft if, on the basis of the information given to the CAA by the applicant, the Secretary of State or a third person, the aircraft appears to be a relevant aircraft.

(2) The Secretary of State may direct the CAA to terminate the registration of a relevant aircraft.

(3) In so far as a direction under paragraph (2) conflicts with the provisions of Part 3 (Registration and marking) of the ANO, those provisions are to be disregarded.

(4) For the purposes of this regulation “relevant aircraft” means—

- (a) an aircraft owned or operated by a designated person, or
- (b) an aircraft chartered by demise by a designated person.

(5) Any reference in this regulation to registering an aircraft is a reference to registering an aircraft in the register kept by the CAA.

(6) In this regulation, a “designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of this regulation.]

Textual Amendments

F155 Reg. 29CA inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), 25

Offences

29D.—[

^{F156}(A1) If a prohibition in regulation 29A(A1) (movement of aircraft) is contravened by the flight or landing of a Belarusian aircraft, the operator and pilot in command of the aircraft commit an offence.]

(1) It is an offence for an airport operator to fail, without reasonable excuse, to comply with a direction given by the Secretary of State under regulation 29A(5) (directions to airport operators).

(2) It is an offence for a person to whom a direction is given under regulation 29A(4) (direction by airport operator to operator or pilot of aircraft) to fail to comply with the direction.

(3) It is an offence for a person to whom a direction is given under regulation 29A(2) (direction by air traffic control to operator or pilot of Belarusian aircraft) to fail to comply with the direction.

(4) A person who contravenes the prohibition in regulation 29C(6) (disclosure of confidential information) commits an offence.

[
F157 (5) In paragraph (A1), “Belarusian aircraft” has the same meaning as in regulation 29A.]

Textual Amendments

- F156** Reg. 29D(A1) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **26(a)**
- F157** Reg. 29D(5) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **26(b)**

Interpretation of Part 5A

29E.—(1) In this Part—

“air traffic control” means a person who holds a licence under Chapter 1 of Part 1 of the Transport Act 2000 (air traffic services);

“the ANO” means the Air Navigation Order 2016;

“beneficial interest” means any beneficial interest, however arising (whether held by trustee or nominee or arising under a contract or otherwise), other than an interest held by any person as mortgagee;

F158
...

“specified” means specified in a direction under regulation 29A.

(2) For the purposes of [F159 this Part], an aircraft is “owned” by a person if—

- (a) the legal title to the aircraft, or to any share in the aircraft, is vested in the person, or
- (b) the person has a beneficial interest in the aircraft or in any share in the aircraft,

and the reference to a legal title or other interest includes one held jointly with any other person or persons.

(3) Any expression used in this Part and in section 6 of the Act (aircraft sanctions) has the same meaning in this Part as it has in that section.]

Textual Amendments

- F158** Words in reg. 29E(1) omitted (5.7.2022) by virtue of [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **27(a)**
- F159** Words in reg. 29E(2) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **27(b)**

[F160 **PART 5B**

Ships

Textual Amendments

- F160** Pt. 5B inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **28**

Prohibition on port entry

29F.—(1) A person must not provide a ship to which this paragraph applies with access to a port in the United Kingdom, if the person knows, or has reasonable cause to suspect, that the ship is a ship to which this paragraph applies.

(2) The master or pilot of a ship to which this paragraph applies must not cause or permit the ship to enter a port in the United Kingdom if the master or pilot knows, or has reasonable cause to suspect, that the ship is a ship to which this paragraph applies.

(3) Paragraphs (1) and (2) are subject to Part 6 (Exceptions and licences).

(4) A person who contravenes a prohibition in paragraph (1) or (2) commits an offence.

(5) Paragraphs (1) and (2) apply to—

- (a) a ship owned, controlled, chartered or operated by a designated person,
- (b) a ship owned, controlled, chartered or operated by a person connected with Belarus,
- (c) a ship flying the flag of Belarus,
- (d) a ship registered in Belarus, or
- (e) a specified ship.

(6) In paragraph (5), a “designated person” means a person who is designated under regulation 5 for the purposes of this regulation.

Directions prohibiting port entry

29G.—(1) A port barring direction may be given to the master or pilot of a specified ship.

(2) A port barring direction may be given by—

- (a) the Secretary of State, or
- (b) a harbour authority.

(3) The Secretary of State may direct a harbour authority to take such steps as are reasonably practicable to secure that a ship mentioned in a port barring direction does not enter a port or ports specified in the direction, or any port in the United Kingdom.

(4) It is an offence for a person to whom a direction is given under this regulation to fail to comply with the direction.

(5) The Secretary of State may notify a person that the existence of a port barring direction, any part of the content of the direction, or anything done under the direction, is to be treated as confidential.

(6) It is an offence for a person to disclose information if the Secretary of State has notified that person under paragraph (5) that the information is to be treated as confidential.

(7) In this regulation, a “port barring direction” means a direction prohibiting a ship from entering a port or ports specified in the direction, or any port in the United Kingdom.

Movement of ships

29H.—(1) A port entry direction or a movement direction may be given by the Secretary of State to the master or pilot of—

- (a) a ship owned, controlled, chartered or operated by a designated person,
- (b) a ship owned, controlled, chartered or operated by a person connected with Belarus,
- (c) a ship registered in Belarus,
- (d) a ship flying the flag of Belarus, or

- (e) a specified ship.
- (2) The Secretary of State may direct a harbour authority to take such steps as are reasonably practicable to secure that a ship mentioned in paragraph (1)—
 - (a) proceeds to or enters a port specified in the direction,
 - (b) leaves a port specified in the direction,
 - (c) proceeds to a place specified in the direction, or
 - (d) remains where it is.
- (3) It is an offence for a person to whom a direction is given under this regulation to fail to comply with the direction.
- (4) The Secretary of State may notify a person that the existence of a port entry direction or a movement direction, any part of the content of the direction, or anything done under the direction, is to be treated as confidential.
- (5) It is an offence for a person to disclose information if the Secretary of State has notified that person under paragraph (4) that the information is to be treated as confidential.
- (6) In this regulation—
 - “designated person” means a person who is designated under regulation 5 for the purposes of this regulation;
 - “movement direction” means a direction requiring a ship—
 - (a) to leave a port specified in the direction,
 - (b) to proceed to a place specified in the direction, or
 - (c) to remain where it is;
 - “port entry direction” means a direction requiring a ship to proceed to or enter a port specified in the direction.

Detention of ships

- 29I.**—(1) A detention direction may be given to the master of a ship referred to in paragraph (3) by—
- (a) the Secretary of State, or
 - (b) a harbour authority.
- (2) A detention direction under paragraph (1)(b) may only be given by a harbour authority to the master of a specified ship if it has received a direction from the Secretary of State in accordance with paragraph (3)(d).
- (3) The Secretary of State may direct a harbour authority to give a detention direction to the master of—
- (a) a ship owned, controlled, chartered or operated by a designated person,
 - (b) a ship owned, controlled, chartered or operated by a person connected with Belarus,
 - (c) a ship registered in Belarus,
 - (d) a ship flying the flag of Belarus, or
 - (e) a specified ship.
- (4) A “detention direction” means a direction requiring the detention of a ship at a port or anchorage in the United Kingdom.
- (5) A detention direction given in relation to a ship—
- (a) must be in writing,

- (b) must be delivered to the master of the ship by the person who detains the ship,
- (c) must state the grounds on which the ship is detained, and
- (d) must state that—
 - (i) it is given under this regulation, and
 - (ii) any requirements imposed by the direction must be complied with.
- (6) Paragraph (7) applies if—
 - (a) the ship is not a British ship, and
 - (b) there is in the United Kingdom a consular officer for the country to which the ship belongs.
- (7) A copy of the detention direction must be sent as soon as practicable to the nearest consular officer for the country to which the ship belongs.
- (8) Section 284(1), (2), (2A), (2B), (3) and (8) of the Merchant Shipping Act 1995 (enforcement of detention of ship) applies in the case of detention under a detention direction as it applies in the case of detention authorised or ordered by that Act, but as if—
 - (a) any reference in that section to a notice of detention were to the detention direction, and
 - (b) the reference in subsection (2A) of that section to a direction given under subsection (1A) (a) of that section were to any requirement imposed by the detention direction.
- (9) In this regulation, “consular officer”, in relation to a foreign country, means the officer recognised by Her Majesty as a consular officer of that foreign country.
- (10) In this regulation, a “designated person” means a person who is designated under regulation 5 for the purposes of this regulation.

Registration of ships in the United Kingdom

- 29J.**—(1) The Registrar must refuse to register a ship if, on the basis of the information given to the Registrar by the Secretary of State or accompanying the application for registration, the ship appears to the Registrar to be owned, controlled, chartered or operated by—
- (a) a designated person; or
 - (b) a person connected with Belarus.
- (2) The Secretary of State may direct the Registrar to terminate the registration of—
- (a) a ship that is owned, controlled, chartered or operated by;
 - (i) a designated person;
 - (ii) a person connected with Belarus; or
 - (b) a specified ship.
- (3) For the purposes of this regulation—
- (a) any reference to registering a ship is to registering the ship in the register of British ships maintained by the Registrar;
 - (b) “designated person” means a person who is designated under regulation 5 for the purposes of this regulation;
 - (c) a ship is “chartered” by a person if it is chartered on bareboat charter terms within the meaning given by section 17(11) of the Merchant Shipping Act 1995.

Specification of ships

- 29K.**—(1) The Secretary of State may specify ships within the meaning of section 7 of the Act for the purposes of—

- (a) regulation 29F (prohibition on port entry),
- (b) regulation 29G (directions prohibiting port entry),
- (c) regulation 29H (movement of ships),
- (d) regulation 29I (detention of ships), and
- (e) regulation 29J (registration of ships in the United Kingdom).

(2) The Secretary of State must specify a ship by its International Maritime Organization number or, where it is not reasonably practicable to identify it by that number, by any other means that the Secretary of State considers appropriate.

(3) The Secretary of State may not specify a ship unless the Secretary of State has reasonable grounds to suspect that the ship is, has been, or is likely to be, involved in a relevant activity..

(4) For the purposes of this regulation a ship is “involved in a relevant activity” if the ship is used for any activity whose object or effect is to contravene or circumvent, or to enable or facilitate the contravention or circumvention of, any provision of Part 3 (Finance), Part 5 (Trade), Part 5A (Aircraft) or Part 5B (Ships).

Notification and publicity where specification power used

29L.—(1) Paragraph (2) applies where the Secretary of State—

- (a) has specified a ship under regulation 29K(1) (specification of ships), or
- (b) has by virtue of section 26 of the Act revoked a specification made under that regulation.

(2) The Secretary of State—

- (a) must without delay take such steps as are reasonably practicable to inform such persons as the Secretary of State considers appropriate of the specification or revocation, and
- (b) except where one or more of the restricted publicity conditions is met, must take steps to publicise the specification or revocation generally.

(3) The “restricted publicity conditions” are that the Secretary of State considers that disclosure of the specification 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.

(4) Paragraph (5) applies if—

- (a) when a specification is made one or more of the restricted publicity conditions is met, but
- (b) at any time when the specification has effect, it becomes the case that none of the restricted publicity conditions is met.

(5) The Secretary of State must take steps to publicise the specification generally.

Directions under this Part: general

29M.—(1) Paragraphs (2) to (4) apply in relation to a direction given under this Part.

(2) A person to whom a direction is given has a duty to comply with it.

(3) A direction may be of indefinite duration or a defined duration.

(4) A person who gives a direction may vary, revoke or suspend it at any time.

(5) A direction under regulation 29H(2) (movement of ships) may be given to any harbour authority or to harbour authorities generally.

Interpretation of Part 5B

29N.—(1) For the purposes of regulations 29F to 29L, a ship is—

- (a) “owned” by a person if—
 - (i) the legal title to the ship, or to any share in the ship, is vested in the person, or
 - (ii) the person has a beneficial interest in the ship or in any share in the ship; and
- (b) “controlled” by a person who is able to take decisions about its operation, including (but not limited to) decisions about the route the ship may take and the appointment of master or crew.

(2) For the purposes of paragraph (1)(b), a ship is not “controlled” by its master or crew, unless that master or crew are designated persons under any of the relevant regulations of this Part.

(3) For the purposes of the relevant regulations of this Part, a ship is not “operated” by its master or crew unless that master or crew are designated persons for the purposes of any of those regulations.

(4) Any reference in this Part to a legal title or other interest includes one held jointly with any other person or persons.

(5) For the purposes of this Part—

“beneficial interest” means any beneficial interest, however arising (whether held by trustee or nominee or arising under a contract or otherwise), other than an interest held by any person as mortgagee;

“specified ship” means a ship specified by the Secretary of State under regulation 29K (specification of ships);

“the relevant regulations of this Part” means regulations 29F, 29H, 29I and 29J.

(6) Any expression used in this Part and in section 7 of the Act (shipping sanctions) has the same meaning in this Part as it has in that section.]

PART 6

Exceptions and licences

[^{F161}Asset-freeze, etc.]: exceptions from prohibitions

30.—(1) The prohibition in regulation 11 (asset-freeze in relation to designated persons) is not contravened by an independent person (“P”) transferring to another person a legal or equitable interest in funds or economic resources where, immediately before the transfer, the interest—

- (a) is held by P, and
- (b) is not held jointly with the designated person.

(2) In paragraph (1) “independent person” means a person who—

- (a) is not the designated person, and
- (b) is not owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.

(3) The prohibitions in regulations 11 to 13 (asset-freeze in relation to, and making funds available to, or for the benefit of, designated persons) are not contravened by a relevant institution crediting a frozen account with interest or other earnings due on the account.

(4) The prohibitions in regulations 12 and 13 (making funds available to, or for the benefit of, designated persons) are not contravened by a relevant institution crediting a frozen account where it receives funds transferred to that institution for crediting to that account.

(5) The prohibitions in regulations 12 and 13 are not contravened by the transfer of funds to a relevant institution for crediting to an account held or controlled (directly or indirectly) by a designated person, where those funds are transferred in discharge (or partial discharge) of an obligation which arose before the date on which the person became a designated person.

(6) The prohibitions in regulations 11 to 13 are not contravened in relation to a designated person (“P”) by a transfer of funds from account A to account B, where—

- (a) account A is with a relevant institution which carries on an excluded activity within the meaning of section 142D of the Financial Services and Markets Act 2000^{M7},
- (b) account B is with a ring-fenced body within the meaning of section 142A of the Financial Services and Markets Act 2000^{M8}, and
- (c) accounts A and B are held or controlled (directly or indirectly) by P.

[^{F162}(6A) The prohibitions in regulations 11 to 15 are not contravened by—

- (a) the purchase in Belarus of [^{F163}mineral products] —
 - (i) by an individual, on a retail basis, for that individual’s personal use, or
 - (ii) solely for the purposes of the performance of any humanitarian assistance activity in Belarus;
- (b) the provision of any financial service or the making available of any funds in pursuance of or in connection with a purchase specified in sub-paragraph (a).]

(7) In this regulation—

“designated person” has the same meaning as it has in Part 3 (Finance);

“frozen account” means an account with a relevant institution which is held or controlled (directly or indirectly) by a designated person;

[^{F164}“mineral products” has the meaning given in regulation 20(3);]

“relevant institution” means a person that has permission under Part 4A of the Financial Services and Markets Act 2000^{M9} (permission to carry on regulated activity).

(8) The definition of “relevant institution” in paragraph (7) is to be read with section 22 of the Financial Services and Markets Act 2000^{M10}, any relevant order under that section^{M11} and Schedule 2 to that Act^{M12}.

Textual Amendments

F161 Words in [reg. 30](#) heading substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **29(a)**

F162 [Reg. 30\(6A\)](#) inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **22**

F163 Words in [reg. 30\(6A\)\(a\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **29(b)**

F164 Words in [reg. 30\(7\)](#) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **29(c)**

Commencement Information

I55 [Reg. 30](#) not in force at made date, see [reg. 1\(2\)](#)

I56 [Reg. 30](#) in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Marginal Citations

- M7** 2000 c.8. Section 142D was inserted by the [Financial Services \(Banking Reform\) Act 2013 \(c.33\), section 4\(1\)](#).
- M8** Section 142A was inserted by the [Financial Services \(Banking Reform\) Act 2013 \(c.33\), section 4\(1\)](#).
- M9** Part 4A was inserted by the [Financial Services Act 2012 \(c.21\), section 11\(2\)](#) and amended by S.I. 2018/135.
- M10** Section 22 was amended by the [Financial Guidance and Claims Act 2018 \(c.10\), section 27\(4\)](#); the [Financial Services Act 2012, section 7\(1\)](#); and S.I. 2018/135.
- M11** [S.I. 2001/544](#) as most recently amended by [S.I. 2018/1288](#) and prospectively amended by [S.I. 2018/1403](#).
- M12** Schedule 2 was amended by the [Regulation of Financial Services \(Land Transactions\) Act 2005 \(c.24\), section 1](#); the [Dormant Bank and Building Society Accounts Act 2008 \(c.31\), section 15](#) and Schedule 2, paragraph 1; the [Financial Services Act 2012, sections 7\(2\) to \(5\) and 8](#); and [S.I. 2013/1881](#); and it is prospectively amended by [S.I. 2018/135](#).

[^{F165}Exception for authorised conduct in a relevant country

30A.—(1) Where a person's conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) [^{F166}, 15B (loans and credit arrangements) [^{F167}, 15C (insurance and reinsurance services) or 15CA (provision of financial services relating to foreign reserve and asset management)], or Chapters 2, ^{F168}... 2B or 2C] of Part 5 (Trade) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(2) In this regulation—
“relevant country” means—

- (a) any of the Channel Islands,
- (b) the Isle of Man, or
- (c) any British overseas territory.]

Textual Amendments

- F165** Reg. 30A inserted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 4\) Regulations 2020 \(S.I. 2020/951\), regs. 1\(2\), 6\(2\)](#); S.I. 2020/1514, [reg. 18](#)
- F166** Words in [reg. 30A\(1\)](#) substituted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\), regs. 1\(2\), 23](#)
- F167** Words in [reg. 30A\(1\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\), regs. 1\(2\), 30\(a\)](#)
- F168** Word in [reg. 30A\(1\)](#) omitted (5.7.2022) by virtue of [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\), regs. 1\(2\), 30\(b\)](#)

Exception for acts done for purposes of national security or prevention of serious crime

31.—(1) Where an act would, in the absence of this paragraph, be prohibited by the prohibition in regulation 9(2) (confidentiality) or any prohibition in Part 3 (Finance) [^{F169}, 5 (Trade) [^{F170}, 5A

(Aircraft) or 5B (Ships)]], that prohibition does not apply to the act if the act is one which a responsible officer has determined would be in the interests of—

- (a) national security, or
- (b) the prevention or detection of serious crime in the United Kingdom or elsewhere.

(2) Where, in the absence of this paragraph, a thing would be required to be done under or by virtue of a provision of [^{F171}Part 5A (Aircraft),] Part 7 (Information and records) or Part 9 (Maritime enforcement), that requirement does not apply if a responsible officer has determined that not doing the thing in question would be in the interests of—

- (a) national security, or
- (b) the prevention or detection of serious crime in the United Kingdom or elsewhere.

(3) In this regulation “responsible officer” means a person in the service of the Crown or holding office under the Crown, acting in the course of that person's duty.

Textual Amendments

- F169** Words in [reg. 31\(1\)](#) substituted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), [regs. 1\(2\)](#), [24\(a\)](#)
- F170** Words in [reg. 31\(1\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), [regs. 1\(2\)](#), [31](#)
- F171** Words in [reg. 31\(2\)](#) inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), [regs. 1\(2\)](#), [24\(b\)](#)

Commencement Information

- I57** [Reg. 31](#) not in force at made date, see [reg. 1\(2\)](#)
- I58** [Reg. 31](#) in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

[^{F172}Exceptions relating to loans and credit arrangements

31A.—(1) The prohibitions in regulation 15B (loans and credit arrangements) are not contravened by the grant of—

- [^{F173}(a) a relevant loan that has a specific and documented objective of making emergency funds available to meet applicable solvency or liquidity criteria for a relevant subsidiary;
- (b) a relevant loan consisting of a drawdown or disbursement made under an arrangement entered into before—
 - (i) in the case of a category A loan, the date on which the Amendment Regulations 2021 came into force;
 - (ii) in the case of a category B loan or a category C loan, the date on which the Amendment Regulations 2022 came into force,where the conditions in paragraph (2) are met.]

(2) The conditions referred to in [^{F174}paragraph (1)(c)] are that—

- (a) all the terms and conditions of such drawdowns or disbursements—
 - [^{F175}(i) were agreed before—
 - (aa) in the case of a category A loan, the date on which the Amendment Regulations 2021 came into force, or
 - (bb) in the case of a category B loan or a category C loan, the date on which the Amendment Regulations 2022 came into force;]

- (ii) have not been modified on or after that date; and
 - (b) a contractual maturity date has been fixed for the repayment in full of all funds made available and for the cancellation of all the rights and obligations under the arrangement.
- [^{F176}(3) In this regulation—
- (a) “category A loan”, “category B loan”, “category C loan” and “relevant loan” have the meanings given to them in regulation 15B;
 - (b) “relevant subsidiary” means a person, other than an individual, which is—
 - (i) incorporated or constituted under the law of any part of the United Kingdom, and
 - (ii) majority owned (within the meaning of regulation 15D(3)) by a person, other than an individual, that is connected with Belarus.]

Textual Amendments

- F172** Regs. 31A-31C inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **25**
- F173** Reg. 31A(1)(a)(b) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **32(a)**
- F174** Words in reg. 31A(2) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **32(b)(i)**
- F175** Reg. 31A(2)(a)(i) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **32(b)(ii)**
- F176** Reg. 31A(3) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **32(c)**

Exceptions relating to insurance and reinsurance services

31B.—(1) The prohibition in regulation 15C (insurance and reinsurance services) is not contravened by—

- (a) the provision of compulsory or third party insurance to an individual who is a national of Belarus, or to a body incorporated or constituted under the law of Belarus which is, located in the United Kingdom;
- (b) the provision of insurance for a diplomatic mission or consular post of Belarus in the United Kingdom.

(2) The prohibition in regulation 15C, insofar as it prohibits the provision of insurance or reinsurance services to persons falling within paragraph (2)(d) of that regulation, is not contravened by the provision of insurance or reinsurance services to an individual falling within that paragraph, provided that the insurance or reinsurance is for that individual’s personal use.

Textual Amendments

- F172** Regs. 31A-31C inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **25**

Trade: [^{F177}exceptions relating to mineral products for personal or humanitarian use]

31C.—(1) [^{F178}The prohibition in regulation 27J(1) (acquisition of goods connected to Belarus) is not contravened by the purchase in Belarus of mineral products—]

- (a) by an individual on a retail basis, for that individual’s personal use, or
- (b) solely for the purposes of the performance of any humanitarian assistance activity in Belarus.

[^{F179}(2) The prohibitions in regulations 27I (import of goods originating in, or consigned from, Belarus) and 27K (supply and delivery of goods to places outside the UK) are not contravened by the import or supply or delivery of mineral products which have been purchased as described in paragraph (1).]

(3) [^{F180}The prohibitions in regulations 27L (technical assistance relating to certain activities) and 27M (financial services, funds and brokering services relating to certain arrangements) are not contravened by the provision of—]

- (a) any technical assistance relating to a purchase specified in paragraph (1);
- (b) any financial service or funds in pursuance of or in connection with an arrangement whose object or effect is a purchase specified in paragraph (1);
- (c) any brokering service in relation to any arrangement whose object or effect is a purchase specified in paragraph (1).

^{F181}(4)]

Textual Amendments

- F172** Regs. 31A-31C inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **25**
- F177** Words in reg. 31C heading substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **33(a)**
- F178** Words in reg. 31C substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **33(b)**
- F179** Reg. 31C(2) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **33(c)**
- F180** Words in reg. 31C(3) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **33(d)**
- F181** Reg. 31C(4) omitted (5.7.2022) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **33(e)**

[^{F182}**Trade: exceptions relating to travellers, diplomatic missions and international organisations**

31D.—(1) The prohibitions to which this paragraph applies are not contravened by a relevant activity in relation to any critical-industry goods, critical-industry technology, [^{F183}machinery-related goods, machinery-related technology,] quantum computing and advanced materials goods or quantum computing and advanced materials technology which are—

- (a) the personal effects of a person travelling to Belarus,
- (b) of a non-commercial nature for the personal use of a person travelling to Belarus and contained in that person’s luggage, or
- (c) necessary for the official purposes of a diplomatic mission or consular post in Belarus, or of an international organisation enjoying immunities in accordance with international law.

(2) Paragraph (1) applies to the prohibitions in Chapter 2 of Part 5 (exports to Belarus and related activities), other than the prohibition in regulation 24A (provision of interception and monitoring services).

(3) The prohibitions in regulations 21 to 23 (export of goods, supply and delivery of goods, and making available goods and technology) are not contravened by a relevant activity in relation to any luxury goods which are—

- (a) necessary for the official purposes of a diplomatic mission or consular post in Belarus, or of an international organisation enjoying immunities in accordance with international law, or
- (b) the personal effects of their staff.

^{F184}(3A) The prohibitions in regulations 21 to 23 (export of goods, supply and delivery of goods, and making available goods and technology) are not contravened by a relevant activity where—

- (a) the luxury goods are gold jewellery;
- (b) the relevant activity is the export of those goods to Belarus by a person who is travelling to Belarus (“P”);
- (c) the jewellery is—
 - (i) of a non-commercial nature;
 - (ii) for the personal use of P or of any immediate family member of P who is travelling with P (“I”); and
 - (iii) contained in P or I’s luggage;
- (d) the gold jewellery is owned by any of the persons referred to in sub-paragraph (c)(ii); and
- (e) the jewellery is not intended for sale.

(3B) The prohibitions in Chapter 2B of Part 5 (imports from Belarus and related activities) are not contravened by a relevant activity in relation to any gold, gold jewellery and relevant processed gold which is necessary for the official purposes of a diplomatic mission or consular post in Belarus, or an international organisation enjoying immunities in accordance with international law.

(3C) The prohibitions in Chapter 2B of Part 5 are not contravened by a relevant activity where—

- (a) the relevant activity is the import or acquisition of gold jewellery by a person who is travelling to the United Kingdom (“P”);
- (b) the gold jewellery is—
 - (i) of a non-commercial nature;
 - (ii) for the personal use of P or of any immediate family member of P who is travelling with P (“I”); and
 - (iii) contained in P or I’s luggage;
- (c) the gold jewellery is owned by any of the persons referred to in sub-paragraph (b)(ii); and
- (d) the gold jewellery is not intended for sale.]

(4) In this regulation—

- ^{F185}(a) “critical-industry goods”, “critical-industry technology”, “gold”, “gold jewellery”, “luxury goods”, “machinery-related goods”, “machinery-related technology”, “quantum computing and advanced materials goods”, “quantum computing and advanced materials technology” and “relevant processed gold” have the meanings given in regulation 20(3) (interpretation of Part 5);]
- (b) “relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions mentioned in paragraphs (2) or (3).

Textual Amendments

- F182** Regs. 31D-31I inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **34**
- F183** Words in reg. 31D(1) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **11(a)**
- F184** Reg. 31D(3A)-(3C) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **11(b)**
- F185** Reg. 31D(4)(a) substituted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **11(2)**

Trade: exceptions relating to consumer communication devices and software updates

31E.—(1) The prohibitions to which this paragraph applies are not contravened by a relevant activity in relation to critical-industry goods, critical-industry technology [^{F186}, machinery-related goods, machinery-related technology] or luxury goods which are—

- (a) consumer communication devices for civilian use, or
- (b) software updates for civilian use.

(2) Paragraph (1) applies to the prohibitions in Chapter 2 of Part 5 (exports to Belarus and related activities), other than the prohibition in regulation 24A (provision of interception and monitoring services).

(3) For the purposes of paragraph (1)—

- (a) goods are “for civilian use” if they are not—
 - (i) for use by the Belarusian military or any other military end-user, or
 - (ii) for any military use;
- (b) technology is “for civilian use” if it—
 - (i) does not relate to activities carried on or proposed to be carried on by the Belarusian military or any other military end user, and
 - (ii) is not for any military use;
- (c) “consumer communication devices” has the meaning given in Schedule 2D;
- (d) “critical-industry goods”, “critical-industry technology” [^{F187}, “machinery-related goods”, “machinery-related technology”] and “luxury goods” have the meanings given in regulation 20(3) (interpretation of Part 5);
- (e) “relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions to which paragraph (1) applies.

Textual Amendments

- F182** Regs. 31D-31I inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **34**
- F186** Words in reg. 31E(1) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **12(a)**
- F187** Words in reg. 31E(3)(d) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **12(b)**

Trade: exception for emergencies in certain cases

31F.—(1) The prohibitions to which this paragraph applies are not contravened by any act done by a person (“P”), where P provides justification to the Secretary of State within the relevant period that the act is an act dealing with an emergency.

(2) Paragraph (1) applies to the prohibitions in Chapter 2 of Part 5 (exports to Belarus and related activities), so far as those prohibitions apply to critical-industry goods, critical-industry technology, [^{F188}machinery-related goods, machinery-related technology,] oil refining goods or oil refining technology, other than the prohibition in regulation 24A (provision of interception and monitoring services).

(3) In this regulation—

“an act dealing with an emergency” means an act assisting with the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health or safety, infrastructure or the environment;

“critical-industry goods” and “critical-industry technology” have the meanings given in regulation 20(3);

[^{F189}“machinery-related goods” and “machinery-related technology” have the meanings given in regulation 20(3);]

“oil refining goods” and “oil refining technology” have the meanings given in regulation 20(3);

“relevant period”, in relation to an act, means the period of 5 working days beginning with the day on which the act is done.

Textual Amendments

F182 Regs. 31D-31I inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **34**

F188 Words in reg. 31F(2) inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **13(a)**

F189 Words in reg. 31F(3) inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **13(b)**

Trade: exception for certain technical assistance to aircraft and ships

31G.—(1) The prohibitions in regulation 27N (technical assistance relating to aircraft and ships) are not contravened by the provision of any technical assistance where a failure to provide that assistance would endanger—

(a) the lives of persons on board—

(i) an aircraft, or

(ii) a ship;

(b) the safety of—

(i) an aircraft in flight, or

(ii) a ship at sea.

(2) In this regulation, the following terms have the same meaning as they have in regulation 27N—

“aircraft”;

“ship”.

Textual Amendments

F182 Regs. 31D-31I inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **34**

Aircraft: exceptions relating to safety of persons or aircraft

31H.—(1) The prohibition in regulation 29A(A1)(b) (movement of aircraft) is not contravened by the landing of a Belarusian aircraft in the United Kingdom if failing to land would endanger the lives of persons on board or the safety of the aircraft.

(2) The prohibition in regulation 29A(A1)(a) is not contravened by the flight of a Belarusian aircraft in the airspace over the United Kingdom preparatory to a landing as mentioned in paragraph (1).

(3) The directions in regulation 29A(1) to (5) are not contravened by conduct necessary to—

- (a) avoid endangering the lives of persons on board or the safety of the aircraft,
- (b) protect the safety of another aircraft, or
- (c) protect the safety of persons on the ground.

(4) The prohibition in regulation 29A(A1) is not contravened by the movement of a Belarusian aircraft if—

- (a) a direction has been given in relation to that aircraft under regulation 29A(2)(b), (4)(b) or (5)(c), and
- (b) the movement of the aircraft is in accordance with that direction.

(5) In this regulation, “Belarusian aircraft” has the same meaning as in regulation 29A.

Textual Amendments

F182 Regs. 31D-31I inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **34**

Ships: exceptions relating to port entry in emergencies

31I.—(1) The prohibition in regulation 29F(1) (prohibition on port entry) is not contravened by providing a ship with access to a port if—

- (a) a port entry direction has been given in relation to the ship under regulation 29H (movement of ships), or
- (b) the access is needed by the ship in a case of emergency.

(2) The prohibition in regulation 29F(2) is not contravened by the entry into port of a ship if—

- (a) a port entry direction has been given in relation to the ship under regulation 29H, or
- (b) the entry is needed by the ship in a case of emergency.]

Textual Amendments

F182 Regs. 31D-31I inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **34**

[^{F190}Trade: exceptions in relation to banknotes

31J.—(1) Subject to paragraph (2), the prohibitions in regulations 21 to 23 (export of goods, supply and delivery of goods, and making available goods and technology) do not apply to the making available, supply, export or delivery of banknotes where the making available, supply, export or delivery is necessary for the personal use of natural persons travelling to Belarus or members of their immediate families travelling with them.

(2) The exception in paragraph (1) applies only to banknotes up to the value of £10,000 or its equivalent in any official currency of the European Union.

(3) The prohibitions in regulations 21 to 23 do not apply to the making available, supply, export or delivery of banknotes where the making available, supply, export or delivery is necessary for the official purposes of diplomatic missions, consular posts or international organisations in Belarus enjoying immunities in accordance with international law.

(4) The prohibitions in regulations 21 to 23 do not apply to anything done by a person who did not know and had no reasonable cause to suspect that the banknotes were ultimately—

- (a) to be exported, supplied, delivered or made available to a person connected with Belarus; or
- (b) for use in Belarus.

Textual Amendments

F190 Regs. 31J, 31K inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), 14

Trade: exceptions in relation to machinery-related goods and machinery-related technology

31K.—(1) The prohibitions in Chapter 2 of Part 5 (exports to Belarus and related activities), in so far as they related to machinery-related goods and machinery-related technology, do not apply to the sale, supply, making available or export of such goods, or to the related provision of technical and financial services, funds and brokering, for non-military use by a non-military end-user, necessary for a purpose specified in paragraph (2).

(2) The purposes are—

- (a) humanitarian assistance activity,
- (b) addressing a health emergency;
- (c) providing a response to a natural disaster;
- (d) medical or pharmaceutical purposes for the benefit of the civilian population of a country;
- (e) temporary use by news media;
- (f) ensuring cyber-security and information security for persons in Belarus except for the Government of Belarus or any undertakings directly or indirectly controlled by it.]

Textual Amendments

F190 Regs. 31J, 31K inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), 14

Treasury licences

32.—(1) The prohibitions in regulations 11 to 15 (asset-freeze etc) do not apply to anything done under the authority of a licence issued by the Treasury under this paragraph.

[^{F191}(1ZA) The prohibitions in 15A (securities and money market instruments) do not apply to anything done under the authority of a licence issued by the Treasury under this paragraph.]

[^{F192}(1A) The prohibitions in regulation 15B (loans and credit) do not apply to anything done under the authority of a licence issued by the Treasury under this paragraph.

(1B) The prohibition in regulation 15C (insurance and reinsurance services) does not apply to anything done under the authority of a licence issued by the Treasury under this paragraph.]

[^{F193}(1C) The prohibition in regulation 15CA (provision of financial services relating to foreign exchange reserve and asset management) does not apply to anything done under the authority of a licence issued by the Treasury under this paragraph.

(1D) Without prejudice to the generality of the powers conferred by paragraphs (1) to (1C), a licence issued by the Treasury under those paragraphs may, in particular, authorise acts which would otherwise be prohibited by any of regulations 11 to 15CA for a particular period beginning with—

- (a) the coming into force of the prohibition, or
- (b) where the prohibition relates to a person designated for the purposes of regulations 11 to 15, the date on which the person was designated.]

(2) The Treasury may issue a licence [^{F194}under paragraph (1)] which authorises acts by a particular person only where the Treasury consider that it is appropriate to issue the licence for a purpose set out in [^{F195}Part 1 of] Schedule 3.

[^{F196}(3) The Treasury may issue a licence under paragraph (1A) which authorises acts by a particular person only where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 2 of Schedule 3.

(4) The Treasury may issue a licence under paragraph (1B) which authorises acts by a particular person only where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 3 of Schedule 3.]

[^{F197}(5) The Treasury may issue a licence under paragraph (1C) which authorises acts by a particular person only where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 4 of Schedule 3.]

Textual Amendments

- F191** Reg. 32(1ZA) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **35(a)**
- F192** Reg. 32(1A)(1B) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **26(a)**
- F193** Reg. 32(1C)(1D) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **35(b)**
- F194** Words in reg. 32(2) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **26(b)(i)**
- F195** Words in reg. 32(2) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **26(b)(ii)**
- F196** Reg. 32(3)(4) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **26(c)**
- F197** Reg. 32(5) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **35(c)**

Commencement Information

- I59** Reg. 32 not in force at made date, see [reg. 1\(2\)](#)
I60 Reg. 32 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Trade licences

33. The prohibitions in [^{F198}Chapters 2 to 2C] of Part 5 (Trade) do not apply to anything done under the authority of a licence issued by the Secretary of State under this regulation.

Textual Amendments

- F198** Words in [reg. 33](#) substituted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), [regs. 1\(2\)](#), [27](#)

Commencement Information

- I61** Reg. 33 not in force at made date, see [reg. 1\(2\)](#)
I62 Reg. 33 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

[^{F199}Aircraft licences

33A. The prohibition in regulation 29A(A1) (prohibition on overflight or landing) does not apply to anything done under the authority of a licence issued by the Secretary of State under this regulation.]

Textual Amendments

- F199** [Reg. 33A](#) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), [regs. 1\(2\)](#), [36](#)

Licences: general provisions

34.—(1) This regulation applies in relation to Treasury licences [^{F200}, trade licences and aircraft licences].

(2) A licence must specify the acts authorised by it.

(3) A licence may be general or may authorise acts by a particular person or persons of a particular description.

(4) A licence may —

- (a) contain conditions;
- (b) be of indefinite duration or a defined duration.

(5) A person who issues a licence may vary, revoke or suspend it at any time.

(6) A person who issues, varies, revokes or suspends a licence which authorises acts by a particular person must give written notice to that person of the issue, variation, revocation or suspension of the licence.

(7) A person who issues, varies, revokes or suspends a general licence or a licence which authorises acts by persons of a particular description must take such steps as that person considers appropriate to publicise the issue, variation, revocation or suspension of the licence.

Textual Amendments

F200 Words in [reg. 34\(1\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), [regs. 1\(2\)](#), [37](#)

Commencement Information

I63 Reg. 34 not in force at made date, see [reg. 1\(2\)](#)

I64 Reg. 34 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Finance: licensing offences

35.—(1) A person (“P”) commits an offence if P knowingly or recklessly—

(a) provides information that is false in a material respect, or

(b) provides or produces a document that is not what it purports to be,

for the purpose of obtaining a Treasury licence (whether for P or anyone else).

(2) A person who purports to act under the authority of a Treasury licence but who fails to comply with any condition of the licence commits an offence.

Commencement Information

I65 Reg. 35 not in force at made date, see [reg. 1\(2\)](#)

I66 Reg. 35 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Trade: licensing offences

36.—(1) A person (“P”) commits an offence if P knowingly or recklessly—

(a) provides information that is false in a material respect, or

(b) provides or produces a document that is not what it purports to be,

for the purpose of obtaining a trade licence (whether for P or anyone else).

(2) A person who purports to act under the authority of a trade licence but who fails to comply with any condition of the licence commits an offence.

(3) A licence in respect of which an offence under paragraph (1) has been committed is to be treated as void from the time at which it was issued.

Commencement Information

I67 Reg. 36 not in force at made date, see [reg. 1\(2\)](#)

I68 Reg. 36 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

[^{F201}Aircraft: licensing offences

36A.—(1) A person (“P”) commits an offence if P knowingly or recklessly—

(a) provides information that is false in a material respect, or

(b) provides or produces a document that is not what it purports to be,

for the purpose of obtaining an aircraft licence (whether for P or anyone else).

(2) A person who purports to act under the authority of an aircraft licence but who fails to comply with any condition of the licence commits an offence.

(3) A licence in respect of which an offence under paragraph (1) has been committed is to be treated as void from the time at which it was issued.]

Textual Amendments

F201 Reg. 36A inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **38**

Section 8B(1) to (3) of Immigration Act 1971: directions

37.—(1) The Secretary of State may direct that, in relation to any person within regulation 17 whose name is specified, or who is of a specified description, section 8B(1) and (2) of the Immigration Act 1971, or section 8B(3) of that Act, have effect subject to specified exceptions.

(2) A direction may contain conditions.

(3) A direction must be of a defined duration (and that duration may be expressed in any way, including, for example, being expressed in a way such that the direction ceases to have effect on, or within a specified period after, the occurrence of a specified event).

(4) The Secretary of State may vary, revoke or suspend a direction at any time.

(5) On the issue, variation, revocation or suspension of a direction, the Secretary of State may take such steps as the Secretary of State considers appropriate to publicise the issue, variation, revocation or suspension of the direction.

(6) In this regulation “specified” means specified in a direction.

Commencement Information

I69 Reg. 37 not in force at made date, see [reg. 1\(2\)](#)

I70 Reg. 37 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

PART 7

Information and records

Finance: reporting obligations

38.—(1) A relevant firm must inform the Treasury as soon as practicable if—

(a) it knows, or has reasonable cause to suspect, that a person—

(i) is a designated person, or

(ii) has committed an offence under any provision of Part 3 (Finance) or regulation 35 (finance: licensing offences), and

(b) the information or other matter on which the knowledge or cause for suspicion is based came to it in the course of carrying on its business.

(2) Where a relevant firm informs the Treasury under paragraph (1), it must state—

(a) the information or other matter on which the knowledge or suspicion is based, and

(b) any information it holds about the person by which the person can be identified.

- (3) Paragraph (4) applies if—
- (a) a relevant firm informs the Treasury under paragraph (1) that it knows, or has reasonable cause to suspect, that a person is a designated person, and
 - (b) that person is a customer of the relevant firm.
- (4) The relevant firm must also state the nature and amount or quantity of any funds or economic resources held by it for the customer at the time when it first had the knowledge or suspicion.
- (5) A relevant institution must inform the Treasury without delay if that institution—
- (a) credits a frozen account in accordance with regulation 30(4) (finance: exceptions from prohibitions), or
 - (b) transfers funds from a frozen account in accordance with regulation 30(6).
- (6) A person who fails to comply with a requirement in paragraph (1), (2) or (4) commits an offence.
- (7) In this regulation—
- “designated person” has the same meaning as it has in Part 3 (Finance);
 - “frozen account” has the same meaning as it has in regulation 30;
 - “relevant firm” is to be read in accordance with regulation 39;
 - “relevant institution” has the same meaning as it has in regulation 30.

Commencement Information

I71 Reg. 38 not in force at made date, see [reg. 1\(2\)](#)

I72 Reg. 38 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

“Relevant firm”

- 39.**—(1) The following are relevant firms for the purposes of regulation 38—
- (a) a person that has permission under Part 4A of the Financial Services and Markets Act 2000 (permission to carry on regulated activity);
 - (b) an undertaking that by way of business—
 - (i) operates a currency exchange office,
 - (ii) transmits money (or any representation of monetary value) by any means, or
 - (iii) cashes cheques that are made payable to customers;
 - (c) a firm or sole practitioner that is—
 - (i) a statutory auditor within the meaning of Part 42 of the Companies Act 2006 (statutory auditors) ^{M13}, or
 - (ii) a local auditor within the meaning of section 4(1) of the Local Audit and Accountability Act 2014 (general requirements for audit) ^{M14};
 - (d) a firm or sole practitioner that provides to other persons, by way of business—
 - (i) accountancy services,
 - (ii) legal or notarial services,
 - (iii) advice about tax affairs, or
 - (iv) trust or company services within the meaning of paragraph (2);

- (e) a firm or sole practitioner that carries out, or whose employees carry out, estate agency work;
 - (f) the holder of a casino operating licence within the meaning given by section 65(2)(a) of the Gambling Act 2005 (nature of a licence) ^{M15};
 - (g) a person engaged in the business of making, supplying, selling (including selling by auction) or exchanging—
 - (i) articles made from gold, silver, platinum or palladium, or
 - (ii) precious stones or pearls.
 - [^{F202}(h) a cryptoasset exchange provider;
 - (i) a custodian wallet provider.]
- (2) In paragraph (1) “trust or company services” means any of the following services—
- (a) forming companies or other legal persons;
 - (b) acting, or arranging for another person to act—
 - (i) as a director or secretary of a company,
 - (ii) as a partner of a partnership, or
 - (iii) in a similar capacity in relation to other legal persons;
 - (c) providing a registered office, business address, correspondence or administrative address or other related services for a company, partnership or any other legal person or arrangement;
 - (d) acting, or arranging for another person to act, as—
 - (i) a trustee of an express trust or similar legal arrangement, or
 - (ii) a nominee shareholder for a person.
- (3) In paragraph (1)—
- “estate agency work” is to be read in accordance with section 1 of the Estate Agents Act 1979 ^{M16}, but as if references in that section to disposing of or acquiring an interest in land included (despite anything in section 2 of that Act) references to disposing of or acquiring an estate or interest in land outside the United Kingdom where that estate or interest is capable of being owned or held as a separate interest;
- “firm” means any entity that, whether or not a legal person, is not an individual, and includes a body corporate and a partnership or other unincorporated body.
- [^{F203}(3A) In paragraph (1), a “cryptoasset exchange provider” means a firm or sole practitioner that by way of business provides one or more of the following services, including where the firm or sole practitioner does so as creator or issuer of any of the cryptoassets involved—
- (a) exchanging, or arranging or making arrangements with a view to the exchange of, cryptoassets for money or money for cryptoassets,
 - (b) exchanging, or arranging or making arrangements with a view to the exchange of, one cryptoasset for another, or
 - (c) operating a machine which utilises automated processes to exchange cryptoassets for money or money for cryptoassets.
- (3B) In paragraph (1), a “custodian wallet provider” means a firm or sole practitioner that by way of business provides services to safeguard, or to safeguard and administer—
- (a) cryptoassets on behalf of its customers, or
 - (b) private cryptographic keys on behalf of its customers in order to hold, store and transfer cryptoassets.

- (3C) For the purposes of this regulation—
- (a) “cryptoasset” means a cryptographically secured digital representation of value or contractual rights that uses a form of distributed ledger technology and can be transferred, stored or traded electronically;
 - (b) “money” means—
 - (i) money in sterling,
 - (ii) money in any other currency, or
 - (iii) money in any other medium of exchange,but does not include a cryptoasset; and
 - (c) in sub-paragraphs (a) to (c) of paragraph (3A), “cryptoasset” includes a right to, or interest in, the cryptoasset.]
- (4) Paragraph (1)(a) and (b) is to be read with section 22 of the Financial Services and Markets Act 2000, any relevant order under that section and Schedule 2 to that Act.
- (5) For the purposes of regulation 38(1), information or another matter comes to a relevant firm “in the course of carrying on its business” if the information or other matter comes to the firm—
- (a) in the case of a relevant firm within paragraph (1)(a), in the course of carrying on an activity in respect of which the permission mentioned in that provision is required;
 - (b) in the case of a relevant firm within paragraph (1)(c)(i), in the course of carrying out statutory audit work within the meaning of section 1210 of the Companies Act 2006 (meaning of statutory auditor)^{M17};
 - (c) in the case of a relevant firm within paragraph (1)(c)(ii), in the course of carrying out an audit required by the Local Audit and Accountability Act 2014;
 - (d) in the case of a relevant firm within paragraph (1)(f), in the course of carrying on an activity in respect of which the licence mentioned in that provision is required;
 - (e) in the case of a relevant firm within any other provision of paragraph (1), in the course of carrying on an activity mentioned in that provision.

Textual Amendments

F202 Reg. 39(1)(h)(i) inserted (30.8.2022) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2022 (S.I. 2022/818), regs. 1(3)(d), **5(2)(a)**

F203 Reg. 39(3A)-(3C) inserted (30.8.2022) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2022 (S.I. 2022/818), regs. 1(3)(d), **5(2)(b)**

Commencement Information

I73 Reg. 39 not in force at made date, see reg. 1(2)

I74 Reg. 39 in force at 31.12.2020 by S.I. 2019/627, **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Marginal Citations

M13 2006 c.46.

M14 2014 c.2.

M15 2005 c.19.

M16 1979 c. 38. s. 1 was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73), **Sch. 1 para. 40**; the Planning (Consequential Provisions) Act 1990 (c.11), **Sch. 2, para. 42**; the Planning (Consequential Provisions) (Scotland) Act 1997 (c.11), **Sch. 2 para. 28**; the Enterprise and Regulatory Reform Act 2013 (c.24), **s. 70**; S.I. 1991/2684; S.I. 2000/121; and S.I. 2001/1283

M17 Section 1210 was amended by [S.I. 2008/565](#); [S.I. 2008/567](#); [S.I. 2008/1950](#); [S.I. 2011/99](#); [S.I. 2012/1809](#); [S.I. 2013/3115](#); [S.I. 2017/516](#); and [S.I. 2017/1164](#).

Finance: powers to request information

- 40.**—(1) The Treasury may request a designated person to provide information about—
- (a) funds or economic resources owned, held or controlled by or on behalf of the designated person, or
 - (b) any disposal of such funds or economic resources.
- (2) The Treasury may request a designated person to provide such information as the Treasury may reasonably require about expenditure—
- (a) by the designated person, or
 - (b) for the benefit of the designated person.
- (3) For the purposes of paragraph (2), expenditure for the benefit of a designated person includes expenditure on the discharge (or partial discharge) of a financial obligation for which the designated person is wholly or partly responsible.
- (4) The power in paragraph (1) or (2) is exercisable only where the Treasury believe that it is necessary for the purpose of monitoring compliance with or detecting evasion of any provision of Part 3 (Finance).
- (5) The Treasury may request a person acting under a Treasury licence to provide information about—
- (a) funds or economic resources dealt with under the licence, ^{F204}...
 - (b) funds or economic resources made available under the [^{F205}licence, or]
 - ^{F206}(c) any matter to which a licence relates, where that licence authorises an act that would otherwise be prohibited under—
 - (i) regulation 15A (dealing with transferable securities or money market instruments),
 - (ii) regulation 15B (loans and credit arrangements),
 - (iii) regulation 15C (insurance and reinsurance services), or
 - (iv) regulation 15CA (provision of financial services relating to foreign exchange reserve and asset management).]
- (6) The Treasury may request a person to provide information within paragraph (7) if the Treasury believe that the person may be able to provide the information.
- (7) Information within this paragraph is such information as the Treasury may reasonably require for the purpose of—
- (a) establishing for the purposes of any provision of Part 3 (Finance)—
 - (i) the nature and amount or quantity of any funds or economic resources owned, held or controlled by or on behalf of a designated person,
 - (ii) the nature and amount or quantity of any funds or economic resources made available directly or indirectly to, or for the benefit of, a designated person, or
 - (iii) the nature of any financial transactions entered into by a designated person;
 - (b) monitoring compliance with or detecting evasion of—
 - (i) any provision of Part 3,
 - (ii) regulation 38 (finance: reporting obligations), or
 - (iii) any condition of a Treasury licence;

- (c) detecting or obtaining evidence of the commission of an offence under Part 3 or regulation 35 (finance: licensing offences) or 38 (finance: reporting obligations).
- (8) The Treasury may specify the way in which, and the period within which, information is to be provided.
- (9) If no such period is specified, the information which has been requested must be provided within a reasonable time.
- (10) A request may include a continuing obligation to keep the Treasury informed as circumstances change, or on such regular basis as the Treasury may specify.
- (11) Information requested under this regulation may relate to any period of time during which a person is, or was, a designated person.
- (12) Information requested by virtue of paragraph (1)(b), (2) or (7)(a)(iii) may relate to any period before a person became a designated person (as well as, or instead of, any subsequent period).
- (13) Expressions used in this regulation have the same meaning as they have in Part 3.

Textual Amendments

- F204** Word in [reg. 40\(5\)\(a\)](#) omitted (5.7.2022) by virtue of [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), [regs. 1\(2\)](#), **39(a)(i)**
- F205** Words in [reg. 40\(5\)\(b\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), [regs. 1\(2\)](#), **39(a)(ii)**
- F206** [Reg. 40\(5\)\(c\)](#) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), [regs. 1\(2\)](#), **39(a)(iii)**

Commencement Information

- I75** [Reg. 40](#) not in force at made date, see [reg. 1\(2\)](#)
- I76** [Reg. 40](#) in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Finance: production of documents

- 41.—(1)** A request under regulation 40 may include a request to produce specified documents or documents of a specified description.
- (2) Where the Treasury request that documents be produced, the Treasury may—
- (a) take copies of or extracts from any document so produced,
 - (b) request any person producing a document to give an explanation of it, and
 - (c) where that person is a body corporate, partnership or unincorporated body other than a partnership, request any person who is—
 - (i) in the case of a partnership, a present or past partner or employee of the partnership, or
 - (ii) in any other case, a present or past officer or employee of the body concerned, to give such an explanation.
- (3) Where the Treasury request a designated person or a person acting under a Treasury licence to produce documents, that person must—
- (a) take reasonable steps to obtain the documents (if they are not already in the person's possession or control);
 - (b) keep the documents under the person's possession or control (except for the purpose of providing them to the Treasury or as the Treasury may otherwise permit).

(4) In this regulation “designated person” has the same meaning as it has in Part 3 (Finance).

Commencement Information

I77 Reg. 41 not in force at made date, see [reg. 1\(2\)](#)

I78 Reg. 41 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Finance: information offences

42.—(1) A person commits an offence, if that person—

- (a) without reasonable excuse, refuses or fails within the time and in the manner specified (or, if no time has been specified, within a reasonable time) to comply with any request under regulation 40 (finance: powers to request information);
- (b) knowingly or recklessly gives any information, or produces any document, which is false in a material particular in response to such a request;
- (c) with intent to evade any provision of regulation 40 (finance: powers to request information) or 41 (finance: production of documents), destroys, mutilates, defaces, conceals or removes any document;
- (d) otherwise intentionally obstructs the Treasury in the exercise of their powers under regulation 40 (finance: powers to request information) or 41 (finance: production of documents).

(2) Where a person is convicted of an offence under this regulation, the court may make an order requiring that person, within such period as may be specified in the order, to comply with the request.

Commencement Information

I79 Reg. 42 not in force at made date, see [reg. 1\(2\)](#)

I80 Reg. 42 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Trade: application of information powers in CEMA

43.—(1) Section 77A of CEMA ^{M18} applies in relation to a person carrying on a relevant activity as it applies in relation to a person concerned in the importation or exportation of goods but as if—

- (a) in subsection (1), the reference to a person concerned in the importation or exportation of goods for which for that purpose ^{F207}... under CEMA were to a person carrying on a relevant activity;
- (b) any other reference to importation or exportation were to a relevant activity;
- (c) any reference to goods were to the goods, technology, services or funds to which the relevant activity relates.

(2) For the purposes of paragraph (1), a “relevant activity” means an activity which would, unless done under the authority of a trade licence, constitute a contravention of—

- ^{F208}(a) any prohibition in Chapters 2, ^{F209}... 2B [^{F210}, 2C or 2D] of Part 5 (Trade) except the prohibitions in [^{F211}regulation 21 (export of goods to, or for use in, Belarus) or 271 (import of goods originating from, or consigned from, Belarus), or]
- (b) the prohibition in regulation 28 (circumventing etc prohibitions).

Textual Amendments

- F207** Words in [reg. 43\(1\)\(a\)](#) omitted (14.10.2021 at noon) by virtue of [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), [regs. 1\(2\)](#), **28(a)**
- F208** [Reg. 43\(2\)\(a\)](#) substituted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), [regs. 1\(2\)](#), **28(b)**
- F209** Word in [reg. 43\(2\)\(a\)](#) omitted (5.7.2022) by virtue of [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), [regs. 1\(2\)](#), **39(b)(i)**
- F210** Words in [reg. 43\(2\)\(a\)](#) substituted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), [regs. 1\(2\)](#), **15**
- F211** Words in [reg. 43\(2\)\(a\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), [regs. 1\(2\)](#), **39(b)(ii)**

Commencement Information

- I81** [Reg. 43](#) not in force at made date, see [reg. 1\(2\)](#)
- I82** [Reg. 43](#) in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Marginal Citations

- M18** Section 77A was inserted by the [Finance Act 1987 \(c.16\)](#), [section 10](#) and amended by [S.I. 1992/3095](#).

General trade licences: records

44.—(1) This regulation applies in relation to a person (“P”) who does any act authorised by a general licence issued under regulation 33 (trade licences) (“the licence”).

(2) P must keep a register or record containing such details as may be necessary to allow the following information to be identified in relation to each act done under the authority of the licence—

- (a) a description of the act;
- (b) a description of any goods, technology, services or funds to which the act relates;
- (c) the date of the act or the dates between which the act took place;
- (d) the quantity of any goods or funds to which the act relates;
- (e) P's name and address;
- (f) the name and address of any consignee of goods to which the act relates or any recipient of technology, services or funds to which the act relates;
- (g) in so far as it is known to P, the name and address of the end-user of the goods, technology, services or funds to which the act relates;
- (h) if different from P, the name and address of the supplier of any goods to which the act relates;
- (i) any further information required by the licence.

(3) The register or record relating to an act must be kept until the end of the calendar year in which the register or record is created and for a further period of 4 years from the end of that calendar year.

(4) P must notify the Secretary of State in writing of P's name and the address at which the register or record may be inspected, and must make a further such notification if those details change.

(5) A notification under paragraph (4) must be given no later than 30 days after—

- (a) P first does any act authorised by the licence, or
- (b) there is any change to the details previously notified.

(6) A person who fails to comply with a requirement in paragraph (2), (3) or (4) commits an offence.

Commencement Information

I83 Reg. 44 not in force at made date, see [reg. 1\(2\)](#)

I84 Reg. 44 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

General trade licences: inspection of records

45.—(1) A person authorised by the Secretary of State or the Commissioners (an “official”) may at any reasonable hour enter premises notified under regulation 44(4) for the purposes of monitoring compliance with or detecting evasion of regulation 44(2) or (3).

(2) An official may require any person on the premises to produce any register or record required to be kept under regulation 44, or any document included in such a register or record, that is in the person's possession or control.

(3) An official may inspect and copy any such register, record or document.

(4) An official must, if requested to do so, produce documentary evidence that he or she is authorised to exercise a power conferred by this regulation.

(5) A person commits an offence if, without reasonable excuse, the person—

- (a) intentionally obstructs an official in the performance of any of the official's functions under this regulation, or
- (b) fails to produce a register, record or document when reasonably required to do so by an official under this regulation.

Commencement Information

I85 Reg. 45 not in force at made date, see [reg. 1\(2\)](#)

I86 Reg. 45 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

^{F212}Internet services: power to request information and produce documents

45A.—(1) OFCOM may request a person to provide information within paragraph (2) if OFCOM believe that the person may be able to provide the information.

(2) Information within this paragraph is such information as OFCOM may reasonably require for the purpose of monitoring compliance with or detecting evasion of regulation 27P (preventing provision of certain internet services to or for the benefit of designated persons).

(3) OFCOM may specify the way in which, and the period within which, information is to be provided.

(4) If no such period is specified, the information which has been requested must be provided within a reasonable time.

(5) A request may include a continuing obligation to keep OFCOM informed as circumstances change, or on such regular basis as OFCOM may specify.

(6) A request may include a request to produce specified documents or documents of a specified description.

(7) Where OFCOM request that documents be produced, OFCOM may—

- (a) take copies of or extracts from any document so produced,

- (b) request any person producing a document to give an explanation of it, and
- (c) where that person is a body corporate, partnership or unincorporated body other than a partnership, request any person who is—
 - (i) in the case of a partnership, a present or past partner or employee of the partnership, or
 - (ii) in any other case, a past or present officer or employee of the body concerned, to give such an explanation.

Textual Amendments

F212 Regs. 45A, 45B inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **16**

Internet services: information offences

45B.—(1) A person commits an offence, if that person—

- (a) without reasonable excuse, refuses or fails within the time and in the manner specified (or, if no time has been specified, within a reasonable time) to comply with any request under regulation 45A;
- (b) knowingly or recklessly gives any information, or produces any document, which is false in a material particular in response to such a request;
- (c) with intent to evade any provision of regulation 45A, destroys, mutilates, defaces, conceals or removes any document;
- (d) otherwise intentionally obstructs OFCOM in the exercise of their powers under regulation 45A.

(2) Where a person is convicted of an offence under this regulation, the court may make an order requiring that person, within such period as may be specified in the order, to comply with the request.]

Textual Amendments

F212 Regs. 45A, 45B inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **16**

Disclosure of information

46.—(1) The Secretary of State, the Treasury [^{F213}, OFCOM] or the Commissioners may, in accordance with this regulation, disclose—

- (a) any information obtained under or by virtue of Part 6 (Exceptions and licences), this Part or Part 9 (Maritime enforcement), or
- (b) any information held in connection with—
 - (i) anything done under or by virtue of Part 2 (Designation of persons), Part 3 (Finance), Part 5 (Trade), [^{F214}Part 5A (Aircraft)][^{F215}or Part 5B (Ships)], or
 - (ii) any exception or licence under Part 6 or anything done in accordance with such an exception or under the authority of such a licence.

(2) Information referred to in paragraph (1) may be disclosed for, or in connection with, any of the following purposes—

- (a) the exercise of functions under these Regulations;
 - (b) any purpose stated in regulation 4;
 - (c) facilitating, monitoring or ensuring compliance with these Regulations;
 - (d) taking any action with a view to instituting, or otherwise for the purposes of, any proceedings in the United Kingdom—
 - (i) for an offence under any provision of these Regulations,
 - (ii) for an offence under CEMA in connection with a prohibition mentioned in [F216]regulation 21 (export of goods to, or for use in, Belarus) or 27I (import of goods originating from, or consigned from, Belarus) [F217,]
 - (iii) in relation to a monetary penalty under section 146 of the Policing and Crime Act 2017 (breach of financial sanctions legislation) ^{M19}; [F218]or]
 - [F219](iv) in relation to a monetary penalty under regulation 56A (OFCOM: power to impose monetary penalties).]
 - (e) taking any action with a view to instituting, or otherwise for the purposes of, any proceedings in any of the Channel Islands, the Isle of Man, or any British overseas territory, for an offence—
 - (i) under a provision in any such jurisdiction that is similar to a provision of these Regulations, or
 - (ii) in connection with a prohibition in any such jurisdiction that is similar to a prohibition referred to in sub-paragraph (d)(ii);
 - (f) compliance with an international obligation ^{M20};
 - (g) facilitating the exercise by an authority outside the United Kingdom or by an international organisation of functions which correspond to functions under these Regulations.
- (3) Information referred to in paragraph (1) may be disclosed to the following persons—
- (a) a police officer;
 - (b) any person holding or acting in any office under or in the service of—
 - (i) the Crown in right of the Government of the United Kingdom,
 - (ii) the Crown in right of the Scottish Government, the Northern Ireland Executive or the Welsh Government,
 - (iii) the States of Jersey, Guernsey or Alderney or the Chief Pleas of Sark,
 - (iv) the Government of the Isle of Man, or
 - (v) the Government of any British overseas territory;
 - (c) any law officer of the Crown for Jersey, Guernsey or the Isle of Man;
 - (d) the Scottish Legal Aid Board;
 - (e) the Financial Conduct Authority, the Prudential Regulation Authority, the Bank of England, the Jersey Financial Services Commission, the Guernsey Financial Services Commission or the Isle of Man Financial Services Authority;
 - (f) any other regulatory body (whether or not in the United Kingdom);
 - (g) any organ of the United Nations;
 - (h) the Council of the European Union, the European Commission or the European External Action Service;
 - (i) the Government of any country;

- (j) any other person where the Secretary of State, the Treasury or the Commissioners (as the case may be) considers that it is appropriate to disclose the information.
- (4) Information referred to in paragraph (1) may be disclosed to any person with the consent of a person who, in their own right, is entitled to the information.
- (5) In paragraph (4) “in their own right” means not merely in the capacity as a servant or agent of another person.
- (6) In paragraph (1)(b)—
- (a) the reference to information includes information obtained at a time when any provision of these Regulations is not in force, and
 - (b) the reference to a licence under Part 6 includes—
 - (i) a licence or authorisation which is treated as if it were a licence which had been issued under that Part, and
 - (ii) a licence which is deemed to have been issued under that Part.]

Textual Amendments

- F213** Word in [reg. 46\(1\)](#) inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **17(a)**
- F214** Words in [reg. 46\(1\)\(b\)\(i\)](#) inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **29(a)**
- F215** Words in [reg. 46\(1\)\(b\)\(i\)](#) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **39(c)(i)**
- F216** Words in [reg. 46\(2\)\(d\)\(ii\)](#) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **39(c)(ii)**
- F217** [Reg. 46\(2\)\(d\)\(ii\)](#): comma substituted for full stop (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **17(b)(i)**
- F218** Word in [reg. 46\(2\)\(d\)\(iii\)](#) inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **17(b)(ii)**
- F219** [Reg. 46\(2\)\(d\)\(iv\)](#) inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **17(b)(iii)**

Commencement Information

- I87** [Reg. 46](#) not in force at made date, see [reg. 1\(2\)](#)
- I88** [Reg. 46](#) in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Marginal Citations

- M19** [2017 c.3](#).
- M20** Section 1(8) of the Sanctions and Anti-Money Laundering Act 2018 defines an “international obligation” as an obligation of the United Kingdom created or arising by or under any international agreement.

^{F220} Finance: disclosure to the Treasury

46A.—(1) A relevant public authority may disclose information to the Treasury if the disclosure is made for the purpose of enabling or assisting the Treasury to discharge any of its functions in connection with sanctions.

(2) In this regulation—

“relevant public authority” means—

- (a) any person holding or acting in any office under or in the service of—

- (i) the Crown in right of the Government of the United Kingdom,
 - (ii) the Crown in right of the Scottish Government, the Northern Ireland Executive or the Welsh Government,
 - (b) any local authority,
 - (c) any police officer,
 - (d) the Financial Conduct Authority, the Prudential Regulation Authority, the Bank of England or any other regulatory body in the United Kingdom, or
 - (e) any other person exercising functions of a public nature;
- “local authority” means—
- (a) in relation to England—
 - (i) a county council,
 - (ii) a district council,
 - (iii) a London Borough council,
 - (iv) the Common Council of the City of London in its capacity as a local authority,
 - (v) the Council of the Isles of Scilly, or
 - (vi) an eligible parish council within the meaning of section 1(2) of the Local Government Act 2000,
 - (b) in relation to Wales, a county council, a county borough council or a community council,
 - (c) in relation to Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994, or
 - (d) in relation to Northern Ireland, a district council.]

Textual Amendments

F220 Reg. 46A inserted (9.8.2022) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2022 \(S.I. 2022/818\)](#), regs. 1(2), **5(3)**

Part 7: supplementary

47.—(1) A disclosure of information under regulation 46 [^{F221}or 46A] does not breach any restriction on such disclosure imposed by statute or otherwise.

(2) But nothing in [^{F222}those regulations] authorises a disclosure that—

- (a) contravenes the data protection legislation, or
- (b) is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016 ^{M21}.

(3) Nothing in this Part is to be read as requiring a person who has acted or is acting as counsel or solicitor for any person to disclose any privileged information in their possession in that capacity.

(4) [^{F223}Regulations 46 and 46A do] not limit the circumstances in which information may be disclosed apart from [^{F224}those regulations].

(5) Nothing in this Part limits any conditions which may be contained in a Treasury licence or a trade licence.

(6) In this regulation—

“the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act)^{M22};

“privileged information” means information with respect to which a claim to legal professional privilege (in Scotland, to confidentiality of communications) could be maintained in legal proceedings.

Textual Amendments

- F221** Words in [reg. 47\(1\)](#) inserted (9.8.2022) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2022 \(S.I. 2022/818\)](#), [regs. 1\(2\)](#), [5\(4\)\(a\)](#)
- F222** Words in [reg. 47\(2\)](#) substituted (9.8.2022) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2022 \(S.I. 2022/818\)](#), [regs. 1\(2\)](#), [5\(4\)\(b\)](#)
- F223** Words in [reg. 47\(4\)](#) substituted (9.8.2022) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2022 \(S.I. 2022/818\)](#), [regs. 1\(2\)](#), [5\(4\)\(c\)\(i\)](#)
- F224** Words in [reg. 47\(4\)](#) substituted (9.8.2022) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2022 \(S.I. 2022/818\)](#), [regs. 1\(2\)](#), [5\(4\)\(c\)\(ii\)](#)

Commencement Information

- I89** [Reg. 47](#) not in force at made date, see [reg. 1\(2\)](#)
- I90** [Reg. 47](#) in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Marginal Citations

- M21** [2016 c.25](#). Amendments have been made by the [Policing and Crime Act 2017 \(c. 3\)](#), [Schedule 9](#), [paragraph 74](#); the [Data Protection Act 2018 \(c. 12\)](#), [Schedule 19](#), [paragraphs 198-203](#); [S.I. 2018/652](#) and [S.I. 2018/1123](#). Saving provisions are made by [S.I. 2017/859](#).
- M22** [2018 c.12](#). There are amendments to this Act that are not relevant to these Regulations.

PART 8

Enforcement

Penalties for offences

48.—(1) A person who commits an offence under any provision of Part 3 (Finance) [^{F225}, ^{F226}regulation 29D(A1) to (3) (aircraft offences), 29F (prohibition on port entry), 29G(4) (directions prohibiting port entry), 29H(3) (movement of ships) or]] or regulation 35 (finance: licensing offences), is liable—

- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding [^{F227}the general limit in a magistrates’ court] or a fine (or both);
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);
 - (d) on conviction on indictment, to imprisonment for a term not exceeding 7 years or a fine (or both).
- (2) A person who commits an offence under any provision of Part 5 (Trade) is liable—
- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding [^{F228}the general limit in a magistrates’ court] or a fine (or both);

- (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
- (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);
- (d) on conviction on indictment, to imprisonment for a term not exceeding 10 years or a fine (or both).
- (3) A person who commits an offence under regulation 9(6) (confidentiality), ^[F229]36 (trade: licensing offences) and 36A (aircraft: licensing offences), 44(6) or 45(5) (offences in connection with trade licences) is liable—
- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding ^[F230]the general limit in a magistrates’ court] or a fine (or both);
- (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
- (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);
- (d) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both).
- (4) A person who commits an offence under regulation ^[F231]29D(4) (confidentiality), ^[F232]29G(6) (directions prohibiting port entry: confidentiality), 29H(5) (movement of ships: confidentiality), 38(6) ^[F233], 42 (information offences in connection with Part 3) ^[F234], or 45B (internet services: information offences)] is liable—
- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 6 months or a fine (or both);
- (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale (or both);
- (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale (or both).
- (5) In relation to an offence committed before ^[F235]2nd May 2022] the reference in each of paragraphs (1)(a), (2)(a) and (3)(a) to ^[F236]the general limit in a magistrates’ court] is to be read as a reference to 6 months.

Textual Amendments

- F225** Words in reg. 48(1) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **30(a)**
- F226** Words in reg. 48(1) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **40(a)(i)**
- F227** Words in reg. 48(1)(a) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates’ Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(2), **Sch. Pt. 2**
- F228** Words in reg. 48(2)(a) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates’ Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(2), **Sch. Pt. 2**
- F229** Words in reg. 48(3) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **40(a)(ii)**
- F230** Words in reg. 48(3)(a) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates’ Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(2), **Sch. Pt. 2**

- F231** Words in reg. 48(4) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **30(b)**
- F232** Words in reg. 48(4) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **40(a)(iii)**
- F233** Reg. 48(4): comma substituted for word (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **18(a)**
- F234** Words in reg. 48(4) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **18(b)**
- F235** Words in reg. 48(5) substituted (28.4.2022) by The Criminal Justice Act 2003 (Commencement No. 33) and Sentencing Act 2020 (Commencement No. 2) Regulations 2022 (S.I. 2022/500), regs. 1(2), 5(2), **Sch. Pt. 2**
- F236** Words in reg. 48(5) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(2), **Sch. Pt. 2**

Commencement Information

- I91** Reg. 48 not in force at made date, see reg. 1(2)
- I92** Reg. 48 in force at 31.12.2020 by S.I. 2019/627, **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Liability of officers of bodies corporate etc

- 49.**—(1) Where an offence under these Regulations, committed by a body corporate—
- (a) is committed with the consent or connivance of any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, or
 - (b) is attributable to any neglect on the part of any such person,

that person as well as the body corporate is guilty of the offence and is liable to be proceeded against and punished accordingly.

(2) In paragraph (1) “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

(3) Paragraph (1) also applies in relation to a body that is not a body corporate, with the substitution for the reference to a director of the body of a reference—

- (a) in the case of a partnership, to a partner;
- (b) in the case of an unincorporated body other than a partnership—
 - (i) where the body's affairs are managed by its members, to a member of the body;
 - (ii) in any other case, to a member of the governing body.

(4) Section 171(4) of CEMA (which is a provision similar to this regulation) does not apply to any offence under these Regulations to which that provision would, in the absence of this paragraph, apply.

Commencement Information

- I93** Reg. 49 not in force at made date, see reg. 1(2)
- I94** Reg. 49 in force at 31.12.2020 by S.I. 2019/627, **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Jurisdiction to try offences

50.—(1) Where an offence under regulation 9(6) (confidentiality), Part 3 (Finance), [^{F237}Part 5A (Aircraft)], [^{F238}Part 5B (Ships)], regulation 35 (finance: licensing offences) [^{F239}], regulation 38(6)

or 42 (information offences in connection with Part 3) [^{F240}, or 45B (internet services: information offences)] is committed in the United Kingdom—

- (a) proceedings for the offence may be taken at any place in the United Kingdom, and
- (b) the offence may for all incidental purposes be treated as having been committed at any such place.

(2) Where an offence under these Regulations is committed outside the United Kingdom—

- (a) proceedings for the offence may be taken at any place in the United Kingdom, and
- (b) the offence may for all incidental purposes be treated as having been committed at any such place.

(3) In the application of paragraph (2) to Scotland, any such proceedings against a person may be taken—

- (a) in any sheriff court district in which the person is apprehended or is in custody, or
- (b) in such sheriff court district as the Lord Advocate may determine.

(4) In paragraph (3) “sheriff court district” is to be read in accordance with the Criminal Procedure (Scotland) Act 1995 (see section 307(1) of that Act) ^{M23}.

Textual Amendments

F237 Words in [reg. 50\(1\)](#) inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), [regs. 1\(2\)](#), **31**

F238 Words in [reg. 50\(1\)](#) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), [regs. 1\(2\)](#), **40(b)**

F239 [Reg. 50\(1\)](#): comma substituted for word (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), [regs. 1\(2\)](#), **19(a)**

F240 Words in [reg. 50\(1\)](#) inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), [regs. 1\(2\)](#), **19(b)**

Commencement Information

I95 [Reg. 50](#) not in force at made date, see [reg. 1\(2\)](#)

I96 [Reg. 50](#) in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)

Marginal Citations

M23 [1995 c.46](#).

Procedure for offences by unincorporated bodies

51.—(1) Paragraphs (2) and (3) apply if it is alleged that an offence under these Regulations has been committed by an unincorporated body (as opposed to by a member of the body).

(2) Proceedings in England and Wales or Northern Ireland for such an offence must be brought against the body in its own name.

(3) For the purposes of proceedings, for such an offence brought against an unincorporated body—

- (a) rules of court relating to the service of documents have effect as if the body were a body corporate;
- (b) the following provisions apply as they apply in relation to a body corporate

- (i) section 33 of the Criminal Justice Act 1925 ^{M24} and Schedule 3 to the Magistrates' Courts Act 1980 ^{M25};

(ii) section 18 of the Criminal Justice Act (Northern Ireland) 1945^{M26} and Article 166 of, and Schedule 4 to, the Magistrates' Courts (Northern Ireland) Order 1981^{M27}.

(4) A fine imposed on an unincorporated body on its conviction of an offence under these Regulations is to be paid out of the funds of the body.

Commencement Information

I97 Reg. 51 not in force at made date, see [reg. 1\(2\)](#)

I98 Reg. 51 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Marginal Citations

M24 [1925 c.86](#). Amendments have been made to section 33 that are not relevant to these Regulations.

M25 [1980 c.43](#). Amendments have been made to Schedule 3 that are not relevant to these Regulations.

M26 [1945 c.15 \(N.I.\)](#).

M27 [S.I. 1981/1675 \(N.I. 26\)](#).

Time limit for proceedings for summary offences

52.—(1) Proceedings for an offence under these Regulations which is triable only summarily may be brought within the period of 12 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to justify the proceedings comes to the prosecutor's knowledge.

(2) But such proceedings may not be brought by virtue of paragraph (1) more than 3 years after the commission of the offence.

(3) A certificate signed by the prosecutor as to the date on which the evidence in question came to the prosecutor's knowledge is conclusive evidence of the date on which it did so; and a certificate to that effect and purporting to be so signed is to be treated as being so signed unless the contrary is proved.

(4) In relation to proceedings in Scotland—

(a) section 136(3) of the Criminal Procedure (Scotland) Act 1995 (date of commencement of summary proceedings) applies for the purposes of this regulation as it applies for the purposes of that section, and

(b) references in this regulation to the prosecutor are to be treated as references to the Lord Advocate.

Commencement Information

I99 Reg. 52 not in force at made date, see [reg. 1\(2\)](#)

I100 Reg. 52 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Trade enforcement: application of CEMA

53.—(1) Where the Commissioners investigate or propose to investigate any matter with a view to determining—

(a) whether there are grounds for believing that a relevant offence has been committed, or

(b) whether a person should be prosecuted for such an offence,

the matter is to be treated as an assigned matter.

(2) In paragraph (1) “assigned matter” has the meaning given by section 1(1) of CEMA^{M28}.

(3) In this regulation a “relevant offence” means an offence under—

- (a) Part 5 (Trade),
- (b) regulation 36 (trade: licensing offences),
- (c) regulation 44(6) (general trade licences: records), or
- (d) regulation 45(5) (general trade licences: inspection of records).

[^{F241}(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
- (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).]

(4) Section 138 of CEMA ^{M29} (arrest of persons) applies to a person who has committed, or whom there are reasonable grounds to suspect of having committed, a relevant offence as it applies to a person who has committed, or whom there are reasonable grounds to suspect of having committed, an offence for which the person is liable to be arrested under the customs and excise Acts ^{M30}, but as if—

- (a) any reference to an offence under, or for which a person is liable to be arrested under, the customs and excise Acts were to a relevant offence;
- (b) in subsection (2), the reference to any person so liable were to a person who has committed, or whom there are reasonable grounds to suspect of having committed, a relevant offence.

(5) The provisions of CEMA mentioned in paragraph (6) apply in relation to proceedings for a relevant offence as they apply in relation to proceedings for an offence under the customs and excise Acts, but as if—

- (a) any reference to the customs and excise Acts were to any of the provisions mentioned in paragraph (3)(a) to (d);
- (b) in section 145(6), the reference to an offence for which a person is liable to be arrested under the customs and excise Acts were to a relevant offence;
- (c) in section 151, the reference to any penalty imposed under the customs and excise Acts were to any penalty imposed under these Regulations in relation to a relevant offence;
- (d) in section 154(2)—
 - (i) the reference to proceedings relating to customs or excise were to proceedings under any of the provisions mentioned in paragraph (3)(a) to (d), and
 - (ii) the reference to the place from which any goods have been brought included a reference to the place to which goods have been exported, supplied or delivered or the place to or from which technology has been transferred.
- (6) The provisions of CEMA are sections 145, 146, 147, 148(1), 150, 151, 152, 154 and 155^{M31} (legal proceedings).

Textual Amendments

F241 Reg. 53(3A)-(3C) inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **20**

Commencement Information

I101 Reg. 53 not in force at made date, see [reg. 1\(2\)](#)

I102 Reg. 53 in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Marginal Citations

M28 The definition of “assigned matter” in section 1(1) of CEMA was amended by the [Commissioners for Revenue and Customs Act 2005 \(c.11\)](#), **Schedule 4**, paragraph 22(a); the [Scotland Act 2012 \(c. 11\)](#), **section 24(7)**; and the [Wales Act 2014 \(c.29\)](#), **section 7(1)**.

M29 Section 138 of CEMA was amended by the [Police and Criminal Evidence Act 1984 \(c. 60\)](#), section 114(1), **Schedule 6**, paragraph 37, and Schedule 7, Part 1; the [Finance Act 1988 \(c. 39\)](#), **section 11**; the [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), **Schedule 7**, paragraph 54; [S.I. 1989/1341](#); and [S.I. 2007/288](#).

M30 “The customs and excise Acts” is defined in section 1 of CEMA.

M31 Section 145 of CEMA was amended by the [Police and Criminal Evidence Act 1984](#), section 114(1); the [Commissioners for Revenue and Customs Act 2005](#), Schedule 4, paragraph 23(a); and [S.I. 2014/834](#). Section 147 was amended by the [Criminal Justice Act 1982 \(c. 48\)](#), **Schedule 14**, paragraph 42; the [Finance Act 1989](#), section 16(2); and the [Criminal Justice Act 2003](#), Schedule 3, paragraph 50. Section 152 was amended by the [Commissioners for Revenue and Customs Act 2005](#), Schedule 4, paragraph 26, and Schedule 5. Section 155 was amended by the [Commissioners for Revenue and Customs Act 2005](#), Schedule 4, paragraph 27, and Schedule 5.

Trade offences in CEMA: modification of penalty

54.—(1) Paragraph (2) applies where a person is guilty of an offence under section 68(2) of CEMA in connection with a prohibition mentioned in [^{F242}regulation 21 (export of goods to, or for use in, Belarus).]

(2) Where this paragraph applies, the reference to 7 years in section 68(3)(b) of CEMA^{M32} is to be read as a reference to 10 years.

(3) Paragraph (4) applies where a person is guilty of an offence under section 170(2) of CEMA in connection with a prohibition mentioned in [^{F243}regulation 21 (export of goods to, or for use in, Belarus) or 27I(1) or (2) (import of goods originating in, or consigned from, Belarus).]

(4) Where this paragraph applies, the reference to 7 years in section 170(3)(b) of CEMA ^{M33} is to be read as a reference to 10 years.

[^{F244}(5) Paragraph (6) applies where a person is guilty of an offence under section 50(2) or (3) of CEMA in connection with a prohibition mentioned in [^{F245}regulation 27I(1) or (2) (import of goods originating in, or consigned from, Belarus).]

(6) Where this paragraph applies, the reference to 7 years in section 50(4)(b) of CEMA is to be read as a reference to 10 years.]

Textual Amendments

- F242** Words in [reg. 54\(1\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **40(c)(i)**
- F243** Words in [reg. 54\(3\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **40(c)(ii)**
- F244** [Reg. 54\(5\)\(6\)](#) inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **32(c)**
- F245** Words in [reg. 54\(5\)](#) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **40(c)(iii)**

Commencement Information

- I103** [Reg. 54](#) not in force at made date, see [reg. 1\(2\)](#)
- I104** [Reg. 54](#) in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Marginal Citations

- M32** The words “7 years” were inserted in section 68(3)(b) of CEMA by the Finance Act 1988, section 12.
- M33** The words “7 years” were inserted in section 170(3)(b) of CEMA by the Finance Act 1988, section 12.

Application of Chapter 1 of Part 2 of Serious Organised Crime and Police Act 2005

55. Chapter 1 of Part 2 of the Serious Organised Crime and Police Act 2005 (investigatory powers) ^{M34} applies to any offence under Part 3 (Finance) or regulation 35 (finance: licensing offences).

Commencement Information

- I105** [Reg. 55](#) not in force at made date, see [reg. 1\(2\)](#)
- I106** [Reg. 55](#) in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Marginal Citations

- M34** [2005 c.15](#). Chapter 1 of Part 2 has been amended by the [Terrorism Act 2006 \(c.11\)](#), **section 33(3)** and (4); the [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c.33\)](#), **sections 26(2)** and 30(2) and Schedules 3 and 5; the [Bribery Act 2010 \(c.23\)](#), **section 17(2)** and Schedule 1; the Criminal Justice and Licensing (Scotland) Act 2010 (asp.13), section 203 and Schedule 7, paragraph 77; the [Crime and Courts Act 2013 \(c.22\)](#), **section 17(4)** and Schedule 8, paragraphs 157 and 159; the [Criminal Finances Act 2017 \(c.22\)](#), **section 51(1)**; the [Sanctions and Anti-Money Laundering Act 2018 \(c.13\)](#), **section 59(4)** and Schedule 3, paragraph 4; and [S.I. 2014/834](#).

Monetary penalties

[^{F246}56. Each provision in Part 5 (Trade) which contains a prohibition imposed for a purpose mentioned in section 3(1) or (2) of the Act is to be regarded as not being financial sanctions legislation for the purposes of Part 8 of the Policing and Crime Act 2017.]

Textual Amendments

F246 Reg. 56 substituted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **33**

[^{F247}OFCOM: power to impose monetary penalties

56A.—(1) OFCOM may impose a monetary penalty on a person if they are satisfied, on the balance of probabilities, that—

- (a) the person has failed to comply with a requirement that is imposed under regulation 27P (internet services), or
- (b) the person has failed to comply with an obligation that is imposed by or under regulation 45A (internet services: power to request information and produce documents).

(2) The amount of the penalty is to be such amount as OFCOM may determine, not exceeding £1,000,000.

(3) Any monetary penalty payable under this regulation is recoverable by OFCOM as a civil debt.

(4) Any monetary penalty received by OFCOM by virtue of this regulation must be paid into the Consolidated Fund.

Textual Amendments

F247 Regs. 56A, 56B inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **21**

OFCOM: monetary penalties: procedural rights

56B.—(1) Before imposing a monetary penalty on a person under regulation 56A, OFCOM must inform the person of their intention to do so.

(2) OFCOM must also—

- (a) explain the grounds for imposing the penalty,
- (b) specify the amount of the penalty,
- (c) explain that the person is entitled to make representations, and
- (d) specify the period within which any such representations must be made.

(3) If (having considered any representations), OFCOM decides to impose the penalty, OFCOM must inform the person of their decision.

(4) A person to which the decision relates may appeal to the Upper Tribunal against the decision.

(5) On an appeal under paragraph (4), the Upper Tribunal may—

- (a) dismiss the appeal,
- (b) quash OFCOM's decision to impose the penalty, or

- (c) uphold that decision but substitute a different amount for the amount determined by OFCOM.]

Textual Amendments

F247 Regs. 56A, 56B inserted (9.6.2023) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/616\)](#), regs. 1(2), **21**

PART 9

Maritime enforcement

Exercise of maritime enforcement powers

57.—(1) A maritime enforcement officer may, for a purpose mentioned in paragraph (2) or (3), exercise any of the maritime enforcement powers in relation to—

- (a) a British ship in foreign waters or international waters,
- (b) a ship without nationality in international waters, or
- (c) a foreign ship in international waters,

and a ship within sub-paragraph (a), (b) or (c) is referred to in this Part as “a relevant ship”.

^{F248}(2) The maritime enforcement powers may be exercised for the purpose of enforcing any of the following—

- (a) the prohibition in regulation 21 (export of goods to, or for use in, Belarus)
- (b) the prohibition in regulation 22 (supply and delivery of goods from a third country to Belarus);
- (c) the prohibitions in regulation 23 (making available goods and technology to a person connected with, or for use in, Belarus);
- (d) the prohibitions in regulation 24 (transfer of technology to a place in, or person connected with, Belarus);
- (e) the prohibitions in regulation 27I(1) or (2), regulation 27J(1) or (3) or regulation 27K(1) or (2) (import, acquisition and supply and delivery of goods);
- (f) a prohibition imposed by a condition of a licence issued under regulation 33 (trade licences) in relation to a prohibition mentioned in any of sub-paragraphs (a) to (e).]

(3) The maritime enforcement powers may also be exercised in relation to a relevant ship for the purpose of—

- (a) investigating the suspected carriage of relevant goods on the ship, or
- (b) preventing the continued carriage on the ship of goods suspected to be relevant goods.

(4) In this Part, “the maritime enforcement powers” are the powers conferred by regulations 59 and 60.

(5) This regulation is subject to regulation 61 (restrictions on exercise of maritime enforcement powers).

Textual Amendments

F248 Reg. 57(2) substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **41**

Commencement Information

I107 Reg. 57 not in force at made date, see [reg. 1\(2\)](#)

I108 Reg. 57 in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Maritime enforcement officers

58.—(1) The following persons are “maritime enforcement officers” for the purposes of this Part—

- (a) a commissioned officer of any of Her Majesty's ships;
- (b) a member of the Ministry of Defence Police (within the meaning of section 1 of the Ministry of Defence Police Act 1987^{M35});
- (c) a constable—
 - (i) who is a member of a police force in England and Wales,
 - (ii) within the meaning of section 99 of the Police and Fire Reform (Scotland) Act 2012^{M36}, or
 - (iii) who is a member of the Police Service of Northern Ireland or the Police Service of Northern Ireland Reserve;
- (d) a special constable—
 - (i) appointed under section 27 of the Police Act 1996^{M37},
 - (ii) appointed under section 9 of the Police and Fire Reform (Scotland) Act 2012, or
 - (iii) in Northern Ireland, appointed by virtue of provision incorporating section 79 of the Harbours, Docks, and Piers Clauses Act 1847^{M38};
- (e) a constable who is a member of the British Transport Police Force;
- (f) a port constable, within the meaning of section 7 of the Marine Navigation Act 2013^{M39}, or a person appointed to act as a constable under provision made by virtue of section 16 of the Harbours Act 1964^{M40};
- (g) a designated customs official within the meaning of Part 1 of the Borders, Citizenship and Immigration Act 2009 (see section 14(6) of that Act)^{M41};
- (h) a designated NCA officer who is authorised by the Director General of the National Crime Agency (whether generally or specifically) to exercise the powers of a maritime enforcement officer under this Part.

(2) In this regulation, “a designated NCA officer” means a National Crime Agency officer who is either or both of the following—

- (a) an officer designated under section 10 of the Crime and Courts Act 2013 as having the powers and privileges of a constable;
- (b) an officer designated under that section as having the powers of a general customs official.

Commencement Information

I109 Reg. 58 not in force at made date, see [reg. 1\(2\)](#)

I110 Reg. 58 in force at 31.12.2020 by S.I. 2019/627, **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Marginal Citations

M35 1987 c.4. Section 1 was amended by the Police Act 1996 (c.16), **Schedule 7**, paragraph 41; the Police (Northern Ireland) Act 1998 (c.32), **Schedule 4**, paragraph 16; the Police (Northern Ireland) Act 2000 (c.32), **section 78(2)**; the Police Reform Act 2002 (c.30), **section 79(3)**; and S.I. 2013/602.

M36 2012 asp.8.

M37 1996 c.16. Section 27 was amended by the Police and Justice Act 2006 (c.48), **Schedule 2**, paragraph 23; the Policing and Crime Act 2009 (c.26), **Schedule 7**, paragraphs 1 and 6; and the Police Reform and Social Responsibility Act 2011 (c.13), **Schedule 16**, paragraphs 22 and 26.

M38 1847 c.27.

M39 2013 c.23.

M40 1964 c.40. Section 16 has been amended by various instruments but none are relevant to these Regulations.

M41 2009 c.11. Designated customs officials are designated, as either a general customs official or a customs revenue official, under sections 3 and 11 of this Act respectively.

Power to stop, board, search etc

59.—(1) This regulation applies if a maritime enforcement officer has reasonable grounds to suspect that a relevant ship is carrying prohibited goods or relevant goods.

(2) The officer may—

- (a) stop the ship;
- (b) board the ship;
- (c) for the purpose of exercising a power conferred by paragraph (3) or regulation 60, require the ship to be taken to, and remain in, a port or anchorage in the United Kingdom or any other country willing to receive it.

(3) Where the officer boards a ship by virtue of this regulation, the officer may—

- (a) stop any person found on the ship and search that person for—
 - (i) prohibited goods or relevant goods, or
 - (ii) any thing that might be used to cause physical injury or damage to property or to endanger the safety of any ship;
- (b) search the ship, or any thing found on the ship (including cargo) for prohibited goods or relevant goods;

(4) The officer may—

- (a) require a person found on a ship boarded by virtue of this regulation to provide information or produce documents;
- (b) inspect and copy such information or documents.

(5) The officer may exercise a power conferred by paragraph (3)(a)(i) or (b) only to the extent reasonably required for the purpose of discovering prohibited goods or relevant goods.

(6) The officer may exercise the power conferred by paragraph (3)(a)(ii) in relation to a person only where the officer has reasonable grounds to believe that the person might use a thing to cause physical injury or damage to property or to endanger the safety of any ship.

(7) The officer may use reasonable force, if necessary, in the exercise of any power conferred by this regulation.

Commencement Information

- I111** Reg. 59 not in force at made date, see [reg. 1\(2\)](#)
I112 Reg. 59 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Seizure power

60.—(1) This regulation applies if a maritime enforcement officer is lawfully on a relevant ship (whether in exercise of the powers conferred by regulation 59 or otherwise).

(2) The officer may seize any of the following which are found on the ship, in any thing found on the ship, or on any person found on the ship—

- (a) goods which the officer has reasonable grounds to suspect are prohibited goods or relevant goods, or
- (b) things within regulation 59(3)(a)(ii).

(3) The officer may use reasonable force, if necessary, in the exercise of any power conferred by this regulation.

Commencement Information

- I113** Reg. 60 not in force at made date, see [reg. 1\(2\)](#)
I114 Reg. 60 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Restrictions on exercise of maritime enforcement powers

61.—(1) The authority of the Secretary of State is required before any maritime enforcement power is exercised in reliance on regulation 57 in relation to—

- (a) a British ship in foreign waters, or
- (b) a foreign ship in international waters.

(2) In relation to a British ship in foreign waters other than the sea and other waters within the seaward limits of the territorial sea adjacent to any relevant British possession, the Secretary of State may give authority under paragraph (1) only if the State in whose waters the power would be exercised consents to the exercise of the power.

(3) In relation to a foreign ship in international waters, the Secretary of State may give authority under paragraph (1) only if—

- (a) the home state has requested the assistance of the United Kingdom for a purpose mentioned in regulation 57(2) or (3),
- (b) the home state has authorised the United Kingdom to act for such a purpose, or
- (c) the United Nations Convention on the Law of the Sea 1982 ^{M42} or a UN Security Council Resolution otherwise permits the exercise of the power in relation to the ship.

Commencement Information

- I115** Reg. 61 not in force at made date, see [reg. 1\(2\)](#)
I116 Reg. 61 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Marginal Citations

M42 Cmnd 8941.

Interpretation of Part 9

62.—(1) Subject to paragraph (2), any expression used in this Part and in section 19 or 20 of the Act has the same meaning in this Part as it has in section 19 or (as the case may be) section 20 of the Act.

(2) For the purpose of interpreting any reference to “prohibited goods” or “relevant goods” in this Part, any reference in section 19 or 20 of the Act to a “relevant prohibition or requirement” is to be read as a reference to any prohibition specified in [^{F249} regulation 57(2)(a) to (e)].

Textual Amendments

F249 Words in reg. 62(2) substituted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020](#) (S.I. 2020/590), regs. 1(2), **6(5)**; S.I. 2020/1514, **reg. 4**

Commencement Information

I117 Reg. 62 not in force at made date, see [reg. 1\(2\)](#)

I118 Reg. 62 in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

PART 10

Supplementary and final provision

Notices

63.—(1) This regulation applies in relation to a notice required by regulation 34 (licences: general provisions) to be given to a person.

(2) The notice may be given to an individual—

- (a) by delivering it to the individual,
- (b) by sending it to the individual by post addressed to the individual at his or her usual or last-known place of residence or business, or
- (c) by leaving it for the individual at that place.

(3) The notice may be given to a person other than an individual—

- (a) by sending it by post to the proper officer of the body at its principal office, or
- (b) by addressing it to the proper officer of the body and leaving it at that office.

(4) The notice may be given to the person by other means, including by electronic means, with the person's consent.

(5) In this regulation, the reference in paragraph (3) to a “principal office”—

- (a) in relation to a registered company, is to be read as a reference to the company's registered office;
- (b) in relation to a body incorporated or constituted under the law of a country other than the United Kingdom, includes a reference to the body's principal office in the United Kingdom (if any).

(6) In this regulation—

“proper officer”—

- (a) in relation to a body other than a partnership, means the secretary or other executive officer charged with the conduct of the body's general affairs, and
- (b) in relation to a partnership, means a partner or a person who has the control or management of the partnership business;

“registered company” means a company registered under the enactments relating to companies for the time being in force in the United Kingdom.

Commencement Information

I119 Reg. 63 not in force at made date, see [reg. 1\(2\)](#)

I120 Reg. 63 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Article 20 of the Export Control Order 2008

64. Article 20 of the Export Control Order 2008 (embargoed destinations) is not to be taken to prohibit anything prohibited by Part 5 (Trade).

Commencement Information

I121 Reg. 64 not in force at made date, see [reg. 1\(2\)](#)

I122 Reg. 64 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Trade: overlapping offences

65. A person is not to be taken to commit an offence under the Export Control Order 2008 if the person would, in the absence of this regulation, commit an offence under both—

- (a) article 34, ^{F250}[35,] 37 or 38 of that Order, and
- (b) any provision of Part 5 (Trade) or regulation 36 (trade: licensing offences), 44(6) or 45(5) (information offences in connection with general trade licences).

Textual Amendments

F250 Word in [reg. 65\(a\)](#) inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), [regs. 1\(2\)](#), [35](#)

Commencement Information

I123 Reg. 65 not in force at made date, see [reg. 1\(2\)](#)

I124 Reg. 65 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Revocation of the Belarus Council Regulation

66. Council Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus is revoked.

Commencement Information

I125 Reg. 66 not in force at made date, see [reg. 1\(2\)](#)

I126 Reg. 66 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Other revocations and amendments

67.—(1) The Belarus (Asset-Freezing) Regulations 2013 ^{M43} are revoked.

(2) The Export Control (Belarus) and (Syria Amendment) Order 2011 ^{M44} is revoked.

Commencement Information

I127 Reg. 67 not in force at made date, see [reg. 1\(2\)](#)

I128 Reg. 67 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Marginal Citations

M43 [S.I. 2013/164](#), as amended by s.4(4)(a) of the [Wales Act 2014 \(c.29\)](#); [S.I. 2013/472](#); [S.I. 2013/534](#); [S.I. 2015/1850](#); [S.I. 2016/504](#); [S.I. 2017/560](#); [S.I. 2017/754](#); [S.I. 2018/682](#); and [S.I. 2018/1149](#).

M44 [S.I. 2011/2010](#), as amended by [S.I. 2011/2925](#); and [S.I. 2012/810](#).

Transitional provision: Treasury licences

68.—(1) Paragraphs (2) to (4) apply to a licence which—

- (a) was granted, or deemed to be granted, by the Treasury under regulation 9 of the 2013 Regulations,
- (b) was in effect immediately before the relevant date, and
- (c) authorises conduct which would (on and after the relevant date, and in the absence of paragraphs (2) to (4)) be prohibited under Part 3 (Finance),

and such a licence is referred to in this regulation as “an existing financial sanctions licence”.

(2) An existing financial sanctions licence which authorises an act which would otherwise be prohibited has effect on and after the relevant date as if it had been issued by the Treasury under regulation 32(1) (Treasury licences).

(3) Any reference in an existing financial sanctions licence to the 2013 Regulations is to be treated on and after the relevant date as a reference to these Regulations.

(4) Any reference in an existing financial sanctions licence to a prohibition in—

- (a) the 2013 Regulations, or
- (b) the EU Belarus Regulation,

is to be treated on and after the relevant date as a reference to the corresponding prohibition in Part 3 (Finance).

(5) Paragraph (6) applies where—

- (a) an application for a licence, or for the variation of a licence, under the 2013 Regulations was made before the relevant date,
- (b) the application is for the authorisation of conduct which would (on and after the relevant date) be prohibited under Part 3, and
- (c) a decision to grant or refuse the application has not been made before that date.

(6) The application is to be treated on and after the relevant date as an application for a licence, or for the variation of a licence (as the case may be), under regulation 32(1) (Treasury licences).

(7) In this regulation—

“the 2013 Regulations” means the Belarus (Asset-Freezing) Regulations 2013;

“the relevant date” means—

- (a) where regulations under section 56 of the Act provide that Part 3 comes into force at a specified time on a day, that time on that day;
- (b) otherwise, the date on which Part 3 comes into force.

Commencement Information

I129 Reg. 68 not in force at made date, see [reg. 1\(2\)](#)

I130 Reg. 68 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Transitional provision: trade licences

69.—(1) Paragraph (2) applies in relation to each licence or authorisation granted by the Secretary of State which—

- (a) was in effect immediately before the relevant date, and
- (b) authorises an act—
 - (i) which would otherwise be prohibited by any provision of the Export Control Order 2008 except article 20 of that Order (embargoed destinations), and
 - (ii) which would (on and after the relevant date, and in the absence of paragraph (2)) be prohibited by Part 5 (Trade),

and such a licence or authorisation is referred to in this regulation as an “existing trade licence”.

(2) A licence is deemed to have been issued by the Secretary of State at the beginning of the relevant date under regulation 33 (trade licences)—

- (a) disapplying every provision of Part 5 which would, in the absence of this paragraph, prohibit any act authorised by the existing trade licence, and
- (b) otherwise in the same terms as the existing trade licence.

(3) Paragraphs (4) to (6) apply to a licence or authorisation granted by the Secretary of State which—

- (a) was in effect immediately before the relevant date, ^{F251}...

[^{F252}(aa) is not an existing trade licence, and]

- (b) authorises an act—
 - (i) which would otherwise be prohibited by the EU Belarus Regulation, and
 - (ii) which would (on and after the relevant date, and in the absence of paragraphs (4) to (6)) be prohibited by Part 5 (Trade),

and such a licence or authorisation is referred to in this regulation as “an existing trade sanctions licence”.

(4) An existing trade sanctions licence has effect on and after the relevant date as if it were a licence which had been issued by the Secretary of State under regulation 33.

(5) Any reference in an existing trade sanctions licence to a provision of the Export Control (Belarus) and (Syria Amendment) Order 2011 or Export Control Order 2008 is to be treated on and after the relevant date as a reference to the corresponding provision of these Regulations (if any).

(6) Any reference in an existing trade sanctions licence to a prohibition in the EU Belarus Regulation is to be treated on and after the relevant date as a reference to the corresponding prohibition in Part 5 (Trade).

(7) In this regulation, “the relevant date” means—

- (a) where regulations under section 56 of the Act provide that Part 5 comes into force at a specified time on a day, that time on that day;
- (b) otherwise, the date on which Part 5 comes into force.

Textual Amendments

F251 Word in reg. 69(3) omitted (31.12.2020 immediately after IP completion day) by virtue of [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **6(6)(a)**; S.I. 2020/1514, **reg. 4**

F252 Reg. 69(3)(aa) inserted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **6(6)(b)**; S.I. 2020/1514, **reg. 4**

Commencement Information

I131 Reg. 69 not in force at made date, see [reg. 1\(2\)](#)

I132 Reg. 69 in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Transitional provision: pending applications for trade licences

70.—(1) Paragraph (2) applies where—

- (a) an application was made before the relevant date for a licence or authorisation under or pursuant to the Export Control Order 2008,
- (b) the application is for authorisation of an act prohibited by Part 5 (Trade), and
- (c) a decision to grant or refuse the application has not been made before the relevant date.

(2) The application is to be treated on and after the relevant date as including an application for a licence under regulation 33 (trade licences).

(3) Paragraph (4) applies where—

- (a) an application was made before the relevant date for a licence or authorisation under the Export Control (Belarus) and (Syria Amendment) Order 2011 or the EU Belarus Regulation,
- (b) the application is for authorisation of an act prohibited by Part 5 (Trade), and
- (c) a decision to grant or refuse the application has not been made before the relevant date.

(4) The application is to be treated on and after the relevant date as an application for a licence under regulation 33.

(5) In this regulation, “the relevant date” means—

- (a) where regulations under section 56 of the Act provide that Part 5 comes into force at a specified time on a day, that time on that day;
- (b) otherwise, the date on which Part 5 comes into force.

Commencement Information

I133 Reg. 70 not in force at made date, see [reg. 1\(2\)](#)

I134 Reg. 70 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Transitional provisions: prior obligations

71.—(1) Where—

- (a) a person was named in Annex I of the EU Belarus Regulation immediately before the relevant date, and
- (b) the person is a designated person immediately before the relevant date,

any reference in a provision mentioned in paragraph (2) to the date on which a person became a designated person is a reference to the date on which the person was named in that Annex.

(2) The provisions referred to in paragraph (1) are—

- (a) regulation 30(5) (finance: exception from prohibitions), and
- (b) paragraphs 6(b)(i) and 9(a) of Schedule 3 (Treasury licences: purposes).

(3) In this regulation—

“designated person” has the same meaning as it has in Part 3 (Finance);

“the relevant date” means—

- (a) where regulations under section 56 of the Act provide that Part 3 comes into force at a specified time on a day, that time on that day;
- (b) otherwise, the date on which Part 3 comes into force.

Commencement Information

I135 Reg. 71 not in force at made date, see [reg. 1\(2\)](#)

I136 Reg. 71 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Foreign and Commonwealth Office

Alan Duncan
Minister of State

SCHEDULES

SCHEDULE 1

[^{F254}Regulations 7(3) and 15D(5)]

Rules for interpretation of [^{F253}regulations 7(2) and 15D(3) and (4)]

Textual Amendments

F253 Words in Sch. 1 heading substituted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **36(1)**

F254 Sch. 1 shoulder note substituted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **36(2)**

Application of Schedule

1.—(1) The rules set out in the following paragraphs of this Schedule apply for the purpose of interpreting [^{F255}regulations 7(2) and 15D(3) and (4)].

(2) They also apply for the purpose of interpreting this Schedule.

Textual Amendments

F255 Words in Sch. 1 para. 1(1) substituted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **36(3)**

Commencement Information

I137 Sch. 1 para. 1 not in force at made date, see [reg. 1\(2\)](#)

I138 Sch. 1 para. 1 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(j\)](#)

Joint interests

2. If two or more persons each hold a share or right jointly, each of them is treated as holding that share or right.

Commencement Information

I139 Sch. 1 para. 2 not in force at made date, see [reg. 1\(2\)](#)

I140 Sch. 1 para. 2 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(j\)](#)

Joint arrangements

3.—(1) If shares or rights held by a person and shares or rights held by another person are the subject of a joint arrangement between those persons, each of them is treated as holding the combined shares or rights of both of them.

(2) A “joint arrangement” is an arrangement between the holders of shares or rights that they will exercise all or substantially all the rights conferred by their respective shares or rights jointly in a way that is pre-determined by the arrangement.

(3) “Arrangement” has the meaning given by paragraph 12.

Commencement Information

I141 Sch. 1 para. 3 not in force at made date, see [reg. 1\(2\)](#)

I142 Sch. 1 para. 3 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(j\)](#)

Calculating shareholdings

4.—(1) In relation to a person who has a share capital, a reference to holding “more than 50% of the shares” in that person is to holding shares comprised in the issued share capital of that person of a nominal value exceeding (in aggregate) 50% of that share capital.

(2) In relation to a person who does not have a share capital—

- (a) a reference to holding shares in that person is to holding a right or rights to share in the capital or, as the case may be, profits of that person;
- (b) a reference to holding “more than 50% of the shares” in that person is to holding a right or rights to share in more than 50% of the capital or, as the case may be, profits of that person.

Commencement Information

I143 Sch. 1 para. 4 not in force at made date, see [reg. 1\(2\)](#)

I144 Sch. 1 para. 4 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(j\)](#)

Voting rights

5.—(1) A reference to the voting rights in a person is to the rights conferred on shareholders in respect of their shares (or, in the case of a person not having a share capital, on members) to vote at general meetings of the person on all or substantially all matters.

(2) In relation to a person that does not have general meetings at which matters are decided by the exercise of voting rights—

- (a) a reference to holding voting rights in the person is to be read as a reference to holding rights in relation to the person that are equivalent to those of a person entitled to exercise voting rights in a company;
- (b) a reference to holding “more than 50% of the voting rights” in the person is to be read as a reference to holding the right under the constitution of the person to block changes to the overall policy of the person or to the terms of its constitution.

Commencement Information

I145 Sch. 1 para. 5 not in force at made date, see [reg. 1\(2\)](#)

I146 Sch. 1 para. 5 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(j\)](#)

6. In applying regulation 7(2) and this Schedule, the voting rights in a person are to be reduced by any rights held by the person itself.

Commencement Information

- I147** Sch. 1 para. 6 not in force at made date, see [reg. 1\(2\)](#)
I148 Sch. 1 para. 6 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(j\)](#)

Rights to appoint or remove members of the board

7. A reference to the right to appoint or remove a majority of the board of directors of a person is to the right to appoint or remove directors holding a majority of the voting rights at meetings of the board on all or substantially all matters.

Commencement Information

- I149** Sch. 1 para. 7 not in force at made date, see [reg. 1\(2\)](#)
I150 Sch. 1 para. 7 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(j\)](#)

8. A reference to a board of directors, in the case of a person who does not have such a board, is to be read as a reference to the equivalent management body of that person.

Commencement Information

- I151** Sch. 1 para. 8 not in force at made date, see [reg. 1\(2\)](#)
I152 Sch. 1 para. 8 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(j\)](#)

Shares or rights held “indirectly”

9.—(1) A person holds a share “indirectly” if the person has a majority stake in another person and that other person—

- (a) holds the share in question, or
- (b) is part of a chain of persons—
 - (i) each of whom (other than the last) has a majority stake in the person immediately below it in the chain, and
 - (ii) the last of whom holds the share.

(2) A person holds a right “indirectly” if the person has a majority stake in another person and that other person—

- (a) holds that right, or
- (b) is part of a chain of persons—
 - (i) each of whom (other than the last) has a majority stake in the person immediately below it in the chain, and
 - (ii) the last of whom holds that right.

(3) For these purposes, a person (“A”) has a “majority stake” in another person (“B”) if—

- (a) A holds a majority of the voting rights in B,
- (b) A is a member of B and has the right to appoint or remove a majority of the board of directors of B,
- (c) A is a member of B and controls alone, pursuant to an agreement with other shareholders or members, a majority of the voting rights in B, or

(d) A has the right to exercise, or actually exercises, dominant influence or control over B.

(4) In the application of this paragraph to the right to appoint or remove a majority of the board of directors, a person (“A”) is to be treated as having the right to appoint a director if—

- (a) any person's appointment as director follows necessarily from that person's appointment as director of A, or
- (b) the directorship is held by A itself.

Commencement Information

I153 Sch. 1 para. 9 not in force at made date, see [reg. 1\(2\)](#)

I154 Sch. 1 para. 9 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(j\)](#)

Shares held by nominees

10. A share held by a person as nominee for another is to be treated as held by the other (and not by the nominee).

Commencement Information

I155 Sch. 1 para. 10 not in force at made date, see [reg. 1\(2\)](#)

I156 Sch. 1 para. 10 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(j\)](#)

Rights treated as held by person who controls their exercise

11.—(1) Where a person controls a right, the right is to be treated as held by that person (and not by the person who in fact holds the right, unless that person also controls it).

(2) A person “controls” a right if, by virtue of any arrangement between that person and others, the right is exercisable only—

- (a) by that person,
- (b) in accordance with that person's directions or instructions, or
- (c) with that person's consent or concurrence.

Commencement Information

I157 Sch. 1 para. 11 not in force at made date, see [reg. 1\(2\)](#)

I158 Sch. 1 para. 11 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(j\)](#)

12. “Arrangement” includes—

- (a) any scheme, agreement or understanding, whether or not it is legally enforceable, and
- (b) any convention, custom or practice of any kind.

Commencement Information

I159 Sch. 1 para. 12 not in force at made date, see [reg. 1\(2\)](#)

I160 Sch. 1 para. 12 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(j\)](#)

Rights exercisable only in certain circumstances etc

13.—(1) Rights that are exercisable only in certain circumstances are to be taken into account only—

- (a) when the circumstances have arisen, and for so long as they continue to obtain, or
- (b) when the circumstances are within the control of the person having the rights.

(2) But rights that are exercisable by an administrator or by creditors while a person is subject to relevant insolvency proceedings are not to be taken into account while the person is subject to those proceedings.

(3) “Relevant insolvency proceedings” means—

- (a) administration within the meaning of the Insolvency Act 1986^{M45}
- (b) administration within the meaning of the Insolvency (Northern Ireland) Order 1989^{M46}, or
- (c) proceedings under the insolvency law of another country during which a person's assets and affairs are subject to the control or supervision of a third party or creditor.

(4) Rights that are normally exercisable but are temporarily incapable of exercise are to continue to be taken into account.

Commencement Information

I161 Sch. 1 para. 13 not in force at made date, see [reg. 1\(2\)](#)

I162 Sch. 1 para. 13 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(j\)](#)

Marginal Citations

M45 1986 c.45.

M46 [S.I. 1989/2405 \(N.I. 19\)](#).

Rights attached to shares held by way of security

14. Rights attached to shares held by way of security provided by a person are to be treated for the purposes of this Schedule as held by that person—

- (a) where apart from the right to exercise them for the purpose of preserving the value of the security, or of realising it, the rights are exercisable only in accordance with that person's instructions, and
- (b) where the shares are held in connection with the granting of loans as part of normal business activities and apart from the right to exercise them for the purpose of preserving the value of the security, or of realising it, the rights are exercisable only in that person's interests.

Commencement Information

I163 Sch. 1 para. 14 not in force at made date, see [reg. 1\(2\)](#)

I164 Sch. 1 para. 14 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(j\)](#)

SCHEDULE 2

Regulation 19

List of internal repression goods and internal repression technology

Firearms and related goods

1. Firearms, ammunition and related accessories, as follows—
 - (a) firearms;
 - (b) ammunition specially designed for firearms;
 - (c) weapon-sights.

Commencement Information

I165 Sch. 2 para. 1 not in force at made date, see [reg. 1\(2\)](#)

I166 Sch. 2 para. 1 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

2. Simulators for training persons to use firearms.

Commencement Information

I167 Sch. 2 para. 2 not in force at made date, see [reg. 1\(2\)](#)

I168 Sch. 2 para. 2 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

3. Bombs and grenades.

Commencement Information

I169 Sch. 2 para. 3 not in force at made date, see [reg. 1\(2\)](#)

I170 Sch. 2 para. 3 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

Vehicles

- 4.—(1) Subject to sub-paragraph (3), the following types of vehicles—
 - (a) vehicles equipped with a water cannon, specially designed or modified for the purpose of riot control;
 - (b) vehicles specially designed or modified to be electrified to repel boarders;
 - (c) vehicles specially designed or modified to remove barricades, including construction equipment with ballistic protection;
 - (d) vehicles specially designed for the transport or transfer of prisoners or detainees;
 - (e) vehicles specially designed to deploy mobile barriers;
- (2) Components for the vehicles specified in sub-paragraphs (1)(a) to (e) that have been designed for the purposes of riot control.
- (3) Vehicles that might otherwise fall within sub-paragraphs (1)(a) to (e) are not internal repression goods if they are specially designed for the purposes of fire-fighting.
- (4) For the purposes of this paragraph, “vehicle” includes a trailer.

Commencement Information

I171 Sch. 2 para. 4 not in force at made date, see [reg. 1\(2\)](#)

I172 Sch. 2 para. 4 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

Explosive substances and related goods

5.—(1) Subject to sub-paragraph (3), equipment and devices specially designed to initiate explosions by electrical or non-electrical means, including—

- (a) firing sets;
- (b) detonators;
- (c) igniters;
- (d) boosters;
- (e) detonating cord.

(2) Subject to sub-paragraph (3), components that have been specially designed for any thing mentioned in sub-paragraph (1).

(3) Sub-paragraphs (1) and (2) do not apply to any thing that has been specially designed for a specific commercial use.

(4) For the purpose of paragraph (3), a “specific commercial use” means the actuation or operation by explosive means of other equipment or devices the function of which is not the creation of explosions, including—

- (a) car air-bag inflaters;
- (b) electric-surge arresters; and
- (c) fire sprinkler actuators.

Commencement Information

I173 Sch. 2 para. 5 not in force at made date, see [reg. 1\(2\)](#)

I174 Sch. 2 para. 5 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

6. Linear cutting explosive charges.**Commencement Information**

I175 Sch. 2 para. 6 not in force at made date, see [reg. 1\(2\)](#)

I176 Sch. 2 para. 6 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

7. The following explosives and related substances—

- (a) amatol;
- (b) nitrocellulose (containing more than 12.5 % nitrogen);
- (c) nitroglycol;
- (d) pentaerythritol tetranitrate (PETN);
- (e) picryl chloride;
- (f) 2,4,6-trinitrotoluene (TNT).

Commencement Information

I177 Sch. 2 para. 7 not in force at made date, see [reg. 1\(2\)](#)

I178 Sch. 2 para. 7 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

Other goods

8.—(1) Subject to sub-paragraph (2), the following equipment designed for the protection of [^{F256}a] person—

- (a) body armour providing ballistic or stabbing protection or both;
- (b) helmets providing ballistic or fragmentation protection, or both, including anti-riot helmets;
- (c) anti-riot shields and ballistic shields.

(2) Sub-paragraph (1) does not apply to—

- (a) any thing specially designed to protect persons for the following purposes—
 - (i) participation in competitive sport;
 - (ii) ensuring safety at work;
- (b) any thing mentioned in sub-paragraph (1)(a) or (b) when accompanying a person for that person's own protection.

Textual Amendments

F256 Word in Sch. 2 para. 8(1) inserted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), [regs. 1\(2\)](#), [6\(7\)\(a\)](#); [S.I. 2020/1514](#), [reg. 4](#)

Commencement Information

I179 Sch. 2 para. 8 not in force at made date, see [reg. 1\(2\)](#)

I180 Sch. 2 para. 8 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

9. Night vision equipment.

Commencement Information

I181 Sch. 2 para. 9 not in force at made date, see [reg. 1\(2\)](#)

I182 Sch. 2 para. 9 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

10. Thermal imaging equipment.

Commencement Information

I183 Sch. 2 para. 10 not in force at made date, see [reg. 1\(2\)](#)

I184 Sch. 2 para. 10 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

11. Image intensifier tubes.

Commencement Information

I185 Sch. 2 para. 11 not in force at made date, see [reg. 1\(2\)](#)

I186 Sch. 2 para. 11 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

12. Razor barbed wire.

Commencement Information

I187 Sch. 2 para. 12 not in force at made date, see [reg. 1\(2\)](#)

I188 Sch. 2 para. 12 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

13. The following types of knives—

- (a) knives that are designed for use by military personnel (military knives);
- (b) knives that are designed for use as a weapon for inflicting injury (combat knives);
- (c) bayonets with blade lengths in excess of 10 cm.

Commencement Information

I189 Sch. 2 para. 13 not in force at made date, see [reg. 1\(2\)](#)

I190 Sch. 2 para. 13 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

Production equipment

14. Any equipment which is specially designed or modified for the development or for one or more of the production phases of any item mentioned in this Schedule.

Commencement Information

I191 Sch. 2 para. 14 not in force at made date, see [reg. 1\(2\)](#)

I192 Sch. 2 para. 14 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

Software and technology

15. Any software which is specially designed for the simulators mentioned in paragraph 2.

Commencement Information

I193 Sch. 2 para. 15 not in force at made date, see [reg. 1\(2\)](#)

I194 Sch. 2 para. 15 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

16. Any technology which is specially designed [^{F257} for the development, production or use of] any item mentioned in this Schedule.

Textual Amendments

F257 Words in Sch. 2 para. 16 substituted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020](#) (S.I. 2020/590), [regs. 1\(2\)](#), [6\(7\)\(b\)](#); [S.I. 2020/1514](#), [reg. 4](#)

Commencement Information

I195 Sch. 2 para. 16 not in force at made date, see [reg. 1\(2\)](#)

I196 Sch. 2 para. 16 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

Interpretation

^{F258}**17.**—(1) In this Schedule, “firearm” means any portable barrelled weapon that expels, is designed to expel or may be converted to expel, a shot, bullet or projectile by the action of a combustible propellant.

(2) For the purposes of this Schedule, the following terms have the meaning given to them in the Dual-Use Regulation—

“development”;

“production”;

“software”;

“technology”;

“use”.]

Textual Amendments

F258 Sch. 2 para. 17 substituted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020](#) (S.I. 2020/590), [regs. 1\(2\), 6\(7\)\(c\)](#); [S.I. 2020/1514](#), [reg. 4](#)

Commencement Information

I197 Sch. 2 para. 17 not in force at made date, see [reg. 1\(2\)](#)

I198 Sch. 2 para. 17 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(k\)](#)

^{F259}SCHEDULE 2A

Regulation 19

Interception and monitoring goods and interception and monitoring technology

Textual Amendments

F259 Schs. 2A, 2B inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021](#) (S.I. 2021/1146), [regs. 1\(2\), 37](#)

Interception and monitoring equipment

1. Any goods which can perform any of the following functions (whether individually or as part of a system)—

(a) deep packet inspection;

(b) network interception, including associated systems management and data retention functions;

(c) radio frequency monitoring, including associated processing or examination;

(d) network and satellite jamming;

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

- (e) remote infection;
- (f) speaker recognition, including associated processing functions;
- (g) IMSI, MSISDN, IMEI and TMSI interception and monitoring;
- (h) tactical SMS, GSM, GPS, GPRS, UMTS, CDMA, and PSTN interception and monitoring;
- (i) DHCP, SMTP and GTP information interception and monitoring;
- (j) pattern recognition and pattern profiling;
- (k) remote forensics;
- (l) semantic processing;
- (m) WEP and WPA code breaking;
- (n) interception of VoIP (including proprietary and standard protocols);
- (p) cryptanalysis.

2. Any software which can perform any of the functions described in paragraph 1(a) to (p) (whether individually or as part of a system).

Other software and other technology

3. Any software or other technology which is specially designed for the development, production or use of any goods or software described in paragraph 1 or 2.

Interpretation

4. For the purposes of this Schedule, the following terms have the meaning given to them in the Dual-Use Regulation—

- “development”;
- “production”;
- “software”;
- “technology”;
- “use”.

Acronyms and abbreviations used in this Schedule

5. The acronyms and abbreviations used in this Schedule have the following meaning—

<i>ABBREVIATION/ ACRONYM</i>	<i>MEANING</i>	<i>ADDITIONAL INFORMATION</i>
IMSI	International Mobile Subscriber Identity	This is a unique identification code for each mobile telephony device, integrated in the SIM card and which allows identification of that SIM, via GSM and UMTS networks.
MSISDN	Mobile Subscriber Integrated Services Digital Network Number	This is a number that uniquely identifies a subscription in a GSM or a UMTS mobile network. It is the telephone number to the SIM card in a mobile phone and therefore

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>ABBREVIATION/ ACRONYM</i>	<i>MEANING</i>	<i>ADDITIONAL INFORMATION</i>
		identifies a mobile subscriber as well as the IMSI.
IMEI	International Equipment Identity	Mobile This is a number, usually unique, to identify GSM, WCDMA and IDEN mobile phones as well as some satellite phones. It is usually found printed inside the battery compartment of the phone.
TMSI	Temporary Mobile Subscriber Identity	
SMS	Short Message System	
GSM	Global System for Mobile Communications	
GPS	Global Positioning System	
GPRS	General Packet Radio Service	
UMTS	Universal Mobile Telecommunications System	
CDMA	Code Division Multiple Access	
PSTN	Public Switch Telephone Networks	
DHCP	Dynamic Host Configuration Protocol	
SMTP	Simple Mail Transfer Protocol	
GTP	GPRS Tunnelling Protocol	
WEP	Wired Equivalent Privacy	
WPA	Wi-Fi Protected Access	
VoIP	Voice over Internet Protocol	
[^{F260} WCDMA	Wideband Code Division Multiple Access]	
IDEN	Integrated Digital Enhanced Network	

Textual Amendments

F260 Words in Sch. 2A para. 5 substituted (9.8.2022) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2022 (S.I. 2022/818), regs. 1(2), **5(5)**

SCHEDULE 2B

Regulation 20

[^{F261}Iron and steel products, potash, mineral products, and tobacco industry goods]**Textual Amendments**

F261 Sch. 2B heading substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **42(a)**

1.—(1) For the purposes of this Schedule—

- (a) a thing “falls within” a commodity code if it is, or would be, classified under that commodity code, as set out in the Goods Classification Table;
- (b) where a commodity code or chapter is preceded by “ex”, the goods specified in this Schedule constitute only a part of the scope of the commodity code or chapter and must fall within both the description given to that code or chapter in this Schedule and the scope of the code or chapter in the Goods Classification Table.

(2) For the purposes of determining whether or not a thing is, or would be, “classified” in accordance with paragraph (1)(a), the rules of interpretation contained in the following have effect—

- (a) Part Two (Goods Classification Table Rules of Interpretation) of the Tariff of the United Kingdom;
- (b) notes to a section or chapter of the Goods Classification Table.

(3) For the purposes of this Schedule—

“commodity code” includes a code denoting a heading or sub-heading;

“the Goods Classification Table” means the table so named in Annex # in Part Three of the Tariff of the United Kingdom;

“the Tariff of the United Kingdom” means the document containing the legal classification and import rate for products being imported into the United Kingdom, entitled “The Tariff of the United Kingdom” as revised or reissued from time to time, including by any document published under regulations made under section 8(1) of the Taxation (Cross-border Trade) Act 2018 replacing the same in whole or in part.

2. For the purposes of Part 5—

“potash” means any thing which falls within any of the following commodity codes—

- (a) 31042010;
- (aa) [^{F262}3104 20 50;]
- (c) 31042090;
- (d) 31052010;
- (e) 31052090;
- (f) 31056000;
- (g) ex 31059020 or ex 31059080, provided in each case that it is a fertiliser containing potassium chloride;

[^{F263}“iron and steel products” means any thing falling within the following commodity codes—

- (a) 72;
- (b) 73.

“mineral products” means any thing falling within the following commodity codes—

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

- (a) 2710;
- (b) 2711;
- (c) 2712;
- (d) 2713;
- (e) 2715;
- (f) 2707.]

F264 ...

“tobacco industry goods” means anything which falls within any of the following commodity codes—

- (a) ex 48239085, provided that it is a filter;
- (b) 4813;
- (c) ex 330290, provided that it is a flavour for tobacco;
- (d) 8478.]

Textual Amendments

F262 Words in Sch. 2B para. 2 inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **42(b)(i)**

F263 Words in Sch. 2B para. 2 inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **42(b)(ii)**

F264 Words in Sch. 2B para. 2 omitted (5.7.2022) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **42(b)(iii)**

[^{F265}SCHEDULE 2C

Regulation 20(3)

Critical-industry goods and critical-industry technology

Textual Amendments

F265 Sch. 2C inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), reg. 1(2), **Sch.**

PART 1

Interpretation

1.—(1) A thing is specified in this Schedule if it is specified in Parts 2 to 8, and a reference in any note in this Schedule to a thing being “controlled” or subject to “controls” is to be read as a reference to it being specified.

(2) In this Schedule, defined terms are printed in quotation marks.

(3) Terms printed in quotation marks and not defined in this Schedule have the meaning given to them in—

- (a) Schedules 2 and 3 of the Export Control Order 2008, or

(b) Annex I of the Dual-Use Regulation,
as applicable.

2.—(1) In this Schedule—

“dynamic adaptive routing” means automatic rerouting of traffic based on sensing and analysis of current actual network conditions, but does not include cases of routing decisions taken on predefined information;

“fluoride fibres” means fibres manufactured from bulk fluoride compounds;

“hybrid computer” means equipment that can—

- (a) accept data,
- (b) process data, in both analogue and digital representation, and
- (c) provide output of data;

“media access unit” means equipment that contains one or more communication interfaces (“network access controller”, “communications channel controller”, modem or computer bus) to connect terminal equipment to a network;

“stored program controlled” means a control using instructions stored in an electronic storage that a processor can execute in order to direct the performance of predetermined functions, and equipment may be “stored program controlled” whether the electronic storage is internal or external to the equipment;

“terminal interface equipment” means equipment at which information enters or leaves the telecommunication systems, for example a telephone, data device, computer, or facsimile device.

(2) For the purposes of this Schedule, the interpretative notes set out in Table 1 apply.

Table 1

Interpretative notes

“multi-data-stream processing” refers to the “microprogram” or equipment architecture technique that permits simultaneous processing of two or more data sequences under the control of one or more instruction sequences by means such as:

Single Instruction Multiple Data (SIMD) architectures such as vector or array processors;

Multiple Single Instruction Multiple Data (MSIMD) architectures;

Multiple Instruction Multiple Data (MIMD) architectures, including those that are tightly coupled, closely coupled or loosely coupled;

structured arrays of processing elements, including systolic arrays.

“data signalling rate” means the rate, as defined in International Telecommunications Union Recommendation 53-36, taking into account that, for non-binary modulation, baud and bit per second are not equal.

Bits for coding, checking and synchronization functions are to be included.

When determining the “data signalling rate”, servicing and administrative channels shall be excluded.

It is the maximum one-way rate, i.e., the maximum rate in either transmission or reception.

“spectral efficiency” is a figure of merit parametrized to characterize the efficiency of transmission system that uses complex modulation schemes such as QAM (quadrature amplitude modulation), Trellis coding, QSPK (Q-phased shift key), etc.. It is defined as the Digital transfer rate (bits/second) divided by 6dB spectrum bandwidth (Hz).

PART 2

Electronics

3A991 Electronic devices and components

- a. “Microprocessor microcircuits”, “microcomputer microcircuits”, and microcontroller microcircuits having any of the following:
 - a.1. A performance speed of 5 GFLOPS or more and an arithmetic logic unit with an access width of 32 bit or more;
 - a.2. A clock frequency rate exceeding 25 MHz; or
 - a.3. More than one data or instruction bus or serial communication port that provides a direct external interconnection between parallel “microprocessor microcircuits” with a transfer rate of 2.5 Mbyte/s;
- b. Storage integrated circuits, as follows:
 - b.1. Electrical erasable programmable read-only memories (EEPROMs) with a storage capacity:
 - b.1.a. Exceeding 16 Mbits per package for flash memory types; or
 - b.1.b. Exceeding either of the following limits for all other EEPROM types:
 - b.1.b.1. Exceeding 1 Mbit per package; or
 - b.1.b.2. Exceeding 256 kbit per package and a maximum access time of less than 80 ns;
- c. Analog-to-digital converters having any of the following:
 - c.1. A resolution of 8 bit or more, but less than 12 bit, with an output rate greater than 200 million words per second;
 - c.2. A resolution of 12 bit with an output rate greater than 105 million words per second;
 - c.3. A resolution of more than 12 bit but equal to or less than 14 bit with an output rate greater than 10 million words per second; or
 - c.4. A resolution of more than 14 bit with an output rate greater than 2.5 million words per second;
- d. Field programmable logic devices having a maximum number of single-ended digital input/outputs between 200 and 700;
- e. Fast Fourier Transform (FFT) processors having a rated execution time for a 1,024 point complex FFT of less than 1 ms;
- f. Custom integrated circuits for which either the function is unknown, or the control status of the equipment in which the integrated circuits will be used is unknown to the manufacturer, having any of the following:
 - f.1. More than 144 terminals; or

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

- f.2. A typical “basic gate propagation delay time” of less than 0.4 ns;
- g. Traveling-wave “vacuum electronic devices,” pulsed or continuous wave, as follows:
 - g.1. Coupled cavity devices, or derivatives thereof;
 - g.2. Devices based on helix, folded waveguide, or serpentine waveguide circuits, or derivatives thereof, having either of the following:
 - g.2.a. An “instantaneous bandwidth” of half an octave or more; and
 - g.2.b. The product of the rated average output power (expressed in kW) and the maximum operating frequency (expressed in GHz) of more than 0.2; or
 - g.2.c. An “instantaneous bandwidth” of less than half an octave; and
 - g.2.d. The product of the rated average output power (expressed in kW) and the maximum operating frequency (expressed in GHz) of more than 0.4;
- h. Flexible waveguides designed for use at frequencies exceeding 40 GHz;
- i. Surface acoustic wave and surface skimming (shallow bulk) acoustic wave devices (i.e., “signal processing” devices employing elastic waves in materials), having either of the following:
 - i.1. A carrier frequency exceeding 1 GHz; or
 - i.2. A carrier frequency of 1 GHz or less; and
 - i.2.a. A frequency side-lobe rejection exceeding 55 dB;
 - i.2.b. A product of the maximum delay time and bandwidth (time in μs and bandwidth in MHz) of more than 100; or
 - i.2.c. A dispersive delay of more than 10 μs ;
- j. Cells as follows:
 - j.1. Primary cells having an energy density of 550 Wh/kg or less at 293 K (20°C);
 - j.2. Secondary cells having an energy density of 350 Wh/kg or less at 293 K (20°C);

Note: 3A991.j does not control batteries, including single cell batteries.

Technical Notes:

1. For the purposes of 3A991.j energy density (Wh/kg) is calculated from the nominal voltage multiplied by the nominal capacity in ampere-hours divided by the mass in kilograms. If the nominal capacity is not stated, energy density is calculated from the nominal voltage squared then multiplied by the discharge duration in hours divided by the discharge load in Ohms and the mass in kilograms.

2. For the purposes of 3A991.j, a ‘cell’ is defined as an electrochemical device, which has positive and negative electrodes, and electrolyte, and is a source of electrical energy. It is the basic building block of a battery.

3. For the purposes of 3A991.j.1, a ‘primary cell’ is a ‘cell’ that is not designed to be charged by any other source.

4. For the purposes of 3A991.j.2, a ‘secondary cell’ is a ‘cell’ that is designed to be charged by an external electrical source.

k. “Superconductive” electromagnets or solenoids, specially designed to be fully charged or discharged in less than one minute, having all of the following:

Note: 3A991.k does not control “superconductive” electromagnets or solenoids specially designed for Magnetic Resonance Imaging (MRI) medical equipment.

k.1. Maximum energy delivered during the discharge divided by the duration of the discharge of more than 500 kJ per minute;

k.2. Inner diameter of the current carrying windings of more than 250 mm; and

k.3. Rated for a magnetic induction of more than 8T or “overall current density” in the winding of more than 300 A/mm²;

l. Circuits or systems designed for electromagnetic energy storage, containing components manufactured from “superconductive” materials specially designed for operation at temperatures below the “critical temperature” of at least one of their “superconductive” constituents, having all of the following:

l.1. Resonant operating frequencies exceeding 1 MHz;

l.2. A stored energy density of 1 MJ/m³ or more; and

l.3. A discharge time of less than 1 ms;

m. Hydrogen/hydrogen-isotope thyratrons of ceramic-metal construction and rated for a peak current of 500 A or more;

n. Digital integrated circuits based on any compound semiconductor having an equivalent gate count of more than 300 (2 input gates);

o. “Space qualified” solar cells, cell-interconnect-coverglass (CIC) assemblies, solar panels, and solar arrays.

3A992 General purpose electronic equipment, as follows:

a. Electronic test equipment;

b. Digital instrumentation magnetic tape data recorders having any of the following;

b.1. A maximum digital interface transfer rate exceeding 60 Mbit/s and employing helical scan techniques;

b.2. A maximum digital interface transfer rate exceeding 120 Mbit/s and employing fixed head techniques; or

b.3. “Space qualified”;

c. Equipment having a maximum digital interface transfer rate exceeding 60 Mbit/s and designed to convert digital video magnetic tape recorders for use as digital instrumentation data recorders;

d. Non-modular analogue oscilloscopes having a bandwidth of 1 GHz or greater;

e. Modular analogue oscilloscope systems having either of the following:

e.1. A mainframe with a bandwidth of 1 GHz or greater; or

e.2. Plug-in modules with an individual bandwidth of 4 GHz or greater;

f. Analogue sampling oscilloscopes for the analysis of recurring phenomena with an effective bandwidth greater than 4 GHz;

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g. Digital oscilloscopes and transient recorders, using analogue-to-digital conversion techniques, capable of storing transients by sequentially sampling single-shot inputs at successive intervals of less than 1 ns (greater than 1 giga-sample per second), digitising to 8 bits or greater resolution and storing 256 or more samples.

Note: This entry controls the following components designed for analogue oscilloscopes:

1. Plug-in units;
2. External amplifiers;
3. Pre-amplifiers;
4. Sampling devices;
5. Cathode ray tubes.

3A999 Specific processing equipment as follows.

- a. Frequency changers capable of operating in the frequency range from 300 up to 600 Hz;
- b. Mass spectrometers;
- c. All flash x-ray machines, and components of pulsed power systems designed therefor, including Marx generators, high power pulse shaping networks, high voltage capacitors, and triggers;
- d. Pulse amplifiers;
- e. Time delay generation or time interval measurement equipment, as follows:
 - e.1. Digital time delay generators having a resolution of 50 nanoseconds or less over time intervals of 1ms or greater; *or*
 - e.2. Multi-channel (three or more) or modular time interval meter and chronometry equipment having a resolution of 50 ns or less over time intervals of 1 ms or greater;
- f. Chromatography and spectrometry analytical instruments.

3B991 Equipment for the manufacture of electronic components and materials, and specially designed components therefor.

- a. Equipment specially designed for the manufacture of electron tubes, optical elements and components controlled by entry 3A001 of Annex I of the Dual-Use Regulation, or entry 3A991;
- b. Equipment for the manufacture of semiconductor devices, integrated circuits and “electronic assemblies”, as follows, and systems incorporating or having the characteristics of such equipment:

Note:3B991.b also controls equipment used or modified for use in the manufacture of other devices, such as imaging devices, electro-optical devices, acoustic-wave devices.

- b.1. Equipment for the processing of materials for the manufacture of devices and components, as specified in the heading of 3B991.b, as follows:

Note:3B991 does not control quartz furnace tubes, furnace liners, paddles, boats (except specially designed caged boats), bubblers, cassettes or crucibles specially designed for the processing equipment

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

b.1.a. Equipment specially designed for producing polycrystalline silicon and materials controlled by entry 3A001 of Annex I of the Dual-Use Regulation;

b.1.b. Equipment specially designed for purifying or processing III/V and II/VI semiconductor materials controlled by entries 3C001, 3C002, 3C003, 3C004, or 3C005 of Annex I of the Dual-Use Regulation except crystal pullers, for which see 3B991.b.1.c below;

b.1.c. Crystal pullers and furnaces, as follows:

Note: 3B991.b.1.c does not control diffusion and oxidation furnaces.

b.1.c.1. Annealing or recrystallising equipment other than constant temperature furnaces employing high rates of energy transfer capable of processing wafers at a rate exceeding 0.005 m^2 per minute;

b.1.c.2. “Stored program controlled” crystal pullers having any of the following:

b.1.c.2.a. Rechargeable without replacing the crucible container;

b.1.c.2.b. Capable of operation at pressures above $2.5 \times 10^{-5} \text{ Pa}$; or

b.1.c.2.c. Capable of pulling crystals of a diameter exceeding 100 mm;

b.1.d. “Stored program controlled” equipment for epitaxial growth having any of the following:

b.1.d.1. Capable of producing silicon layer with a thickness uniform to less than $\pm 2.5\%$ across a distance of 200 mm or more;

b.1.d.2. Capable of producing a layer of any material other than silicon with a thickness uniformity across the wafer of equal to or better than $\pm 3.5\%$; or

b.1.d.3. Capable of rotating individual wafers during processing;

b.1.e. Molecular beam epitaxial growth equipment;

b.1.f. Magnetically enhanced ‘sputtering’ equipment with specially designed integral load locks capable of transferring wafers in an isolated vacuum environment;

Note: ‘Sputtering’ is an overlay coating process wherein positively charged ions are accelerated by an electric field towards the surface of a target (coating material). The kinetic energy of the impacting ions is sufficient to cause target surface atoms to be released and deposited on the substrate. (Note: Triode, magnetron or radio frequency sputtering to increase adhesion of coating and rate of deposition are ordinary modifications of the process.)

b.1.g. Equipment specially designed for ion implantation, ion-enhanced or photo-enhanced diffusion, having any of the following:

b.1.g.1. Patterning capability;

b.1.g.2. Beam energy (accelerating voltage) exceeding 200 keV;

b.1.g.3 Optimised to operate at a beam energy (accelerating voltage) of less than 10 keV; or

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b.1.g.4. Capable of high energy oxygen implant into a heated “substrate”;
 b.1.h. “Stored program controlled” equipment for selective removal (etching) by means of anisotropic dry methods (e.g., plasma), as follows:

b.1.h.1. ‘Batch types’ having either of the following:

b.1.h.1.a. End-point detection, other than optical emission spectroscopy types; *or*

b.1.h.1.b. Reactor operational (etching) pressure of 26.66 Pa or less;

b.1.h.2. ‘Single wafer types’ having any of the following:

b.1.h.2.a. End-point detection, other than optical emission spectroscopy types;

b.1.h.2.b. Reactor operational (etching) pressure of 26.66 Pa or less;
or

b.1.h.2.c. Cassette-to-cassette and load locks wafer handling;

Notes: 1. ‘Batch types’ refers to machines not specially designed for production processing of single wafers. Such machines can process two or more wafers simultaneously with common process parameters, e.g., RF power, temperature, etch gas species, flow rates.

2. ‘Single wafer types’ refers to machines specially designed for production processing of single wafers. These machines may use automatic wafer handling techniques to load a single wafer into the equipment for processing. The definition includes equipment that can load and process several wafers but where the etching parameters, e.g., RF power or end point, can be independently determined for each individual wafer.

b.1.i. “Chemical vapor deposition” (CVD) equipment, e.g., plasma-enhanced CVD (PECVD) or photo-enhanced CVD, for semiconductor device manufacturing, having either of the following capabilities, for deposition of oxides, nitrides, metals or polysilicon:

b.1.i.1. “Chemical vapor deposition” equipment operating below 10^{-5} Pa; *or*

b.1.i.2. PECVD equipment operating either below 60 Pa (450 millitorr) or having automatic cassette-to-cassette and load lock wafer handling;

Note: 3B991.b.1.i does not control low pressure “chemical vapor deposition” (LPCVD) systems or reactive ‘sputtering’ equipment.

b.1.j. Electron beam systems specially designed or modified for mask making or semiconductor device processing having any of the following:

b.1.j.1. Electrostatic beam deflection;

b.1.j.2. Shaped, non-Gaussian beam profile;

b.1.j.3. Digital-to-analogue conversion rate exceeding 3 MHz;

b.1.j.4. Digital-to-analogue conversion accuracy exceeding 12 bit; *or*

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b.1.j.5. Target-to-beam position feedback control precision of 1 μm or finer;

Note: 3B991.b.1.j does not control electron beam deposition systems or general purpose scanning electron microscopes.

b.1.k. Surface finishing equipment for the processing of semiconductor wafers as follows:

b.1.k.1. Specially designed equipment for backside processing of wafers thinner than 100 μm and the subsequent separation thereof; *or*

b.1.k.2. Specially designed equipment for achieving a surface roughness of the active surface of a processed wafer with a two-sigma value of 2 μm or less, total indicator reading (TIR);

Note: 3B991.b.1.k does not control single-side lapping and polishing equipment for wafer surface finishing.

b.1.l. Interconnection equipment which includes common single or multiple vacuum chambers specially designed to permit the integration of any equipment controlled by 3B991 into a complete system;

b.1.m. “Stored program controlled” equipment using “lasers” for the repair or trimming of “monolithic integrated circuits” with either of the following:

b.1.m.1. Positioning accuracy less than $\pm 1 \mu\text{m}$; *or*

b.1.m.2. Spot size (kerf width) less than 3 μm .

b.2. ‘Masks’, ‘mask’ “substrates,” mask-making equipment and image transfer equipment for the manufacture of devices and components as specified in the heading of 3B991, as follows:

Note: The term ‘masks’ or ‘mask’ refers to those used in electron beam lithography, X-ray lithography, and ultraviolet lithography, as well as the usual ultraviolet and visible photo-lithography.

b.2.a. Finished masks, reticles and designs therefor, except:

b.2.a.1. Finished masks or reticles for the production of integrated circuits not controlled by entry 3A001 of Annex I of the Dual-Use Regulation; *or*

b.2.a.2. Masks or reticles, having both of the following:

b.2.a.2.a. Their design is based on geometries of 2.5 μm or more; and

b.2.a.2.b. The design does not include special features to alter the intended use by means of production equipment or “software”;

b.2.b. Mask “substrates” as follows:

b.2.b.1. Hard surface (e.g., chromium, silicon, molybdenum) coated “substrates” (e.g., glass, quartz, sapphire) for the preparation of masks having dimensions exceeding 125 mm x 125 mm; *or*

b.2.b.2. “Substrates” specially designed for X-ray masks;

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b.2.c. Equipment, other than general purpose computers, specially designed for computer aided design (CAD) of semiconductor devices or integrated circuits;

b.2.d. Equipment or machines, as follows, for mask or reticle fabrication:

Note: 3B991.b.2.d.1 and b.2.d.2 do not control mask fabrication equipment using photo-optical methods which was either commercially available before the 1st January, 1980, or has a performance no better than such equipment.

b.2.d.1. Photo-optical step and repeat cameras capable of producing arrays larger than 100 mm x 100 mm, or capable of producing a single exposure larger than 6 mm x 6 mm in the image (i.e., focal) plane, or capable of producing line widths of less than 2.5 μm in the photoresist on the “substrate”;

b.2.d.2. Mask or reticle fabrication equipment using ion or “laser” beam lithography capable of producing line widths of less than 2.5 μm ; or

b.2.d.3. Equipment or holders for altering masks or reticles or adding pellicles to remove defects;

b.2.e. “Stored program controlled” equipment for the inspection of masks, reticles or pellicles with:

b.2.e.1. A resolution of 0.25 μm or finer; and

b.2.e.2. A precision of 0.75 μm or finer over a distance in one or two coordinates of 63.5 mm or more;

Note: 3B991.b.2.e does not control general purpose scanning electron microscopes except when specially designed and instrumented for automatic pattern inspection.

b.2.f. Align and expose equipment for wafer production using photo-optical or X-ray methods, e.g., lithography equipment, including both projection image transfer equipment and step and repeat (direct step on wafer) or step and scan (scanner) equipment, capable of performing any of the following:

Note: 3B991.b.2.f does not control photo-optical contact and proximity mask align and expose equipment or contact image transfer equipment.

b.2.f.1. Production of a pattern size of less than 2.5 μm ;

b.2.f.2. Alignment with a precision finer than $\pm 0.25 \mu\text{m}$ (3 sigma);

b.2.f.3. Machine-to-machine overlay no better than $\pm 0.3 \mu\text{m}$; or

b.2.f.4. A light source wavelength shorter than 400 nm;

b.2.g. Electron beam, ion beam or X-ray equipment for projection image transfer capable of producing patterns less than 2.5 μm ;

Note: For focused, deflected-beam systems (direct write systems), see 3B991.b.1.j or b.10.

b.2.h. Equipment using “lasers” for direct write on wafers capable of producing patterns less than 2.5 μm .

b.3. Equipment for the assembly of integrated circuits, as follows:

b.3.a. “Stored program controlled” die bonders having all of the following:

- b.3.a.1. Specially designed for “hybrid integrated circuits”;
- b.3.a.2. X-Y stage positioning travel exceeding 37.5 x 37.5 mm; *and*
- b.3.a.3. Placement accuracy in the X-Y plane of finer than $\pm 10 \mu\text{m}$;

b.3.b. “Stored program controlled” equipment for producing multiple bonds in a single operation (e.g., beam lead bonders, chip carrier bonders, tape bonders);

b.3.c. Semi-automatic or automatic hot cap sealers, in which the cap is heated locally to a higher temperature than the body of the package, specially designed for ceramic microcircuit packages controlled by entry 3A001 of Annex I of the Dual-Use Regulation and that have a throughput equal to or more than one package per minute.

b.4. Filters for clean rooms capable of providing an air environment of 10 or less particles of $0.3 \mu\text{m}$ or smaller per 0.02832 m^3 and filter materials therefor.

3B992 Equipment for the inspection or testing of electronic components and materials, and specially designed components therefor.

a. Equipment specially designed for the inspection or testing of electron tubes, optical elements and specially designed components therefor, controlled by entry 3A001 of Annex I of the Dual-Use Regulation or 3A991;

b. Equipment specially designed for the inspection or testing of semiconductor devices, integrated circuits and “electronic assemblies”, as follows, and systems incorporating or having the characteristics of such equipment:

Note: 3B992.b also controls equipment used or modified for use in the inspection or testing of other devices, such as imaging devices, electro-optical devices, acoustic-wave devices.

b.1. “Stored program controlled” inspection equipment for the automatic detection of defects, errors or contaminants of $0.6 \mu\text{m}$ or less in or on processed wafers, “substrates”, other than printed circuit boards or integrated circuits, using optical image acquisition techniques for pattern comparison;

Note: 3B992.b.1 does not control general purpose scanning electron microscopes, except when specially designed and instrumented for automatic pattern inspection.

b.2. Specially designed “stored program controlled” measuring and analysis equipment, as follows:

b.2.a. Specially designed for the measurement of oxygen or carbon content in semiconductor materials;

b.2.b. Equipment for line width measurement with a resolution of $1 \mu\text{m}$ or finer;

b.2.c. Specially designed flatness measurement instruments capable of measuring deviations from flatness of $10 \mu\text{m}$ or less with a resolution of $1 \mu\text{m}$ or finer.

b.3. “Stored program controlled” wafer probing equipment having any of the following:

b.3.a. Positioning accuracy finer than $3.5 \mu\text{m}$;

b.3.b. Capable of testing devices having more than 68 terminals; *or*

b.3.c. Capable of testing at a frequency exceeding 1 GHz;

b.4. Test equipment as follows:

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

b.4.a. “Stored program controlled” equipment, specially designed for testing discrete semiconductor devices and unencapsulated dice, capable of testing at frequencies exceeding 18 GHz;

Technical Note: Discrete semiconductor devices include photocells and solar cells.

b.4.b. “Stored program controlled” equipment specially designed for testing integrated circuits and “electronic assemblies” thereof, capable of functional testing:

b.4.b.1. At a ‘pattern rate’ exceeding 20 MHz; *or*

b.4.b.2. At a ‘pattern rate’ exceeding 10 MHz but not exceeding 20 MHz and capable of testing packages of more than 68 terminals.

Notes: 3B992.b.4.b does not control test equipment specially designed for testing:

1. *Memory;*

2. *“Electronic assemblies” for home and entertainment applications; and*

3. *Electronic components, and integrated circuits not controlled by entry 3A001 of Annex I of the Dual-Use Regulation or 3A991 provided such test equipment does not incorporate computing facilities with “user accessible programmability”.*

Technical Note: For purposes of 3B992.b.4.b, ‘pattern rate’ is defined as the maximum frequency of digital operation of a tester. It is therefore equivalent to the highest data rate that a tester can provide in non-multiplexed mode. It is also referred to as test speed, maximum digital frequency or maximum digital speed.

b.4.c. Equipment specially designed for determining the performance of focal-plane arrays at wavelengths of more than 1,200 nm, using “stored program controlled” measurements or computer aided evaluation and having any of the following:

b.4.c.1. Using scanning light spot diameters of less than 0.12 mm;

b.4.c.2. Designed for measuring photosensitive performance parameters and for evaluating frequency response, modulation transfer function, uniformity of responsivity or noise; *or*

b.4.c.3. Designed for evaluating arrays capable of creating images with more than 32 x 32 line elements;

b.5. Electron beam test systems designed for operation at 3 keV or below, or “laser” beam systems, for non-contact probing of powered-up semiconductor devices having any of the following:

b.5.a. Stroboscopic capability with either beam blanking or detector strobing;

b.5.b. An electron spectrometer for voltage measurements with a resolution of less than 0.5 V; *or*

b.5.c. Electrical tests fixtures for performance analysis of integrated circuits;

Note: 3B992.b.5 does not control scanning electron microscopes, except when specially designed and instrumented for non-contact probing of a powered-up semiconductor device.

b.6. “Stored program controlled” multifunctional focused ion beam systems specially designed for manufacturing, repairing, physical layout analysis and testing of masks or semiconductor devices and having either of the following:

b.6.a. Target-to-beam position feedback control precision of 1 µm or finer; or

b.6.b. Digital-to-analogue conversion accuracy exceeding 12 bit;

b.7. Particle measuring systems employing “lasers” designed for measuring particle size and concentration in air having both of the following:

b.7.a. Capable of measuring particle sizes of 0.2 µm or less at a flow rate of 0.02832 m³ per minute or more; and

b.7.b. Capable of characterising Class 10 clean air or better.

3C992 Positive resists designed for semiconductor lithography specially adjusted (optimised) for use at wavelengths between 370 and 193 nm.

3D991 “Software” specially designed for the “development”, “production”, or “use” of electronic devices, or components controlled by entry 3A991 of Annex I of the Dual-Use Regulation, general purpose electronic equipment controlled by 3A992, or manufacturing and test equipment controlled by 3B991 and 3B992; or “software” specially designed for the “use” of equipment controlled by entry 3B001.g and h of Annex I of the Dual-Use Regulation.

3E991 “Technology” for the “development,” “production” or “use” of electronic devices or components controlled by entry 3A991 of Annex I of the Dual-Use Regulation, general purpose electronic equipment controlled by 3A992, or manufacturing and test equipment controlled by 3B991 or 3B992, or materials controlled by 3C992.

PART 3

Computers

4A994 Computers, “electronic assemblies” and related equipment, and specially designed components therefor.

Note 1: The control status of the “digital computers” and related equipment described in 4A994 is determined by the control status of other equipment or systems provided:

a. The “digital computers” or related equipment are essential for the operation of the other equipment or systems;

b. The “digital computers” or related equipment are not a “principal element” of the other equipment or systems; and

N.b. 1: The control status of “signal processing” or “image enhancement” equipment specially designed for other equipment with functions limited to those required for the other equipment is determined by the control status of the other equipment even if it exceeds the “principal element” criterion.

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

N.b. 2: For the control status of “digital computers” or related equipment for telecommunications equipment, see Category 5, Part 1 (Telecommunications) of Annex I of the Dual-Use Regulation.

c. The “technology” for the “digital computers” and related equipment is determined by Category 4E of Annex I of the Dual-Use Regulation.

- a. Electronic computers and related equipment, and “electronic assemblies” and specially designed components therefor, rated for operation at an ambient temperature above 343 K (70°C);
- b. “Digital computers”, including “signal processing” or “image enhancement” equipment, having an “Adjusted Peak Performance” (“APP”) equal to or greater than 0.0128 Weighted TeraFLOPS (WT);
- c. “Electronic assemblies” that are specially designed or modified to enhance performance by aggregation of processors, as follows:
 - c.1. Designed to be capable of aggregation in configurations of 16 or more processors;
 - c.2. Not used.

Note 1: 4A994.c applies only to “electronic assemblies” and programmable interconnections with a “APP” not exceeding the limits in 4A994.b, when shipped as unintegrated “electronic assemblies”. It does not apply to “electronic assemblies” inherently limited by nature of their design for use as related equipment controlled by 4A994.k.

Note 2: 4A994.c does not control any “electronic assembly” specially designed for a product or family of products whose maximum configuration does not exceed the limits of 4A994.b.

- d. Not used;
- e. Not used;
- f. Equipment for “signal processing” or “image enhancement” having an “Adjusted Peak Performance” (“APP”) equal to or greater than 0.0128 Weighted TeraFLOPS WT;
- g. Not used;
- h. Not used;
- i. Equipment containing “terminal interface equipment” exceeding the limits in 5A991;
- j. Equipment specially designed to provide external interconnection of “digital computers” or associated equipment that allows communications at data rates exceeding 80 Mbyte/s;

Note: 4A994.j does not control internal interconnection equipment (e.g., backplanes, buses) passive interconnection equipment, “network access controllers” or “communication channel controllers”.

- k. “Hybrid computers” and “electronic assemblies” and specially designed components therefor containing analogue-to-digital converters having all of the following:
 - k.1. 32 channels or more; and
 - k.2. A resolution of 14 bit (plus sign bit) or more with a conversion rate of 200,000 conversions/s or more.

4D993 “Program” proof and validation “software,” “software” allowing the automatic generation of “source codes,” and operating system “software” that are specially designed for “real-time processing” equipment.

- a. “Program” proof and validation “software” using mathematical and analytical techniques and designed or modified for “programs” having more than 500,000 “source code” instructions;
- b. “Software” allowing the automatic generation of “source codes” from data acquired on line from external sensors described in Annex I of the Dual-Use Regulation;
- c. Operating system “software” specially designed for “real-time processing” equipment that guarantees a “global interrupt latency time” of less than 20 μ s.

Note: “Global interrupt latency time” is the time taken by the computer system to recognise an interrupt due to the event, service the interrupt and perform a context switch to an alternate memory-resident task waiting on the interrupt.

4D994 Software” other than that controlled in entry 4D001 of Annex I of the Dual-Use Regulation specially designed or modified for the “development”, “production”, or “use” of equipment controlled by entry 4A101 of Annex I of the Dual-Use Regulation, or 4A994.

4E992 “Technology” for the “development,” “production,” or “use” of equipment controlled by 4A994, or “software” controlled by 4D993 or 4D994.

4E993 “Technology” for the “development” or “production” of equipment designed for “multi-data-stream processing.”

PART 4

Telecommunications and information security

CHAPTER 1

Telecommunication equipment

5A991 Telecommunication equipment.

Note:

1. ‘Asynchronous transfer mode’ (‘ATM’) is a transfer mode in which the information is organised into cells; it is asynchronous in the sense that the recurrence of cells depends on the required or instantaneous bit rate.
2. ‘Bandwidth of one voice channel’ is data communication equipment designed to operate in one voice channel of 3,100 Hz, as defined in CCITT Recommendation G.151.
3. ‘Communications channel controller’ is the physical interface that controls the flow of synchronous or asynchronous digital information. It is an assembly that can be integrated into computer or telecommunications equipment to provide communications access.
4. ‘Datagram’ is a self-contained, independent entity of data carrying sufficient information to be routed from the source to the destination data terminal equipment without reliance on earlier exchanges between this source and destination data terminal equipment and the transporting network.

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

5. 'Gateway' is the function, realised by any combination of equipment and "software", to carry out the conversion of conventions for representing, processing or communicating information used on one system into the corresponding, but different conventions used in another system.

6. 'Packet' is a group of binary digits including data and call control signals that is switched as a composite whole. The data, call control signals, and possible error control information are arranged in a specified format.

a. Any type of telecommunications equipment, not controlled by 5A001.a, specially designed to operate outside the temperature range from 219 K (-54°C) to 397 K (124°C).

b. Telecommunication transmission equipment and systems, and specially designed components therefor, having any of the following characteristics, functions or features:

a. Categorized as follows, or combinations thereof:

1. Radio equipment (e.g., transmitters, receivers and transceivers);

2. Line terminating equipment;

3. Intermediate amplifier equipment;

4. Repeater equipment;

5. Regenerator equipment;

6. Translation encoders (transcoders);

7. Multiplex equipment (statistical multiplex included);

8. Modulators/demodulators (modems);

9. Transmultiplex equipment (see CCITT Rec. G701);

10. "Stored program controlled" digital cross-connection equipment;

11. 'Gateways' and bridges;

12. "Media access units"; and

b. Designed for use in single or multi-channel communication via any of the following:

1. Wire (line);

2. Coaxial cable;

3. Optical fibre cable;

4. Electromagnetic radiation; or

5. Underwater acoustic wave propagation.

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

b.1. Employing digital techniques, including digital processing of analogue signals, and designed to operate at a “digital transfer rate” at the highest multiplex level exceeding 45 Mbit/s or a “total digital transfer rate” exceeding 90 Mbit/s;

Note: 5A991.b.1 does not control equipment specially designed to be integrated and operated in any satellite system for civil use.

b.2. Modems using the ‘bandwidth of one voice channel’ with a “data signalling rate” exceeding 9,600 bits per second;

b.3. Being “stored program controlled” digital cross-connect equipment with “digital transfer rate” exceeding 8.5 Mbit/s per port.

b.4. Being equipment containing any of the following:

b.4.a. ‘Network access controllers’ and their related common medium having a “digital transfer rate” exceeding 33 Mbit/s; *or*

b.4.b. “Communication channel controllers” with a digital output having a “data signalling rate” exceeding 64,000 bit/s per channel;

Note: If any uncontrolled equipment contains a “network access controller”, it cannot have any type of telecommunications interface, except those described in, but not controlled by 5A991.b.4.

b.5. Employing a “laser” and having any of the following:

b.5.a. A transmission wavelength exceeding 1,000 nm; *or*

b.5.b. Employing analogue techniques and having a bandwidth exceeding 45 MHz;

Note: 5A991.b.5.b does not control commercial TV systems.

b.5.c. Employing coherent optical transmission or coherent optical detection techniques (also called optical heterodyne or homodyne techniques);

b.5.d. Employing wavelength division multiplexing techniques; *or*

b.5.e. Performing optical amplification;

b.6. Radio equipment operating at input or output frequencies exceeding:

b.6.a. 31 GHz for satellite-earth station applications; *or*

b.6.b. 26.5 GHz for other applications;

Note: 5A991.b.6. does not control equipment for civil use when conforming with an International Telecommunications Union (ITU) allocated band between 26.5 GHz and 31 GHz.

b.7. Being radio equipment employing any of the following:

b.7.a. Quadrature-amplitude-modulation (QAM) techniques above level 4 if the “total digital transfer rate” exceeds 8.5 Mbit/s;

b.7.b. QAM techniques above level 16 if the “total digital transfer rate” is equal to or less than 8.5 Mbit/s;

b.7.c. Other digital modulation techniques and having a “spectral efficiency” exceeding 3 bit/s/Hz; *or*

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

b.7.d. Operating in the 1.5 MHz to 87.5 MHz band and incorporating adaptive techniques providing more than 15 dB suppression of an interfering signal.

Notes:

1. 5A991.b.7 does not control equipment specially designed to be integrated and operated in any satellite system for civil use.

2. 5A991.b.7 does not control radio relay equipment for operation in an ITU allocated band:

a. Having any of the following:

a.1. Not exceeding 960 MHz; or

a.2. With a “total digital transfer rate” not exceeding 8.5 Mbit/s; and

b. Having a “spectral efficiency” not exceeding 4 bit/s/Hz.

c. “Stored program controlled” switching equipment and related signalling systems, having any of the following characteristics, functions or features, and specially designed components therefor:

Note: Statistical multiplexers with digital input and digital output which provide switching are treated as “stored program controlled” switches.

c.1. Data (message) switching equipment or systems designed for “packet-mode operation” and electronic assemblies and components therefor,

c.2. Not used;

c.3. Routing or switching of ‘datagram’ packets;

Note: The restrictions in 5A991.c.3 do not apply to networks restricted to using only ‘network access controllers’ or to ‘network access controllers’ themselves.

c.4. Not used.

c.5. Multi-level priority and pre-emption for circuit switching;

Note: 5A991.c.5 does not control single-level call pre-emption.

c.6. Designed for automatic hand-off of cellular radio calls to other cellular switches or automatic connection to a centralised subscriber data base common to more than one switch;

c.7. Containing “stored program controlled” digital cross connect equipment with “digital transfer rate” exceeding 8.5 Mbit/s per port.

c.8. “Common channel signalling” operating in either non-associated or quasi-associated mode of operation;

c.9. “Dynamic adaptive routing”;

c.10. Being packet switches, circuit switches and routers with ports or lines exceeding any of the following:

c.10.a. A “data signalling rate” of 64,000 bit/s per channel for a ‘communications channel controller’; or

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

Note: 5A991.c.10.a does not control multiplex composite links composed only of communication channels not individually controlled by 5A991.b.1.

c.10.b. A “digital transfer rate” of 33 Mbit/s for a “network access controller” and related common media;

Note: 5A991.c.10 does not control packet switches or routers with ports or lines not exceeding the limits in 5A991.c.10.

c.11. “Optical switching”;

c.12. Employing ‘Asynchronous Transfer Mode’ (‘ATM’) techniques;

d. Optical fibres and optical fibre cables of more than 50 m in length designed for single mode operation;

e. Centralised network control having all of the following:

e.1. Receives data from the nodes; and

e.2. Process these data in order to provide control of traffic not requiring operator decisions, and thereby performing “dynamic adaptive routing”;

Note: 5A991.e does not preclude control of traffic as a function of predictable statistical traffic conditions.

f. Phased array antennas, operating above 10.5 GHz, containing active elements and distributed components, and designed to permit electronic control of beam shaping and pointing, except for landing systems with instruments meeting International Civil Aviation Organisation (ICAO) standards (microwave landing systems (MLS));

g. Mobile communications equipment and electronic assemblies and components therefor;

h. Radio relay communications equipment designed for use at frequencies equal to or exceeding 19.7 GHz and components therefor.

5B991 Telecommunications test equipment.

5C991 Preforms of glass or of any other material optimised for the manufacture of optical fibres controlled by 5A991.

5D991 “Software” specially designed or modified for the “development,” “production” or “use” of equipment controlled by 5A991 and 5B991, and dynamic adaptive routing software, as follows:

a. “Software”, other than in machine-executable form, specially designed for “dynamic adaptive routing”;

b. Not used.

5E991 “Technology” for the “development”, “production” or “use” of equipment controlled by 5A991 or 5B991, or “software” controlled by 5D991, and other “technologies” as follows:

Note:

1. ‘Synchronous digital hierarchy’ (SDH) is a digital hierarchy providing a means to manage, multiplex, and access various forms of digital traffic using a synchronous transmission format on different types of media. The format is based on the Synchronous Transport Module (STM) that is defined by CCITT Recommendation G.703, G.707, G.708, G.709 and others yet to be published. The first level rate of ‘SDH’ is 155.52 Mbits/s.

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

2. ‘Synchronous optical network’ (SONET) is a network providing a means to manage, multiplex and access various forms of digital traffic using a synchronous transmission format on fiber optics. The format is the North America version of ‘SDH’ and also uses the Synchronous Transport Module (STM). However, it uses the Synchronous Transport Signal (STS) as the basic transport module with a first level rate of 51.81 Mbits/s. The SONET standards are being integrated into those of ‘SDH’.

a. Specific “technologies” as follows:

- a.1. “Technology” for the processing and application of coatings to optical fibre specially designed to make it suitable for underwater use;
- a.2. “Technology” for the “development” of equipment employing ‘Synchronous Digital Hierarchy’ (‘SDH’) or ‘Synchronous Optical Network’ (‘SONET’) techniques.

CHAPTER 2

Information security

5A992 “Information security” systems, equipment and components, described by entry 5A002 of Annex I of the Dual-Use Regulation and classified under Note 3 to Category 5, Part 2 of Annex I of the Dual-Use Regulation (Cryptography Note).

5D992 “Information Security” “software” described by entry 5D002 to Category 5, Part 2 in Annex I of the Dual-Use Regulation and classified under Note 3 to Category 5, Part 2 of Annex I of the Dual-Use Regulation (Cryptography Note).

Note: This entry does not control “software” designed or modified to protect against malicious computer damage, e.g., viruses, where the use of “cryptography” is limited to authentication, digital signature and/or the decryption of data or files.

5E992 “Information Security” “technology” as follows:

- a. “Technology” for the “use” of items controlled by 5A992 or “software” controlled by 5D992.

PART 5

Sensors and lasers

6A991 Marine or terrestrial acoustic equipment capable of detecting or locating underwater objects or features or positioning surface vessels or underwater vehicles; and specially designed components therefor.

6A992 Optical Sensors as follows

a. Image intensifier tubes and specially designed components therefor, as follows:

a.1. Image intensifier tubes having all the following:

- a.1.a. A peak response in wavelength range exceeding 400 nm, but not exceeding 1,050 nm;
- a.1.b. A microchannel plate for electron image amplification with a hole pitch (centre-to-centre spacing) of less than 25 µm; *and*
- a.1.c. Having any of the following:

- a.1.c.1. An S-20, S-25 or multialkali photocathode; *or*
- a.1.c.2. A GaAs or GaInAs photocathode;
- a.2. Specially designed microchannel plates having both of the following:
 - a.2.a. 15,000 or more hollow tubes per plate; *and*
 - a.2.b. Hole pitch (centre-to-centre spacing) of less than 25 µm.
- b. Direct view imaging equipment operating in the visible or infrared spectrum, incorporating image intensifier tubes having the characteristics listed in 6A992.a.1.

6A993 Cameras as follows:

- a. Cameras that meet the criteria of Note 3 to entry 6A003.b.4. of Annex I of the Dual-Use Regulation.

6A994 Optics as follows:

- a. Optical filters:
 - a.1. For wavelengths longer than 250 nm, comprised of multi-layer optical coatings and having either of the following:
 - a.1.a. Bandwidths equal to or less than 1 nm Full Width Half Intensity (FWHI) and peak transmission of 90% or more; *or*
 - a.1.b. Bandwidths equal to or less than 0.1 nm FWHI and peak transmission of 50% or more;
 - Note: 6A994 does not control optical filters with fixed air gaps or Lyot -type filters.*
 - a.2. For wavelengths longer than 250 nm, and having all of the following:
 - a.2.a. Tunable over a spectral range of 500 nm or more;
 - a.2.b. Instantaneous optical bandpass of 1.25 nm or less;
 - a.2.c. Wavelength resettable within 0.1 ms to an accuracy of 1 nm or better within the tunable spectral range; *and*
 - a.2.d. A single peak transmission of 91% or more;
 - a.3. Optical opacity switches (filters) with a field of view of 30 degrees or wider and a response time equal to or less than 1 ns;
- b. “Fluoride fibre” cable, or optical fibres therefor, having an attenuation of less than 4 dB/km in the wavelength range exceeding 1,000 nm but not exceeding 3,000 nm.

6A995 “Lasers” as follows:

- a. Carbon dioxide (CO₂) “lasers” having any of the following:
 - a.1. A CW output power exceeding 10 kW;
 - a.2. A pulsed output with a “pulse duration” exceeding 10 µs; *and*
 - a.2.a. An average output power exceeding 10 kW; *or*
 - a.2.b. A pulsed “peak power” exceeding 100 kW; *or*
 - a.3. A pulsed output with a “pulse duration” equal to or less than 10 µs; *and*

- a.3.a. A pulse energy exceeding 5 J per pulse and “peak power” exceeding 2.5 kW; *or*
- a.3.b. An average output power exceeding 2.5 kW;
- b. Semiconductor lasers, as follows
 - b.1. Individual, single-transverse mode semiconductor “lasers” having:
 - b.1.a. An average output power exceeding 100 mW; *or*
 - b.1.b. A wavelength exceeding 1,050 nm;
 - b.2. Individual, multiple-transverse mode semiconductor “lasers”, or arrays of individual semiconductor “lasers”, having a wavelength exceeding 1,050 nm;
- c. Ruby “lasers” having an output energy exceeding 20 J per pulse;
- d. Non-“tunable” “pulsed lasers” having an output wavelength exceeding 975 nm but not exceeding 1,150 nm and having any of the following:
 - d.1. A “pulse duration” equal to or exceeding 1 ns but not exceeding 1 μ s, and having any of the following:
 - d.1.a. A single transverse mode output and having any of the following:
 - d.1.a.1. A ‘wall-plug efficiency’ exceeding 12% and an “average output power” exceeding 10 W and capable of operating at a pulse repetition frequency greater than 1kHz; *or*
 - d.1.a.2. An “average output power” exceeding 20 W; *or*
 - d.1.b. A multiple transverse mode output and having any of the following:
 - d.1.b.1. A ‘wall-plug efficiency’ exceeding 18% and an “average output power” exceeding 30W;
 - d.1.b.2. A “peak power” exceeding 200 MW; *or*
 - d.1.b.3. An “average output power” exceeding 50 W; *or*
 - d.2. A “pulse duration” exceeding 1 μ s and having any of the following:
 - d.2.a. A single transverse mode output and having any of the following:
 - d.2.a.1. A ‘wall-plug efficiency’ exceeding 12% and an “average output power” exceeding 10 W and capable of operating at a pulse repetition frequency greater than 1 kHz; *or*
 - d.2.a.2. An “average output power” exceeding 20 W; *or*
 - d.2.b. A multiple transverse mode output and having any of the following:
 - d.2.b.1. A ‘wall-plug efficiency’ exceeding 18% and an “average output power” exceeding 30 W; *or*
 - d.2.b.2. An “average output power” exceeding 500 W;
- e. Non-“tunable” continuous wave “(CW) lasers”, having an output wavelength exceeding 975 nm but not exceeding 1,150nm and having any of the following:
 - e.1. A single transverse mode output and having any of the following:

e.1.a. A ‘wall-plug efficiency’ exceeding 12% and an “average output power” exceeding 10 W and capable of operating at a pulse repetition frequency greater than 1 kHz; or

e.1.b. An “average output power” exceeding 50 W; or

e.2. A multiple transverse mode output and having any of the following:

e.2.a. A ‘wall-plug efficiency’ exceeding 18% and an “average output power” exceeding 30 W; or

e.2.b. An “average output power” exceeding 500 W;

Note: 6A995.e.2.b does not control multiple transverse mode, industrial “lasers” with output power less than or equal to 2kW with a total mass greater than 1,200kg. For the purpose of this note, total mass includes all components required to operate the “laser,” e.g., “laser,” power supply, heat exchanger, but excludes external optics for beam conditioning and/or delivery.

f. Non-“tunable” “lasers”, having a wavelength exceeding 1,400 nm , but not exceeding 1555 nm and having any of the following:

f.1. An output energy exceeding 100 mJ per pulse and a pulsed “peak power” exceeding 1 W; or

f.2. An average or CW output power exceeding 1 W;

g. Free electron “lasers”.

6A996 “Magnetometers”, “Superconductive” electromagnetic sensors, and specially designed components therefor, as follows

a. “Magnetometers”, having a ‘sensitivity’ lower (better) than 1.0 nT (rms) per square root Hz.

Technical Note: For the purposes of 6A996, ‘sensitivity’ (noise level) is the root mean square of the device -limited noise floor which is the lowest signal that can be measured.

b. “Superconductive” electromagnetic sensors and components manufactured from “superconductive” materials, having all of the following:

b.1. Designed for operation at temperatures below the “critical temperature” of at least one of their “superconductive” constituents (including Josephson effect devices or “superconductive” quantum interference devices (SQUIDS));

b.2. Designed for sensing electromagnetic field variations at frequencies of 1 KHz or less; and

b.3. Having any of the following:

b.3.a. Incorporating thin-film SQUIDS with a minimum feature size of less than 2 µm and with associated input and output coupling circuits;

b.3.b. Designed to operate with a magnetic field slew rate exceeding 1×10^6 magnetic flux quanta per second;

b.3.c. Designed to function without magnetic shielding in the earth’s ambient magnetic field; or

b.3.d. Having a temperature coefficient less (smaller) than 0.1 magnetic flux quantum/K.

6A997 Gravity meters (gravimeters) for ground use as follows:

- a. Having a static accuracy of less (better) than 100 microgal; *or*
- b. Being of the quartz element (Worden) type.

6A998 Radar systems, equipment and specially designed components therefor, as follows:

- a. Airborne radar equipment and specially designed components therefor.
- b. “Space-qualified” “laser” radar or Light Detection and Ranging (LIDAR) equipment specially designed for surveying or for meteorological observation.
- c. Millimetre wave enhanced vision radar imaging systems specially designed for rotary wing aircraft and having all of the following:
 - c.1. Operates at a frequency of 94 GHz;
 - c.2. An average output power of less than 20 mW;
 - c.3. Radar beam width of 1 degree; and
 - c.4. Operating range equal to or greater than 1500 m.

6A999 Specific processing equipment, as follows:

- a. Seismic detection equipment not controlled in paragraph c.
- b. Radiation hardened TV cameras,
- c. Seismic intrusion detection systems that detect, classify and determine the bearing on the source of a detected signal.

6B995 Equipment, including tools, dies, fixtures or gauges, and other specially designed components therefor, specially designed or modified for any of the following:

- a. For the manufacture or inspection of:
 - a.1. Free electron “laser” magnet wigglers;
 - a.2. Free electron “laser” photo injectors;
- b. For the adjustment, to required tolerances, of the longitudinal magnetic field of free electron “lasers”.

6C992 Optical sensing fibres that are modified structurally to have a ‘beat length’ of less than 500 mm (high birefringence) or optical sensor materials not described in entry 6C002.b. of Annex I of the Dual-Use Regulation and having a zinc content of equal to or more than 6% by ‘mole fraction.’

Note: ‘Mole fraction’ is defined as the ratio of moles of ZnTe to the sum of the moles of CdTe and ZnTe present in the crystal. 2) ‘Beat length’ is the distance over which two orthogonally polarised signals, initially in phase, must pass in order to achieve a 2 Pi radian(s) phase difference.

6C994 Optical materials.

- a. Low optical absorption materials, as follows:
 - a.1. Bulk fluoride compounds containing ingredients with a purity of 99.999% or better; *or*

Note: 6C994.a.1 controls fluorides of zirconium or aluminium and variants.

a.2. Bulk fluoride glass made from compounds controlled by entry 6C004.e.1 of Annex I of the Dual-Use Regulation;

b. ‘Optical fibre preforms’ made from bulk fluoride compounds containing ingredients with a purity of 99.999% or better, specially designed for the manufacture of “fluoride fibres” controlled by 6A994.b.

6D991 “Software,” specially designed for the “development”, “production”, or “use” of items controlled by entries 6A002 and 6A003 of Annex I of the Dual-Use Regulation, 6A991, 6A996, 6A997, or 6A998.

6D992 “Software” specially designed for the “development” or “production” of equipment controlled by 6A992, 6A994, or 6A995.

6D993 Other “software”.

a. Air Traffic Control (ATC) “software” application “programs” hosted on general purpose computers located at Air Traffic Control centres, and capable of automatically handing over primary radar target data (if not correlated with secondary surveillance radar (SSR) data) from the host ATC centre to another ATC centre.

b. “Software” specially designed for seismic intrusion detection systems in 6A999.c.

c. “Source Code” specially designed for seismic intrusion detection systems in 6A999.c.

6E991 “Technology” for the “development”, “production” or “use” of equipment controlled by 6A991, 6A996, 6A997, 6A998 or 6A99.c.

6E992 “Technology” for the “development” or “production” of equipment, materials or “software” controlled by 6A992, 6A994, or 6A995, 6B995, 6C992, 6C994, or 6D993.

6E993 Other “technology” as follows.

a. Optical fabrication technologies for serially producing optical components at a rate exceeding 10 m² of surface area per year on any single spindle and having all of the following:

a.1. Area exceeding 1 m², and

a.2. Surface figure exceeding $\lambda/10$ (rms) at the designed wavelength;

b. “Technology” for optical filters with a bandwidth equal to or less than 10 nm, a field of view (FOV) exceeding 40° and a resolution exceeding 0.75 line pairs per milliradian;

c. “Technology” for the “development” or “production” of cameras controlled by 6A993;

d. “Technology” “required” for the “development” or “production” of non-triaxial fluxgate “magnetometers” or non-triaxial fluxgate “magnetometer” systems, having any of the following:

d.1. ‘Sensitivity’ lower (better) than 0.05 nT (rms) per square root Hz at frequencies of less than 1 Hz; or

d.2. ‘Sensitivity’ lower (better) than 1 x 10⁻³ nT (rms) per square root Hz at frequencies of 1 Hz or more;

e. “Technology” “required” for the “development” or “production” of infrared up-conversion devices having all of the following:

e.1. A response in the wavelength range exceeding 700 nm but not exceeding 1500 nm; and

- e.2. A combination of an infrared photodetector, light emitting diode (LED), and nanocrystal to convert infrared light into visible light.

Technical Note: For the purposes of entry 6E993, 'sensitivity' (or noise level) is the root mean square of the device -limited noise floor which is the lowest signal that can be measured.

PART 6

Navigation and avionics

7A994 Navigation direction finding equipment, airborne communication equipment, all aircraft inertial navigation systems, and other avionic equipment, including components,

7B994 Other equipment for the test, inspection, or "production" of navigation and avionics equipment.

7D994 "Software" for the "development", "production", or "use" of navigation, airborne communication and other avionics.

7E994 "Technology" for the "development," "production" or "use" of navigation, airborne communication, and other avionics equipment.

PART 7

Marine

8A992 Vessels, marine systems or equipment, and specially designed components therefor, and marine boilers and components therefor.

a. Underwater vision systems, as follows:

a.1. Television systems (comprising camera, lights, monitoring and signal transmission equipment) having a limiting resolution when measured in air of more than 500 lines and specially designed or modified for remote operation with a submersible vehicle; *or*

a.2. Underwater television cameras having a limiting resolution when measured in air of more than 700 lines;

Technical Note: Limiting resolution in television is a measure of horizontal resolution usually expressed in terms of the maximum number of lines per picture height discriminated on a test chart, using IEEE Standard 208/1960 or any equivalent standard.

b. Photographic still cameras specially designed or modified for underwater use, having a film format of 35 mm or larger, and having autofocusing or remote focusing specially designed for underwater use;

c. Stroboscopic light systems, specially designed or modified for underwater use, capable of a light output energy of more than 300 J per flash;

d. Other underwater camera equipment;

e. Other submersible systems;

f. Vessels, including inflatable boats, and specially designed components therefor, ;

- g. Marine engines (both inboard and outboard), and specially designed components therefor, ;
- h. Other self-contained underwater breathing apparatus (scuba gear) and related equipment, ;
- i. Life jackets, inflation cartridges, compasses, wetsuits, masks, fins, weight belts, and dive computers;
- j. Underwater lights and propulsion equipment;
- k. Air compressors and filtration systems, specially designed for filling air cylinders.
- l. Marine boilers designed to have any of the following:
 - 1.1. Heat release rate (at maximum rating) equal to or in excess of 190,000 BTU per hour per cubic foot of furnace volume; *or*
 - 1.2. Ratio of steam generated in kg per hour (at maximum rating) to the dry weight of the boiler in kg equal to or in excess of 0.83.
- m. Components for marine boilers described in 8A992.1.

8D992 “Software” specially designed or modified for the “development”, “production” or “use” of equipment controlled by 8A992.

8D999 “Software” specially designed for the operation of unmanned submersible vehicles.

8E992 “Technology” for the “development”, “production” or “use” of equipment controlled by 8A992.

PART 8

Aerospace and Propulsion

9A990 Diesel engines and tractor units, and specially designed components therefor.

- a. Diesel engines for trucks, tractor units, and automotive applications of continuous power output of 400 BHP (298 kW) or greater (performance based on Society of Automotive Engineers J1349 standard conditions of 100 kPa and 25°C);
- b. Off-road semi-trailer wheeled tractor units of carriage capacity 9 t or more and specially designed components therefor;
- c. On-road semi-trailer tractor units, with single or tandem rear axles rated for 9 t per axel or greater and specially designed components therefor.

9A991 “Aircraft” and gas turbine engines and components

- a. Not used;
- b. Not used;
- c. Aero gas turbine engines and specially designed components therefor;
- d. Not used;
- e. Pressurised aircraft breathing equipment and specially designed components therefor.

9B990 Vibration test equipment and specially designed components therefor.

9B991 “Equipment,” tooling or fixtures specially designed for manufacturing or measuring gas turbine blades, vanes or tip shroud castings, as follows:

- a. Automated equipment using non-mechanical methods for measuring aerofoil wall thickness;
- b. Tooling, fixtures or measuring equipment for the “laser”, water jet or ECM/EDM hole drilling processes controlled by entry 9E003.c of Annex I of the Dual-Use Regulation;
- c. Ceramic core leaching equipment;
- d. Ceramic core manufacturing equipment or tools;
- e. Ceramic shell wax pattern preparation equipment;
- f. Ceramic shell burn out or firing equipment.

9D990 “Software”, for the “development” or “production” of equipment controlled by 9A990 or 9B990.

9D991 “Software”, for the “development” or “production” of equipment controlled by 9A991 or 9B991.

9E990 “Technology”, for the “development” or “production” or “use” of equipment controlled by 9A990 or 9B990.

9E991 “Technology”, for the “development”, “production” or “use” of equipment controlled by 9A991 or 9B991.

9E993 Other “technology”, not described by entry 9E003 of Annex I of the Dual-Use Regulation, as follows:

- a. Rotor blade tip clearance control systems employing active compensating casing “technology” limited to a design and development data base;
- b. Gas bearing for turbine engine rotor assemblies.]

[^{F266}SCHEDULE 2D

Regulation 31E

Consumer communication devices

Textual Amendments

F266 Sch. 2D inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), reg. 1(2), **Sch.**

1. In regulation 31E, “consumer communication device” means any of the following, of a type which is generally available to the public—

- (a) computers falling within entries 5A992 and 4A994.b of Schedule 2C;
- (b) disk drives and solid-state storage equipment falling within entry 5A992 of Schedule 2C;
- (c) input/output control units (other than industrial controllers designed for chemical processing);
- (d) graphics accelerators and graphics coprocessors;
- (e) monitors falling within entry 5A992 of Schedule 2C;
- (f) printers falling within entry 5A992 of Schedule 2C;

- (g) modems falling within entries 5A991.b.2, 5A991.b.4 or 5A992 of Schedule 2C;
 - (h) network access controllers and communications channel controllers falling within entry 5A991.b.4 of Schedule 2C;
 - (i) keyboards, mice and similar devices specified in entry 5A992 of Schedule 2C;
 - (j) mobile phones, including cellular and satellite telephones, personal digital assistants, and subscriber information module (SIM) cards and similar devices falling within entries 5A992 or 5A991 of Schedule 2C;
 - (k) memory devices falling within entry 5A992 of Schedule 2C;
 - (l) information security equipment, software (except encryption source code) and peripherals falling within entries 5A992 or 5D992 of Schedule 2C;
 - (m) digital cameras and memory cards falling within entry 6A993 or 5A992 of Schedule 2C;
 - (n) television and radio receivers falling within entry 5A992 of Schedule 2C;
 - (o) recording devices falling within entry 5A992 of Schedule 2C;
 - (p) batteries, chargers, carrying cases and accessories for the goods falling within paragraphs (a) to (o) above;
 - (q) software (except encryption source code) falling within entries 4D994, 5D991 and 5D992 of Schedule 2C, which is for use with equipment described in paragraphs (a) to (p) above.
2. For the purposes of paragraph 1, goods and technology are generally available to the public if they are—
- (a) sold from stock at retail selling points without restriction, by means of—
 - (i) over the counter transactions,
 - (ii) mail order transactions,
 - (iii) electronic transactions, or
 - (iv) telephone order transactions, and
 - (b) designed for installation by the user without further substantial support by the supplier.]

[^{F267}SCHEDULE 2E

Regulation 20(3)

Luxury goods

Textual Amendments

F267 Sch. 2E inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), reg. 1(2), [Sch.](#)

PART 1

Interpretation

- 1.—(1) Paragraph 1 of Schedule 2B applies for the purposes of interpreting Part 2.
- (2) In Part 2, “sales price” means the sales price of the item or quantity specified excluding value added taxes.

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

(3) For the purposes of this Schedule, where a sales price is specified per item, “item” is to be construed as the unit usually packaged for retail sale (where applicable), whether a singular good or a number of goods if packaged to be sold together.

PART 2

Luxury items

2. Horses, meaning any thing which falls within the commodity codes set out in the following table, provided that the sales price exceeds £250 per animal—

<i>Commodity code</i>	<i>Description</i>
0101 21 00	Pure-bred breeding animals
0101 29 90	Other

3. Caviar and caviar substitutes, meaning any thing which falls within the commodity codes set out in the following table, provided that the sales price exceeds £250 per 1.5kg, or equivalent per item—

<i>Commodity code</i>	<i>Description</i>
1604 31 00	Caviar
1604 32 00	Caviar substitutes

4. Truffles and preparations thereof falling within the commodity codes set out in the following table, provided that the sales price exceeds £250 per 1.5kg, or equivalent per item—

<i>Commodity code</i>	<i>Description</i>
0709 56 00	Truffles
0710 80 69	Other
0711 59 00	Other
0712 39 00	Other
2001 90 97	Other
2003 90 10	Truffles
2103 90 90	Other
2104 10 00	Soups and broths and preparations therefor
2104 20 00	Homogenised composite food preparations
2106 00 00	Food preparations not elsewhere specified or included

5. Wines (including sparkling wines), beers, spirits and spirituous beverages, meaning any thing which falls within the commodity codes set out in the following table, provided that the sales price per item exceeds £250—

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Commodity code</i>	<i>Description</i>
2203 00 00	Beer made from malt
2204 10 11	Champagne
2204 10 91	Asti spumante
2204 10 93	Other
2204 10 94	With a protected geographical indication (PGI)
2204 10 96	Other varietal wines
2204 10 98	Other
2204 21 00	In containers holding 2 litres or less
2204 29 00	Other
2205 00 00	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances
2206 00 00	Other fermented beverages (for example, cider, perry, mead, saké); mixtures of fermented beverages and mixtures of fermented beverages with non-alcoholic beverages, not elsewhere specified or included
2207 10 00	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher
2208 00 00	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages

6. Cigars or cigarillos falling within the commodity codes set out in the table below, provided that the sales price per item exceeds £10—

<i>Commodity code</i>	<i>Description</i>
2402 10 00	Cigars, cheroots and cigarillos, containing tobacco
2402 90 00	Other

7. Perfumes, toilet waters and cosmetics, including beauty and make-up products, meaning any thing which falls within the following commodity codes, provided that the sales price exceeds the price corresponding to that code set out in the third column of the table—

<i>Commodity code</i>	<i>Description</i>	<i>Sales price</i>
3303	Perfumes and toilet waters	£250 per 6.25 litres
3304 00 00	Beauty or make-up preparations and preparations for the care of the skin (other than medicaments), including sunscreen or suntan preparations; manicure or pedicure preparations	£250 per item or 6.25 litres if liquid
3305 00 00	Preparations for use on the hair	£250 per item or 6.25 litres if liquid
3307 00 00	Pre-shave, shaving or aftershave preparations, personal deodorants, bath preparations, depilatories and	£250 per item or 6.25 litres if liquid

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Commodity code</i>	<i>Description</i>	<i>Sales price</i>
	other perfumery, cosmetic or toilet preparations, not elsewhere specified or included; prepared room deodorisers, whether or not perfumed or having disinfectant properties	
6704 00 00	Wigs, false beards, eyebrows and eyelashes, switches and the like, of human or animal hair or of textile materials; articles of human hair not elsewhere specified or included	£250 per item

8. Leather, saddlery, travel goods, handbags or similar articles, meaning any thing which falls within the commodity codes set out in the following table, provided that the sales price per item exceeds £250—

<i>Commodity code</i>	<i>Description</i>
4201 00 00	Saddlery and harness for any animal (including traces, leads, knee pads, muzzles, saddle-cloths, saddlebags, dog coats and the like), of any material
4202 00 00	Trunks, suitcases, vanity cases, executive-cases, briefcases, school satchels, spectacle cases, binocular cases, camera cases, musical instrument cases, gun cases, holsters and similar containers; travelling-bags, insulated food or beverages bags, toilet bags, rucksacks, handbags, shopping-bags, wallets, purses, map-cases, cigarette-cases, tobacco-pouches, tool bags, sports bags, bottle-cases, jewellery boxes, powder boxes, cutlery cases and similar containers, of leather or of composition leather, of sheeting of plastics, of textile materials, of vulcanised fibre or of paperboard, or wholly or mainly covered with such materials or with paper
4205 00 90	Other
9605 00 00	Travel sets for personal toilet, sewing or shoe or clothes cleaning

9. Garments, clothing, accessories or shoes, meaning any thing which falls within the following commodity codes or chapters, provided that the sales price per item exceeds £250 —

<i>Commodity code</i>	<i>Description</i>
4203 00 00	Articles of apparel and clothing accessories, of leather or of composition leather
4303 00 00	Articles of apparel, clothing accessories and other articles of furskin
6101 00 00	Men's or boys' overcoats, car coats, capes, cloaks, anoraks (including ski jackets), windcheaters, wind-jackets and similar articles, knitted or crocheted, other than those of heading 6103
6102 00 00	Women's or girls' overcoats, car coats, capes, cloaks, anoraks (including ski jackets), windcheaters, wind-jackets and similar articles, knitted or crocheted, other than those of heading 6104
6103 00 00	Men's or boys suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted

<i>Commodity code</i>	<i>Description</i>
6104 00 00	Women's or girls' suits, ensembles, jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted
6105 00 00	Men's or boys' shirts, knitted or crocheted
6106 00 00	Women's or girls' blouses, shirts and shirt-blouses, knitted or crocheted
6107 00 00	Men's or boys' underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted
6108 00 00	Women's or girls' slips, petticoats, briefs, panties, nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles, knitted or crocheted
6109 00 00	T-shirts, singlets and other vests, knitted or crocheted
6110 00 00	Jerseys, pullovers, cardigans, waistcoats and similar articles, knitted or crocheted
6111 00 00	Babies' garments and clothing accessories, knitted or crocheted
6112 11 00	Of cotton
6112 12 00	Of synthetic fibres
6112 19 00	Of other textile materials
6112 20 00	Ski suits
6112 31 00	Of synthetic fibres
6112 39 00	Of other textile materials
6112 41 00	Of synthetic fibres
6112 49 00	Of other textile materials
6113 00 10	Of knitted or crocheted fabrics of heading 5906
6113 00 90	Other
6114 00 00	Other garments, knitted or crocheted
6115 00 00	Pantyhose, tights, stockings, socks and other hosiery, including graduated compression hosiery (for example, stockings for varicose veins) and footwear without applied soles, knitted or crocheted
6116 00 00	Gloves, mittens and mitts, knitted or crocheted
6117 00 00	Other made-up clothing accessories, knitted or crocheted; knitted or crocheted parts of garments or of clothing accessories
6201 00 00	Men's or boys' overcoats, car coats, capes, cloaks, anoraks (including ski jackets), windcheaters, wind-jackets and similar articles, other than those of heading 6203
6202 00 00	Women's or girls overcoats, car coats, capes, cloaks, anoraks (including ski jackets), windcheaters, wind-jackets and similar articles, other than those of heading 6204

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Commodity code</i>	<i>Description</i>
6203 00 00	Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear)
6204 00 00	Women's or girls' suits, ensembles, jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear)
6205 00 00	Men's or boys' shirts
6206 00 00	Women's or girls' blouses, shirts and shirt-blouses
6207 00 00	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles
6208 00 00	Women's or girls' singlets and other vests, slips, petticoats, briefs, panties, nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles
6209 00 00	Babies' garments and clothing accessories
6210 10 00	Of fabrics of heading 5602 or 5603
6210 20 00	Other garments, of the type described in subheadings 6201 11 to 6201 19
6210 30 00	Other garments, of the type described in subheadings 6202 11 to 6202 19
6210 40 00	Other men's or boys' garments
6210 50 00	Other women's or girls' garments
6211 11 00	Men's or boys'
6211 12 00	Women's or girls'
6211 20 00	Ski suits
6211 32 00	Of cotton
6211 33 00	Of man-made fibres
6211 39 00	Of other textile materials
6211 42 00	Of cotton
6211 43 00	Of man-made fibres
6211 49 00	Of other textile materials
6212 00 00	Brassières, girdles, corsets, braces, suspenders, garters and similar articles and parts thereof, whether or not knitted or crocheted
6213 00 00	Handkerchiefs
6214 00 00	Shawls, scarves, mufflers, mantillas, veils and the like
6215 00 00	Ties, bow ties and cravats
6216 00 00	Gloves, mittens and mitts
6217 00 00	Other made-up clothing accessories; parts of garments or of clothing accessories, other than those of heading 6212

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Commodity code</i>	<i>Description</i>
6401 00 00	Waterproof footwear with outer soles and uppers of rubber or of plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes
6402 20 00	Footwear with upper straps or thongs assembled to the sole by means of plugs
6402 91 00	Covering the ankle
6402 99 00	Other
6403 19 00	Other
6403 20 00	Footwear with outer soles of leather, and uppers which consist of leather straps across the instep and around the big toe
6403 40 00	Other footwear, incorporating a protective metal toecap
6403 51 00	Covering the ankle
6403 59 00	Other
6403 91 00	Covering the ankle
6403 99 00	Other
6404 19 10	Slippers and other indoor footwear
6404 20 00	Footwear with outer soles of leather or composition leather
6405 00 00	Other footwear
6504 00 00	Hats and other headgear, plaited or made by assembling strips of any material, whether or not lined or trimmed
6505 00 10	Of fur felt or of felt of wool and fur, made from the hat bodies, hoods or plateaux of heading 6501 00 00
6505 00 30	Peaked caps
6505 00 90	Other
6506 99 00	Of other materials
6601 91 00	Having a telescopic shaft
6601 99 00	Other
6602 00 00	Walking sticks, seat-sticks, whips, riding-crops and the like
9619 00 81	Napkins and napkin liners for babies

10. Carpets, rugs and tapestries, hand-made or not, meaning any thing which falls within the commodity codes set out in the following table, provided that the sales price per item exceeds £250—

<i>Commodity code</i>	<i>Description</i>
5701 00 00	Carpets and other textile floor coverings, knotted, whether or not made up
5702 10 00	‘Kelem’, ‘Schumacks’, ‘Karamanie’ and similar hand-woven rugs
5702 20 00	Floor coverings of coconut fibres (coir)

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Commodity code</i>	<i>Description</i>
5702 31 80	Other
5702 32 00	Of man-made textile materials
5702 39 00	Of other textile materials
5702 41 90	Other
5702 42 00	Of man-made textile materials
5702 50 00	Other, not of pile construction, not made up
5702 91 00	Of wool or fine animal hair
5702 92 00	Of man-made textile materials
5702 99 00	Of other textile materials
5703 00 00	Carpets and other textile floor coverings, tufted, whether or not made up
5704 00 00	Carpets and other textile floor coverings, of felt, not tufted or flocked, whether or not made up
5705 00 00	Other carpets and other textile floor coverings, whether or not made up
5805 00 00	Hand-woven tapestries of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needle-worked tapestries (for example, petit point, cross stitch), whether or not made up

11. Pearls, precious and semi-precious stones, articles of pearls, jewellery, gold- or silversmith articles falling within the commodity codes set out in the following table—

<i>Commodity code</i>	<i>Description</i>
7101 00 00	Pearls, natural or cultured, whether or not worked or graded but not strung, mounted or set; pearls, natural or cultured, temporarily strung for convenience of transport
7102 00 00	Diamonds, whether or not worked, but not mounted or set, excluding for industrial use
7103 00 00	Precious stones (other than diamonds) and semi-precious stones, whether or not worked or graded but not strung, mounted or set; ungraded precious stones (other than diamonds) and semi-precious stones, temporarily strung for convenience of transport
7104 91 00	Diamonds, excluding for industrial use
7105 00 00	Dust and powder of natural or synthetic precious or semi-precious stones
7106 00 00	Silver (including silver plated with gold or platinum), unwrought or in semi-manufactured forms, or in powder form
7107 00 00	Base metals clad with silver, not further worked than semi-manufactured
7108 00 00	Gold (including gold plated with platinum), unwrought or in semi-manufactured forms, or in powder form
7109 00 00	Base metals or silver, clad with gold, not further worked than semi-manufactured
7110 11 00	Unwrought or in powder form

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Commodity code</i>	<i>Description</i>
7110 19 00	Other
7110 21 00	Unwrought or in powder form
7110 29 00	Other
7110 31 00	Unwrought or in powder form
7110 39 00	Other
7110 41 00	Unwrought or in powder form
7110 49 00	Other
7111 00 00	Base metals, silver or gold, clad with platinum, not further worked than semi-manufactured
7113 00 00	Articles of jewellery and parts thereof, of precious metal or of metal clad with precious metal
7114 00 00	Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or of metal clad with precious metal
7115 00 00	Other articles of precious metal or of metal clad with precious metal
7116 00 00	Articles of natural or cultured pearls, precious or semi-precious stones (natural, synthetic or reconstructed)

12. Coins and banknotes, meaning any thing which falls within the commodity codes set out in the following table, provided that such items are not legal tender—

<i>Commodity code</i>	<i>Description</i>
4907 00 30	Banknotes
7118 10 00	Coin (other than gold coin), not being legal tender
7118 90 00	Other

13. Any item of cutlery, bladed or edged instruments and tools falling within the commodity codes set out in the following table, provided such items are comprised of precious metal or plated or clad with precious metal—

<i>Commodity code</i>	<i>Description</i>
7114 00 00	Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or of metal clad with precious metal
7115 00 00	Other articles of precious metal or of metal clad with precious metal
8214 00 00	Other articles of cutlery (for example, hair clippers, butchers' or kitchen cleavers, choppers and mincing knives, paperknives); manicure or pedicure sets and instruments (including nail files)
8215 00 00	Spoons, forks, ladles, skimmers, cake-servers, fish-knives, butter-knives, sugar tongs and similar kitchen or tableware
9307 00 00	Swords, cutlasses, bayonets, lances and similar arms and parts thereof and scabbards and sheaths therefor

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

14. Tableware of porcelain, china, stoneware or earthenware or fine pottery falling within within the commodity codes set out in the following table, provided that the sales price per item exceeds £250—

<i>Commodity code</i>	<i>Description</i>
6911 00 00	Tableware, kitchenware, other household articles and toilet articles, of porcelain or china
6912 00 23	Stoneware
6912 00 25	Earthenware or fine pottery
6912 00 83	Stoneware
6912 00 85	Earthenware or fine pottery
6914 10 00	Of porcelain or china
6914 90 00	Other

15. Items of lead crystal falling within the commodity codes set out in the following table, provided that the sales price per item exceeds £250—

<i>Commodity code</i>	<i>Description</i>
7009 91 00	Unframed
7009 92 00	Framed
7010 00 00	Carboys, bottles, flasks, jars, pots, phials, ampoules and other containers, of glass, of a kind used for the conveyance or packing of goods; preserving jars of glass; stoppers, lids and other closures, of glass
7013 22 00	Of lead crystal
7013 33 00	Of lead crystal
7013 41 00	Of lead crystal
7013 91 00	Of lead crystal
7018 10 00	Glass beads, imitation pearls, imitation precious or semi-precious stones and similar glass smallwares
7018 90 00	Other
7020 00 80	Other
9405 50 00	Non-electrical lamps and lighting fittings
9405 91 00	Of glass

16. Electronic items for domestic use, meaning any thing which falls within the commodity codes set out in the following table, provided that the sales price per item exceeds £630—

<i>Commodity code</i>	<i>Description</i>
8414 51	Table, floor, wall, window, ceiling or roof fans, with a self-contained electric motor of an output not exceeding 125 watts
8414 59 00	Other

<i>Commodity code</i>	<i>Description</i>
8414 60 00	Hoods having a maximum horizontal side not exceeding 120 cm
8415 10 00	Window or wall types, self-contained or 'split-system'
8418 10 00	Combined refrigerator-freezers, fitted with separate external doors
8418 21 00	Compression-type
8418 29 00	Other
8418 30 00	Freezers of the chest type, not exceeding 800 litres capacity
8418 40 00	Freezers of the upright type, not exceeding 900 litres capacity
8419 81 00	For making hot drinks or for cooking or heating food
8422 11 00	Of the household type
8423 10 00	Personal weighing machines, including baby scales; household scales
8443 12 00	Offset printing machinery, sheet fed, office type (using sheets with one side not exceeding 22 cm and the other side not exceeding 36 cm in the unfolded state)
8443 31 00	Machines which perform two or more of the functions of printing, copying or facsimile transmission, capable of connecting to an automatic data-processing machine or to a network
8443 32 00	Other, capable of connecting to an automatic data-processing machine or to a network
8443 39 00	Other
8450 11 00	Fully-automatic machines
8450 12 00	Other machines, with built-in centrifugal drier
8450 19 00	Other
8451 21 00	Each of a dry linen capacity not exceeding 10 kg
8452 10 00	Sewing machines of the household type
8470 10 00	Electronic calculators capable of operation without an external source of electric power and pocket-size data-recording, reproducing and displaying machines with calculating functions
8470 21 00	Incorporating a printing device
8470 29 00	Other
8470 30 00	Other calculating machines
8471 00 00	Automatic data-processing machines and units thereof; magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data, not elsewhere specified or included
8472 90 80	Other
8479 60 00	Evaporative air coolers
8508 11 00	Of a power not exceeding 1,500 watts and having a dust bag or other receptacle capacity not exceeding 20 litres

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Commodity code</i>	<i>Description</i>
8508 19 00	Other
8508 60 00	Other vacuum cleaners
8509 80 00	Other appliances
8516 31 00	Hairdryers
8516 50 00	Microwave ovens
8516 60 10	Cookers (incorporating at least an oven and a hob)
8516 71 00	Coffee or tea makers
8516 72 00	Toasters
8516 79 00	Other
8517 11 00	Line telephone sets with cordless handsets
8517 13 00	Smartphones
8517 18 00	Other
8517 61 00	Base stations
8517 62 00	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus
8517 69 00	Other
8526 91 00	Radio navigational aid apparatus
8529 10 65	Inside aerials for radio or television broadcast receivers, including built-in types
8529 10 69	Other
8531 10 00	Burglar or fire alarms and similar apparatus
8543 70 10	Electrical machines with translation or dictionary functions
8543 70 30	Aerial amplifiers
8543 70 50	Sunbeds, sunlamps and similar suntanning equipment
8543 70 90	Other
9504 50 00	Video game consoles and machines, other than those of subheading 9504 30
9504 90 80	Other

17. Electrical/electronic or optical apparatus for recording and reproducing sound and images, meaning any thing which falls within the commodity codes set out in the following table, provided that the sales price per item exceeds £840—

<i>Commodity code</i>	<i>Description</i>
8519 00 00	Sound recording or sound reproducing apparatus
8521 00 00	Video recording or reproducing apparatus, whether or not incorporating a video tuner

<i>Commodity code</i>	<i>Description</i>
8527 00 00	Reception apparatus for radio-broadcasting, whether or not combined, in the same housing, with sound recording or reproducing apparatus or a clock
8528 71 00	Not designed to incorporate a video display or screen
8528 72 00	Other, colour
9006 00 00	Photographic (other than cinematographic) cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of heading 8539
9007 00 00	Cinematographic cameras and projectors, whether or not incorporating sound recording or reproducing apparatus

18. Vehicles, except ambulances, for the transport of persons on earth, air or sea, teleferics, chairlifts, ski-draglines, traction mechanisms for funiculars and motorbikes, as well as their accessories and spare parts, meaning any thing which falls within the commodity codes set out in the following table, provided that the sales price exceeds—

- (a) £42,000 per vehicle,
- (b) £4,200 per teleferic, chairlift, ski-dragline, traction mechanism for funiculars or motorbike, or
- (c) £420 per accessory or spare part,

as applicable—

<i>Commodity code</i>	<i>Description</i>
4011 10 00	Of a kind used on motor cars (including station wagons and racing cars)
4011 20 00	Of a kind used on buses or lorries
4011 30 00	Of a kind used on aircraft
4011 40 00	Of a kind used on motorcycles
4011 90 00	Other
7009 10 00	Rear-view mirrors for vehicles
8407 00 00	Spark-ignition reciprocating or rotary internal combustion piston engines
8408 00 00	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines)
8409 00 00	Parts suitable for use solely or principally with the engines of heading 8407 or 8408
8411 00 00	Turbojets, turbopropellers and other gas turbines
8428 60 00	Teleferics, chairlifts, ski-draglines, traction mechanisms for funiculars
8431 39 00	Parts and accessories of teleferics, chairlifts, ski-draglines, traction mechanisms for funiculars
8483 00 00	Transmission shafts (including cam shafts and crank shafts) and cranks; bearing housings and plain shaft bearings; gears and gearing; ball or roller screws; gear boxes and other speed changers, including

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Commodity code</i>	<i>Description</i>
	torque converters; flywheels and pulleys, including pulley blocks; clutches and shaft couplings (including universal joints)
8511 00 00	Electrical ignition or starting equipment of a kind used for spark-ignition or compression-ignition internal combustion engines (for example, ignition magnetos, magneto-dynamos, ignition coils, sparking plugs and glow plugs, starter motors); generators (for example, dynamos, alternators) and cut-outs of a kind used in conjunction with such engines
8512 20 00	Other lighting or visual signalling equipment
8512 30 10	Burglar alarms of a kind used for motor vehicles
8512 30 90	Other
8512 40 00	Windscreen wipers, defrosters and demisters
8544 30 00	Ignition wiring sets and other wiring sets of a kind used in vehicles, aircraft or ships
8603 00 00	Self-propelled railway or tramway coaches, vans and trucks, other than those of heading 8604
8605 00 00	Railway or tramway passenger coaches, not self-propelled; luggage vans, post office coaches and other special purpose railway or tramway coaches, not self-propelled (excluding those of heading 8604)
8607 00 00	Parts of railway or tramway locomotives or rolling stock
8702 00 00	Motor vehicles for the transport of ten or more persons, including the driver
8703 00 00	Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 8702), including station wagons and racing cars, including snowmobiles
8706 00 00	Chassis fitted with engines, for the motor vehicles of headings 8701 to 8705
8707 00 00	Bodies (including cabs), for the motor vehicles of headings 8701 to 8705
8708 00 00	Parts and accessories of the motor vehicles of headings 8701 to 8705
8711 00 00	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars
8712 00 00	Bicycles and other cycles (including delivery tricycles), not motorised
8714 00 00	Parts and accessories of vehicles of headings 8711 to 8713
8716 10 00	Trailers and semi-trailers of the caravan type, for housing or camping
8716 40 00	Other trailers and semi-trailers
8716 90 00	Parts
8901 10 00	Cruise ships, excursion boats and similar vessels principally designed for the transport of persons; ferry-boats of all kinds

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Commodity code</i>	<i>Description</i>
8901 90 00	Other vessels for the transport of goods and other vessels for the transport of both persons and goods
8903 00 00	Yachts and other vessels for pleasure or sports; rowing boats and canoes

19. Clocks and watches and their parts, meaning any thing which falls within the commodity codes set out in the following table, provided that the sales price per item exceeds £250—

<i>Commodity code</i>	<i>Description</i>
9101 00 00	Wristwatches, pocket-watches and other watches, including stopwatches, with case of precious metal or of metal clad with precious metal
9102 00 00	Wristwatches, pocket-watches and other watches, including stopwatches, other than those of heading 9101
9103 00 00	Clocks with watch movements, excluding clocks of heading 9104
9104 00 00	Instrument panel clocks and clocks of a similar type for vehicles, aircraft, spacecraft or vessels
9105 00 00	Other clocks
9108 00 00	Watch movements, complete and assembled
9109 00 00	Clock movements, complete and assembled
9110 00 00	Complete watch or clock movements, unassembled or partly assembled (movement sets); incomplete watch or clock movements, assembled; rough watch or clock movements
9111 00 00	Watch cases and parts thereof
9112 00 00	Clock cases and cases of a similar type for other goods of this chapter, and parts thereof
9113 00 00	Watch straps, watch bands and watch bracelets, and parts thereof
9114 00 00	Other clock or watch parts

20. Musical instruments, meaning any thing which falls within the commodity codes set out in the following table, provided that the sales price per item exceeds £1260—

<i>Commodity code</i>	<i>Description</i>
9201 00 00	Pianos, including automatic pianos; harpsichords and other keyboard stringed instruments
9202 00 00	Other string musical instruments (for example, guitars, violins, harps)
9205 00 00	Wind musical instruments (for example, keyboard pipe organs, accordions, clarinets, trumpets, bagpipes), other than fairground organs and mechanical street organs
9206 00 00	Percussion musical instruments (for example, drums, xylophones, cymbals, castanets, maracas)

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Commodity code</i>	<i>Description</i>
9207 00 00	Musical instruments, the sound of which is produced, or must be amplified, electrically (for example, organs, guitars, accordions)

21. Works of art, collectors' pieces and antiques, meaning any thing which falls within chapter 97.

22. Articles and equipment for sports, including skiing, golf, diving and water sports, meaning any thing which falls within the commodity codes set out in the following table, provided that the sales price per item exceeds £250—

<i>Commodity code</i>	<i>Description</i>
4015 19 00	Other
4015 90 00	Other
6210 40 00	Other men's or boys' garments
6210 50 00	Other women's or girls' garments
6211 11 00	Men's or boys'
6211 12 00	Women's or girls'
6211 20 00	Ski suits
6216 00 00	Gloves, mittens and mitts
6402 12 00	Ski-boots, cross-country ski footwear and snowboard boots
6402 19 00	Other
6403 12 00	Ski-boots, cross-country ski footwear and snowboard boots
6403 19 00	Other
6404 11 00	Sports footwear; tennis shoes, basketball shoes, gym shoes, training shoes and the like
6404 19 90	Other
9004 90 00	Other
9020 00 00	Other breathing appliances and gas masks, excluding protective masks having neither mechanical parts nor replaceable filters
9506 11 00	Skis
9506 12 00	Ski-fastenings (ski-bindings)
9506 19 00	Other
9506 21 00	Sailboards
9506 29 00	Other
9506 31 00	Clubs, complete
9506 32 00	Golf balls
9506 39 00	Other
9506 40 00	Articles and equipment for table tennis
9506 51 00	Lawn-tennis rackets, whether or not strung

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Commodity code</i>	<i>Description</i>
9506 59 00	Other
9506 61 00	Lawn-tennis balls
9506 69 10	Cricket and polo balls
9506 69 90	Other
9506 70	Ice skates and roller skates, including skating boots with skates attached
9506 91	Articles and equipment for general physical exercise, gymnastics or athletics
9506 99 10	Cricket and polo equipment, other than balls
9506 99 90	Other
9507 00 00	Fishing rods, fish-hooks and other line fishing tackle; fish landing nets, butterfly nets and similar nets; decoy 'birds' (other than those of heading 9208 or 9705) and similar hunting or shooting requisites

23. Articles and equipment for billiards, automatic bowling, casino games and games operated by coins, banknotes, bank cards, tokens or by any other means of payment, video games consoles and amusement machines, meaning any thing which falls within the commodity codes set out in the following table, provided that the sales price per item exceeds £250—

<i>Commodity code</i>	<i>Description</i>
9504 20 00	Articles and accessories for billiards of all kinds
9504 30 00	Other games, operated by coins, banknotes, bank cards, tokens or by any other means of payment, other than automatic bowling alley equipment
9504 40 00	Playing cards
9504 30 00	Video game consoles and machines, other than those of subheading 9504 50
9504 90 80	Other]

[^{F268}SCHEDULE 2F

Regulation 20(3)

Oil refining goods and technology

Textual Amendments

F268 Sch. 2F inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), reg. 1(2), Sch.

PART 1

Interpretation

1.—(1) Paragraph 1 of Schedule 2B applies for the purposes of interpreting Part 2.

(2) Terms printed in quotation marks and not defined in this Schedule have the meaning given to them in—

(a) Schedules 2 and 3 to the Export Control Order 2008, or

(b) Annex I of the Dual-Use Regulation,

as applicable.

PART 2

Oil refining goods

2. Any thing falling within—

(a) a commodity code mentioned in column 1 of the following table, and

(b) the description in column 2 corresponding to that code.

<i>Commodity code</i>	<i>Description</i>
ex 8479 89 97	Alkylation and isomerization units
ex 8543 70 90	
ex 8479 89 97	Aromatic hydrocarbon production units
ex 8543 70 90	
ex 8419 40 00	Atmospheric-vacuum crude distillation units (CDU)
ex 8479 89 97	Catalytic reforming / cracker units
ex 8543 70 90	
ex 8419 89 98	Delayed cokers
ex 8419 89 30	
ex 8419 89 10	
ex 8419 89 98	Flexicoking units
ex 8419 89 30	
ex 8419 89 10	
ex 8479 89 97	Hydrocracking reactors
ex 8419 89 98	Hydrocracking reactor vessels
ex 8419 89 30	

<i>Commodity code</i>	<i>Description</i>
ex 8419 89 10	
ex 8479 89 97	
ex 8479 89 97	Hydrogen generation equipment
ex 8543 70 90	
ex 8421 39 15	Hydrogen recovery and purification equipment
ex 8421 39 25	
ex 8421 39 35	
ex 8421 39 85	
ex 8479 89 97	
ex 8543 70 90	
ex 8479 89 97	Hydrotreatment equipment/units
ex 8543 70 90	
ex 8479 89 97	Naphtha isomerisation units
ex 8543 70 90	
ex 8479 89 97	Polymerisation units
ex 8543 70 90	
ex 8419 89 10	Refinery fuel gas treatment and sulphur recovery equipment
ex 8419 89 30	(including amine scrubbing units, sulphur recovery units, tail gas treatment units)
ex 8419 89 98	
ex 8479 89 97	
ex 8543 70 90	
ex 8456 90 00	Solvent de-asphalting units
ex 8479 89 97	
ex 8543 70 90	
ex 8479 89 97	Sulphur production units
ex 8543 70 90	
ex 8479 89 97	Sulphuric acid alkylation and sulphuric acid regeneration units
ex 8543 70 90	

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Commodity code</i>	<i>Description</i>
ex 8419 89 10	Thermal cracking units
ex 8419 89 30	
ex 8419 89 98	
ex 8479 89 97	
ex 8543 70 90	
ex 8479 89 97	Toluene and heavy aromatics: Transalkylation units
ex 8543 70 90	
ex 8479 89 97	Visbreakers
ex 8543 70 90	
ex 8479 89 97	Vacuum gas oil hydrocracking units
ex 8543 70 90	

3. Catalysts used in the following processes for the refining of crude oil to produce petroleum products—

- (a) fluid catalytic cracking;
- (b) hydroprocessing, including hydrotreating and hydrocracking;
- (c) alkylation;
- (d) catalytic reforming.

Oil refining technology

4. “Software” for the “development”, “production” or “use” of any thing falling within paragraphs 2 and 3.

5. “Technology” for the “development”, “production” or “use” of any thing falling within paragraphs 2 to 4.]

[^{F269}SCHEDULE 2G

Regulation 20(3)

Quantum computing and advanced materials goods and technology

Textual Amendments

F269 Sch. 2G inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), reg. 1(2), **Sch.**

PART 1

Interpretation

1.—(1) Terms printed in quotation marks and not defined or interpreted in this Schedule have the meaning given to them in—

- (a) Schedules 2 and 3 to the Export Control Order 2008, or
- (b) Annex I of the Dual-Use Regulation,

as applicable.

(2) For the purposes of this Schedule, the interpretative notes in Part 2 apply.

PART 2

Quantum computing and advanced materials goods

2. Equipment, “electronic assemblies” and components, specially designed for “quantum computers”, quantum electronics, quantum sensors, quantum processing units, qubit circuits, qubit devices or quantum radar systems.

Note 1: “Quantum computers” perform computations that harness the collective properties of quantum states, such as superposition, interference and entanglement.

Note 2: Units, circuits and devices include but are not limited to superconducting circuits, quantum annealing, ion trap, photonic interaction, silicon/spin and cold atoms.

3. “Cryogenic refrigeration systems” designed to maintain temperatures below 1.1 kelvin for 48 hours or more and related cryogenic refrigeration equipment and components as follows:

- (a) pulse tubes;
- (b) cryostats;
- (c) dewars;
- (d) gas handling systems (GHS);
- (e) compressors;
- (f) control units.

Note: “Cryogenic refrigeration systems” include but are not limited to dilution refrigeration, a diabatic demagnisation refrigerators and laser cooling systems.

4. Ultra-High vacuum (“UHV”) equipment as follows—

- (a) UHV pumps (sublimation, turbomolecular, diffusion, cryogenic, ion-getter);
- (b) UHV pressure gauges.

Note: UHV means 100 nanoPascals (nPa) or lower

5. High quantum efficiency (“QE”) photodetectors and sources with a QE greater than 80% in the wavelength range exceeding 300 nanometers but not exceeding 1700 nanometers.

6. Manufacturing equipment as follows—

- (a) additive manufacturing equipment for the production of metal parts;
- (b) additive manufacturing equipment for “energetic materials”, including equipment using ultrasonic extrusion;

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

- (c) vat photopolymerisation additive manufacturing equipment using stereo lithography (SLA) or direct light processing (DLP).

Note: Paragraph 6(a) only applies to the following systems—

- (i) *powder-bed systems using selective laser melting (SLM), laser cladding, direct metal laser sintering (DMLS) or electron beam melting (ELB), or*
- (ii) *powder-fed systems using laser cladding, direct energy deposition or laser metal deposition.*

7. Metal powders and metal alloy powders specially designed for the additive manufacturing equipment specified in paragraph 6(a).

8. Microscopes, related equipment and detectors, as follows—

- (a) scanning electron microscopes (SEM);
- (b) scanning auger microscopes;
- (c) transmission electron microscopes (TEM);
- (d) atomic force microscopes (AFM);
- (e) scanning force microscopes (SFM);
- (f) equipment and detectors specially designed for use with the microscopes specified in sub-paragraphs (a) to (e), employing any of the following—
 - (i) X-ray photo spectroscopy (XPS);
 - (ii) energy-dispersive X-ray spectroscopy (EDX, EDS);
 - (iii) electron back scatter detector (EBSD) systems;
 - (iv) electron spectroscopy for chemical analysis (ESCA).

9. “Decapsulation” equipment for semiconductor devices.

Note: “Decapsulation” means the removal of a cap, lid, or encapsulating material from a packaged integrated circuit by mechanical, thermal, or chemical methods.

Quantum computing and advanced materials technology

10. “Software” specially designed or modified for the “development”, “production” or “use” of the systems, equipment and components specified in paragraphs 2 to 9.

11. “Software” for digital twins (DT) of additive manufactured products or for the determination of the reliability of additive manufactured products.

12. “Technology” “required” for the “development”, “production” or “use” of the systems, equipment, components and software specified in paragraphs 2 to 11.]

[^{F270}SCHEDULE 2H

Regulation 20(3)

Chemical and Biological Weapons-Related Goods and
Chemical and Biological Weapons-Related Technology**Textual Amendments****F270** Sch. 2H inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), reg. 1(2), **Sch.**

PART 1

Interpretation

1. For the purposes of this Schedule “CAS Number” when followed by a numerical sequence is a reference to the CAS Registry Numbers assigned to chemicals by the Chemical Abstracts Service .

PART 2

**Chemical and biological weapons-related goods and
chemical and biological weapons-related technology**

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
Aluminium chloride	(7446-70-0)
Ammonia	(7664-41-7)
Dichloromethane	(75-09-2)
N,N-Dimethylaniline	(121-69-7)
Isopropyl bromide	(75-26-3)
Isopropyl ether	(108-20-3)
Monoisopropylamine	(75-31-0)
Potassium Bromide	(7758-02-3)
Pyridine	(110-86-1)
Sodium bromide	(7647-15-6)
Sodium metal	(7440-23-5)
Tributylamine	(102-82-9)
Triethylamine	(121-44-8)
Trimethylamine	(75-50-3)
Diethylenetriamine	(111-40-0)
Butyrylcholinesterase (BCHE)	Not Applicable
Pyridostigmine bromide	(101-26-8)

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
Obidoxime chloride	(114-90-9)
Acetylene	(CAS 74-86-2)
Acetone	(CAS 67-64-1)
Antimony	(CAS 7440-36-0)
Arsenic	(CAS 7440-38-2)
Arsenic trioxide	(CAS 1327-53-3)
Bis(2-chloroethyl)ethylamine hydrochloride	(CAS 3590-07-6)
Bis(2-chloroethyl)methylamine hydrochloride	(CAS 55-86-7)
Benzil	(CAS 134-81-6)
Benzaldehyde	(CAS 100-52-7)
Benzoin	(CAS 119-53-9)
2-bromochloroethane	(CAS 107-04-0)
Chlorine	(CAS 7782-50-5)
Diethyl ether	(CAS 60-29-7)
Dimethyl ether	(CAS 115-10-6)
Dimethylaminoethanol	(CAS 108-01-0)
Dicyclohexylamine (DCA)	(CAS 101-83-7)
Ethylene	(CAS 74-85-1)
Ethylene dichloride	(CAS 107-06-2)
2-methoxyethanol	(CAS 109-86-4)
Ethyl bromide	(CAS 74-96-4)
Ethyl chloride	(CAS 75-00-3)
Ethylamine	(CAS 75-04-7)
Ethylene oxide	(CAS 75-21-8)
Fluorapatite	(CAS 1306-05-4)
Hexamine	(CAS 100-97-0)
Hydrogen sulfide	(CAS 7783-06-4)
Isocyanatomethane	(CAS 624-83-9)
Isopropanol, 95% concentration or greater	(CAS 67-63-0)
Mandelic acid	(CAS 90-64-2)
Methylamine	(CAS 74-89-5)
Methyl bromide	(CAS 74-83-9)
Methyl chloride	(CAS 74-87-3)

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
Methyl iodide	(CAS 74-88-4)
Methylmercaptan	(CAS 74-93-1)
Monoethylene Glycol (MEG)	(CAS 107-21-1)
Nitromethane	(CAS 75-52-5)
Oxalyl chloride	(CAS 79-37-8)
Picric acid	(CAS 88-89-1)
Potassium sulfide	(CAS 1312-73-8)
Potassium thiocyanate	(CAS 333-20-0)
Quinaldine	(CAS 91-63-4)
Thiophosphoryl chloride	(CAS 3982-91-0)
Tributylphosphite	(CAS 102-85-2)
Triisobutylphosphite	(CAS 1606-96-8)
Tris(2-chloroethyl)amine hydrochloride	(CAS 817-09-4)
Sodium hypochlorite	(CAS 7681-52-9)
Sulfur trioxide	(CAS 7446-11-9)
White/yellow phosphorus	(CAS 12185-10-3, 7723-14-0)
Mercury	(7439-97-6)
Barium chloride	(10361v37-2)
Sulphuric acid, with a concentration by weight of 90% or greater	(7664-93-9)
3,3-dimethyl-1-butene	(558-37-2)
2,2-dimethylpropanal	(630-19-3)
2,2-dimethylpropylchloride	(753-89-9)
2-methylbutene	(26760-64-5)
2-chloro-3-methylbutane	(631-65-2)
2,3-dimethyl-2,3-butanediol	(76-09-5)
2-methyl-2-butene	(513-35-9)
Butyl lithium	(109-72-8)
Bromo(methyl)magnesium	(75-16-1)
Formaldehyde	(50-00-0)
Diethanolamine	(111-42-2)
Dimethylcarbonate	(616-38-6)
Methyldiethanolamine hydrochloride	(54060-15-0)
Methanol	(67-56-1)

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
Ethanol	(64-17-5)
1-butanol	(71-36-3)
2-butanol	(78-92-2)
Iso-butanol	(78-83-1)
Tert-butanol	(75-65-0)
Cyclohexanol	(108-93-0)
Diethylamine hydrochloride	(660-68-4)
Diisopropylamine hydrochloride	(819-79-4)
3-Quinuclidinone hydrochloride	(1193-65-3)
3-Quinuclidinol hydrochloride	(6238-13-7)
(R)-3- Quinuclidinol hydrochloride	(42437-96-7)
N,N-Diethylaminoethanol hydrochloride	(14426-20-1)
Acetyl-alpha-methylfentanyl	101860-00-8
Alfentanil	71195-58-9
Alpha-methylfentanyl	79704-88-4
Alpha-methylthiofentanyl	103963-66-2
Beta-hydroxyfentanyl	78995-10-5
Beta-hydroxy-3-methylfentanyl	78995-14-9
Fentanyl	437-38-7
3-methylfentanyl	42045-86-3
3-methylthiofentanyl	86052-04-2
Para-fluorofentanyl	90736-23-5
Remifentanil	132875-61-7
Sufentanil	56030-54-7
Thiofentanyl	60771-38-2
Acryloylfentanyl (Acrylfentanyl)	82003-75-6
Carfentanil	59708-52-0
4-Fluoroisobutyrfentanyl (4-FIBF, pFIBF)	244195-32-2
Furanyl fentanyl	101345-66-8
Ocfentanil	101343-69-5
Tetrahydrofuranyl fentanyl (THF-F)	2142571-01-3
Cyclopropylfentanyl	1169-68-2
Methoxyacetylfentanyl	101345-67-9

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
Orthofluorofentanyl	910616-29-4
Parafluorobutyrylfentanyl	244195-31-1
Crotonylfentanyl	760930-59-4
Valeryl fentanyl	122882-90-0
4-Anilino- N-phenethylpiperidine (ANPP)	21409-26-7
N-Phenethyl-4-piperidone (NPP)	39742-60-4
Dialkyl(\leq C10) chlorophosphates	N/A
Dialkyl(\leq C10) fluorophosphates	N/A
N,N-Methylisopropylacetamide	1339185-57-7
N,N-Methylethylacetamide	1339632-40-4
N,N-Ethylisopropylacetamide	1339156-10-3
N,N-Methylpropylacetamide	1344238-28-3
N,N-Ethylpropylacetamide	1339737-43-7
N,N-Isopropylpropylacetamide	1341389-98-7
N,N-Methylethylpropanamide	1339424-26-8
N,N-Ethylisopropylpropanamide	1344354-09-1
N,N-Methylpropylpropanamide	1340216-25-2
N,N-Ethylpropylpropanamide	1341493-60-4
N,N-Isopropylpropylpropanamide	1343225-93-3
N,N-Methylisopropylpropanamide	1339042-55-5
N,N-Methylethylbutanamide	1341049-51-1
N,N-Methylpropylbutanamide	1343721-02-7
N,N-Ethylpropylbutanamide	1343806-12-1
N,N-Isopropylpropylbutanamide	1343316-02-8
N,N-Methylisopropylbutanamide	1340219-94-4
N,N-Ethylisopropylbutanamide	1342204-10-7
N,N-Methylethylisobutanamide	1342365-47-2
N,N-Ethylpropylisobutanamide	1342566-58-8
N,N-Methylpropylisobutanamide	1342270-21-6
N,N-Isopropylpropylisobutanamide	1342156-11-9
N,N-Methylisopropylisobutanamide	1341992-96-8
N,N-Ethylisopropylisobutanamide	1339048-76-8
N,N-Dimethylacetamide hydrobromide	1801188-12-4

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
N,N-Dimethylacetamidine hydrochloride	2909-15-1
N,N-Diethylacetamidine hydrochloride	91400-32-7
N,N-Diethylacetamidine hydrobromide	78053-54-0
N,N-Dimethylpropanamidine dihydrochloride	79972-73-9
N,N-Dimethylpropanamidine hydrochloride	56776-15-9
Calcium carbide	75-20-7
Carbon monoxide	630-08-0
Monoethyleneglycol	107-21-1
Sulphur	7704-34-9
Sulphur dioxide	7446-09-5

Equipment

<i>Item (1)</i>
Floor-mounted fume hoods (walk-in style) with a minimum nominal width of 2.5 metres.
Full face-mask air-purifying and air-supplying respirators.
Class II biosafety cabinets and glove boxes.
Batch centrifuges with a rotor capacity of 4 L or greater, usable with biological materials.
Fermenters with an internal volume of 10 L – 20 L, usable with biological materials.
Reaction vessels, reactors, agitators, heat exchangers, condensers, pumps (including single seal pumps), valves, storage tanks, containers, receivers, and distillation or absorption columns that meet AG performance parameters, regardless of their materials of construction.
Conventional or turbulent air-flow clean-air rooms and self-contained fan-HEPA filter units that may be used for P3 or P4 (BSL 3, BSL 4, L3, L4) containment facilities.
Vacuum pumps with a manufacturer's specified maximum flow-rate greater than 1 m ³ /h (under standard temperature and pressure conditions), casings (pump bodies), preformed casing-liners, impellers, rotors, and jet pump nozzles designed for such pumps, in which all surfaces that come into direct contact with the chemicals being processed are made from controlled materials.
Laboratory equipment, including parts and accessories for such equipment, for the analysis or detection, destructive or non-destructive, of chemical substances.
Whole chlor-alkali electrolysis cells – mercury, diaphragm, and membrane.
Titanium electrodes (including those with coatings produced from other metal oxides), specially designed for use in chlor-alkali cells.
Nickel electrodes (including those with coatings produced from other metal oxides), specially designed for use in chlor-alkali cells.
Bipolar titanium nickel electrodes (including those with coatings produced from other metal oxides), specially designed for use in chlor-alkali cells.
Asbestos diaphragms specially designed for use in chlor-alkali cells.

<i>Item (1)</i>
Fluoropolymer based diaphragms specially designed for use in chlor-alkali cells.
Fluoropolymer based ion exchange membranes specially designed for use in chlor-alkali cells.
Compressors specially designed to compress wet or dry chlorine, regardless of material of construction.
Microwave reactors— Machinery, plant or laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature such as heating 84 19 89 98 00.
Microreactors— Instruments and apparatus for physical or chemical analysis: 90 27 89 90 00 BE (classified similar item to 90 27 80 17 90, now invalid due to code changes), for similar microreactors.
Solid & Liquid Aerosol generating equipment— Mechanical appliances (whether or not hand-operated), for projecting, dispersing or spraying liquids or powders: 84 24 89 70 00.

Laboratory equipment

<i>Item (1)</i>
Next-generation (second generation) and third generation DNA and RNA sequencers
PCR Machines and qPCR (real-time) PCR machines
Solid phase DNA and RNA synthesisers
Peptide synthesizers
Automated nucleic acid extraction systems
Ultracentrifuges
Probe sonicators
Fast protein liquid chromatography (FPLC) systems (medium pressure chromatography systems)
Cell disruptors and tissue homogenisers, with a volume of 1 L or greater

Associated Parts and Consumables

<i>Item (1)</i>	<i>(2)</i>
Next generation (second generation) and third generation DNA and RNA sequencers	DNA and RNA sequencing reagent kits
	Library and template preparation kits
	Cluster generation kits
	Flow cells
PCR Machines and qPCR (real-time) PCR machines	

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Item (1)</i>	<i>(2)</i>
Solid phase DNA and RNA synthesisers	Nucleoside phosphoramidites Columns Solid support resin Reagent kits Synthesis reagents
Peptide synthesizers	Fmoc and T-Boc protected amino acids Resins Synthesis reagents
Automated nucleic acid extraction systems	Reagents Rotor adapters
Ultracentrifuges	Ultracentrifuge rotors with total capacity 1 L or greater
Probe sonicators	Sonicator probes over 25mm diameter High volume (1 L or greater) sonicator continuous flow cell
Fast protein liquid chromatography (FPLC) systems (medium pressure chromatography systems)	FPLC columns Reagents
Cell disruptors and tissue homogenisers	

Other related items

<i>Item (1)</i>
0B999 Specific processing equipment as follows: <ol style="list-style-type: none"> a. Ring magnets. b. Hot cells. c. Glove boxes suitable for use with radioactive materials.
0D999 Specific software, as follows: <ol style="list-style-type: none"> a. Software for neutronic calculations/modelling; b. Software for radiation transport calculations/modelling; c. Software for hydrodynamic calculations/modelling.
1A995 Protective and detection equipment as follows and specially designed components therefor. <ol style="list-style-type: none"> a. Personal radiation monitoring dosimeters; b. Equipment limited by design or function to protect against hazards specific to civil industries, such as mining, quarrying, agriculture, pharmaceuticals, medical, veterinary, environmental, waste management, or to the food industry.

Item (1)

Note: This entry does not control items for protection against chemical or biological agents that are consumer goods, packaged for retail sale or personal use, or medical products, such as latex exam gloves, latex surgical gloves, liquid disinfectant soap, disposable surgical drapes, surgical gowns, surgical foot covers, and surgical masks.

1A999 Specific processing equipment as follows:

Radiation detection, monitoring and measurement equipment

Radiographic detection equipment such as x-ray converters, and storage phosphor image plates.

1C991 Vaccines, immunotoxins, medical products, diagnostic and food testing kits, as follows.

Technical note:- For the purpose of this entry, ‘immunotoxins’ are monoclonal antibodies linked to a toxin with the intention of destroying a specific target cell while leaving adjacent cells intact. For the purpose of this entry, “medical products” are: (1) pharmaceutical formulations designed for testing and human (or veterinary) administration in the treatment of medical conditions, (2) prepackaged for distribution as clinical or medical products. For the purpose of this entry, “diagnostic and food testing kits” are specifically developed, packaged and marketed for diagnostic or public health purposes. For the purpose of this entry, “vaccine” is defined as a medicinal (or veterinary) product in a pharmaceutical formulation that is intended to stimulate a protective immunological response in humans or animals in order to prevent disease in those to whom or to which it is administered.

Technical Note: For purposes of the controls described in this entry ‘toxins’ refers to those toxins, or their subunits, controlled under 1C351.d of Annex I of the Dual-Use Regulation

a. Vaccines containing, or designed for use against, items controlled by 1C351, 1C353 or 1C354 of Annex I of the Dual-Use Regulation;

b. Immunotoxins containing items controlled by 1C351.d of Annex I of the Dual-Use Regulation;

c. Medical products that contain any of the following:

c.1. Toxins controlled by 1C351.d of Annex I of the Dual-Use Regulation (*except for* botulinum toxins controlled by 1C351.d.3 of Annex I of the Dual-Use Regulation, conotoxins controlled by 1C351.d.6, of Annex I of the Dual-Use Regulation or items controlled for CW reasons under 1C351.d.11 or .d.12 of Annex I of the Dual-Use Regulation); or

c.2. Genetically modified organisms or genetic elements controlled by 1C353.a.3 of Annex I of the Dual-Use Regulation (*except for* those that contain, or code for, botulinum toxins controlled by 1C351.d.3 of Annex I of the Dual-Use Regulation or conotoxins controlled by 1C351.d.6 of Annex I of the Dual-Use Regulation);

d. Medical products not controlled by 1C991.c that contain any of the following:

d.1. Botulinum toxins controlled by 1C351.d.3 of Annex I of the Dual-Use Regulation;

d.2. Conotoxins controlled by 1C351.d.6 of Annex I of the Dual-Use Regulation; or

d.3. Genetically modified organisms or genetic elements controlled by 1C353.a.3 of Annex I of the Dual-Use Regulation that contain, or code for, botulinum toxins controlled by 1C351.d.3 of Annex I of the Dual-Use Regulation or conotoxins controlled by 1C351.d.6 of Annex I of the Dual-Use Regulation;

e. Diagnostic and food testing kits containing items controlled by 1C351.d of Annex I of the Dual-Use Regulation.

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

1C995 Mixtures that contain chemicals controlled by 1C350 or 1C450 of Annex 1 of the Dual-Use Regulation and medical, analytical, diagnostic, and food testing kits that contain chemicals controlled by 1C350, as follows:

For the purpose of this entry, “medical, analytical, diagnostic, and food testing kits” are pre-packaged materials of defined composition that are specifically developed, packaged and marketed for medical, analytical, diagnostic, or public health purposes.

a. Mixtures containing the following concentrations of precursor chemicals controlled by 1C350 of Annex I of the Dual-Use Regulation:

a.1. Mixtures containing 10 per cent or less, by weight, of any of the following—

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
Arsenic trichloride;	7784-34-1
Benzilic acid;	76-93-7
Diethyl ethylphosphonate;	78-38-6
Diethyl methylphosphonate;	683-08-9
Diethyl methylphosphonite	15715-41-0
Diethyl-N,N-dimethylphosphoroamidate;	2404-03-7
N,N-Diisopropylaminoethanethiol hydrochloride;	41480-75-5
N,N-Diisopropyl-beta-aminoethane thiol;	5842-07-9
N,N-Diisopropyl-beta-aminoethanol;	96-80-0
N,N-Diisopropyl-beta-aminoethyl chloride;	96-79-7
N,N-Diisopropyl-beta-aminoethyl chloride hydrochloride;	4261-68-1
Dimethyl ethylphosphonate;	6163-75-3
Dimethyl methylphosphonate;	756-79-6
N,N-dimethylamino-phosphoryl dichloride;	677-43-0
Ethyl phosphonous dichloride [Ethyl phosphinyl dichloride];	1498-40-4
Ethyl phosphonus difluoride [Ethyl phosphinyl difluoride];	430-78-4
Ethyl phosphoryl dichloride;	1066-50-8
Methylphosphonic acid;	993-13-5
Methylphosphonothioic dichloride.	676-98-2
Pinacolyl alcohol;	464-07-3
3-Quinuclidinol;	1619-34-7
Thiodiglycol.	111-48-8

a.2. Mixtures containing less than 30 per cent., by weight, of:

a.2.a. Any of the following—

<i>Chemical Name</i>	<i>CAS Number</i>
Diethyl phosphite;	762-04-9
Dimethyl phosphite (dimethyl hydrogen phosphite);	868-85-9
Ethyldiethanolamine;	139-87-7
Phosphorus oxychloride;	10025-87-3
Phosphorus pentachloride;	10026-13-8
Phosphorus trichloride;	7719-12-2
Sulfur dichloride;	10545-99-0
Sulfur monochloride;	10025-67-9
Thionyl chloride;	7719-09-7
Triethanolamine;	102-71-6
Triethyl phosphite;	122-52-1
Trimethyl phosphite.	121-45-9

or

a.2.b. Any of the following single precursor chemicals—

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
Ammonium hydrogen fluoride;	1341-49-7
2-Chloroethanol;	107-07-3
Diethylamine;	109-89-7
N,N-Diethylaminoethanol;	100-37-8
Diethyl chlorophosphite;	589-57-1
O,O-Diethyl phosphorodithioate;	298-06-6
O,O-Diethyl phosphorothioate;	2465-65-8
Di-isopropylamine;	108-18-9
Dimethylamine;	124-40-3
Dimethylamine hydrochloride;	506-59-2
Ethyl chlorofluorophosphate;	762-77-6
Ethyl dichlorophosphate;	1498-51-7
Ethyl difluorophosphate;	460-52-6
Hydrogen fluoride;	7664-39-3
3-Hydroxyl-1-methylpiperidine;	3554-74-3
Methyl benzilate;	76-89-1
Methyl chlorofluorophosphate;	754-01-8
Methyl dichlorophosphate;	677-24-7

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
Methyl difluorophosphate;	22382-13-4
N,N Diethylacetamide;	14277-06-6
N,N-Diethylbutanamide;	53510-30-8
N,N-Diethylformamide;	90324-67-7
N,N Diethylisobutanamide;	1342789-47-2
N,N-Diethylpropanamide;	84764-73-8
N,N-Diisopropylbutanamide;	1315467-17-4
N,N-Diisopropylformamide;	857522-08-8
N,N-Dimethylacetamide;	2909-14-0
N,N-Dimethylbutanamide;	1340437-35-5
N,N-Dimethylformamide;	44205-42-7
N,N-Dimethylisobutanamide;	321881-25-8
N,N-Dimethylpropanamide;	56776-14-8
N,N-Dipropylacetamide;	1339586-99-0
N,N-Dipropylbutanamide;	1342422-35-8
N,N-Dipropylformamide;	48044-20-8
N,N-Dipropylisobutanamide;	1342700-45-1
N,N-Dipropylpropanamide;	1341496-89-6
Phosphorus pentasulfide;	1314-80-3
Pinacolone;	75-97-8
Potassium bifluoride;	7789-29-9
Potassium cyanide;	151-50-8
Potassium fluoride;	7789-23-3
3-Quinuclidone;	3731-38-2
Sodium bifluoride;	1333-83-1
Sodium cyanide;	143-33-9
Sodium fluoride;	7681-49-4
Sodium hexafluorosilicate;	16893-85-9
Sodium sulfide;	1313-82-2
Triethanolamine hydrochloride;	637-39-8
Tri-isopropyl phosphite.	116-17-6

b. Mixtures containing the following concentrations of toxic or precursor chemicals controlled by 1C450 of Annex I of the Dual-Use Regulation—

b.1. Mixtures containing the following concentrations of CWC Schedule 2 chemicals controlled by 1C450.a.2, 1C450.b1, 1C450.b.2, 1C450.b.3, 1C450.b.4, 1C450.b.5 or 1C450.b.6 of Annex I of the Dual-Use Regulation;

b.1.a. Mixtures containing 1 per cent. or less, by weight, of any single CWC Schedule 2 chemical controlled by 1C450.a.2 of Annex I of the Dual-Use Regulation (i.e., mixtures containing PFIB); or

b.1.b. Mixtures containing 10 per cent. or less, by weight, of any single CWC Schedule 2 chemical controlled by 1C450.b1, 1C450.b.2, 1C450.b.3, 1C450.b.4, 1C450.b.5 or 1C450.b.6 of Annex I of the Dual-Use Regulation.

b.2. Mixtures containing less than 30 per cent., by weight, of any single CWC Schedule 3 chemical controlled by 1C450.a.4, 1C450.a.5, 1C450.a.6, 1C450.a.7, 1C450.b.8, of Annex I of the Dual-Use Regulation.

c. “Medical, analytical, diagnostic, and food testing kits” that contain precursor chemicals controlled by the following in an amount not exceeding 300 grams per chemical.

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
Ammonium hydrogen fluoride;	1341-49-7
2-Chloroethanol;	107-07-3
Diethylamine;	109-89-7
N,N-Diethylaminoethanol;	100-37-8
Diethyl chlorophosphite;	589-57-1
O,O-Diethyl phosphorodithioate;	298-06-6
O,O-Diethyl phosphorothioate;	2465-65-8
Di-isopropylamine;	108-18-9
Dimethylamine;	124-40-3
Dimethylamine hydrochloride;	506-59-2
Ethyl chlorofluorophosphate;	762-77-6
Ethyl dichlorophosphate;	1498-51-7
Ethyl difluorophosphate;	460-52-6
Hydrogen fluoride;	7664-39-3
3-Hydroxyl-1-methylpiperidine;	3554-74-3
Methyl benzilate;	76-89-1
Methyl chlorofluorophosphate;	754-01-8
Methyl dichlorophosphate;	677-24-7
Methyl difluorophosphate;	22382-13-4
N,N Diethylacetamidine;	14277-06-6
N,N-Diethylbutanamidine;	53510-30-8
N,N-Diethylformamidine;	90324-67-7
N,N Diethylisobutanamidine;	1342789-47-2
N,N-Diethylpropanamidine;	84764-73-8

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
N,N-Diisopropylbutanamide;	1315467-17-4
N,N-Diisopropylformamide;	857522-08-8
N,N-Dimethylacetamide;	2909-14-0
N,N-Dimethylbutanamide;	1340437-35-5
N,N-Dimethylformamide;	44205-42-7
N,N-Dimethylisobutanamide;	321881-25-8
N,N-Dimethylpropanamide;	56776-14-8
N,N-Dipropylacetamide;	1339586-99-0
N,N-Dipropylbutanamide;	1342422-35-8
N,N-Dipropylformamide;	48044-20-8
N,N-Dipropylisobutanamide;	1342700-45-1
N,N-Dipropylpropanamide;	1341496-89-6
Phosphorus pentasulfide;	1314-80-3
Pinacolone;	75-97-8
Potassium bifluoride;	7789-29-9
Potassium cyanide;	151-50-8
Potassium fluoride;	7789-23-3
3-Quinuclidone;	3731-38-2
Sodium bifluoride;	1333-83-1
Sodium cyanide;	143-33-9
Sodium fluoride;	7681-49-4
Sodium hexafluorosilicate;	16893-85-9
Sodium sulfide;	1313-82-2
Triethanolamine hydrochloride;	637-39-8
Tri-isopropyl phosphite.	116-17-6]

[^{F271}SCHEDULE 2I

Regulation 20(3)

Machinery-Related Goods and Machinery-Related Technology

Textual Amendments

F271 Sch. 2I inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), reg. 1(2), Sch.

PART 1

Interpretation

1.—(1) Paragraph 1 of Schedule 2B applies for the purposes of interpreting Part 2 of this Schedule.

(2) Terms printed in quotation marks and not defined in this Schedule have the meaning given to them in—

- (a) Schedules 2 and 3 to the Export Control Order 2008 , or
- (b) Annex I of the Dual-Use Regulation ,

as applicable.

PART 2

Machinery-related goods

2. Any thing falling within—

- (a) a commodity code mentioned in column 1 of the following table, and
- (b) the description in column 2 corresponding to that code.

<i>Commodity code</i> (1)	<i>Description (2)</i>
8401	Nuclear reactors; fuel elements (cartridges), non-irradiated, for nuclear reactors; machinery and apparatus for isotopic separation:
8402	Steam or other vapour generating boilers (other than central heating hot water boilers capable also of producing low pressure steam); superheated water boilers:
8404	Auxiliary plant for use with boilers of heading 8402 or 8403 (for example, economisers, superheaters, soot removers, gas recoverers); condensers for steam or other vapour power units
8405	Producer gas or water gas generators, with or without their purifiers; acetylene gas generators and similar water process gas generators, with or without their purifiers
8406	Steam turbines and other vapour turbines:
8407	Spark-ignition reciprocating or rotary internal combustion piston engines
8408	Compression-ignition internal combustion piston engines (diesel or semidiesel engines):
8409	Parts suitable for use solely or principally with the engines of heading 8407 or 8408
8410	Hydraulic turbines, water wheels, and regulators therefor
8412	Other engines and motors
8413	Pumps for liquids, whether or not fitted with a measuring device; liquid elevators:

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Commodity code</i> <i>(1)</i>	<i>Description (2)</i>
8415	Air-conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated
8416	Furnace burners for liquid fuel, for pulverised solid fuel or for gas; mechanical stokers, including their mechanical grates, mechanical ash dischargers and similar appliances
Ex 84 18	Heat pumps other than air-conditioning machines of heading 8415
8420	Calendering or other rolling machines, other than for metals or glass, and cylinders therefor
8421	Centrifuges, including centrifugal dryers; filtering or purifying machinery and apparatus, for liquids or gases
Ex 84 22	Machinery for cleaning or drying bottles or other containers; machinery for filling, closing, sealing or labelling bottles, cans, boxes, bags or other containers; machinery for capsuling bottles, jars, tubes and similar containers; other packing or wrapping machinery (including heat-shrink wrapping machinery); machinery for aerating beverages
8423	Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight-operated counting or checking machines; weighing machine weights of all kinds
8424	Mechanical appliances (whether or not hand-operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers, whether or not charged; spray guns and similar appliances; steam or sandblasting machines and similar jet projecting machines
8425	Pulley tackle and hoists other than skip hoists; winches and capstans; jacks
8426	Ships' derricks; cranes, including cable cranes; mobile lifting frames, straddle carriers and works trucks fitted with a crane
8427	Fork-lift trucks; other works trucks fitted with lifting or handling equipment
8428	Other lifting, handling, loading or unloading machinery (for example, lifts, escalators, conveyors, teleferics)
8429	Self-propelled bulldozers, angledozers, graders, levellers, scrapers, mechanical shovels, excavators, shovel loaders, tamping machines and roadrollers
8430	Other moving, grading, levelling, scraping, excavating, tamping, compacting, extracting or boring machinery, for earth, minerals or ores; piledrivers and pile extractors; snowploughs and snowblowers
8431	Parts suitable for use solely or principally with the machinery of headings 8425 to 8430
8439	Machinery for making pulp of fibrous cellulosic material or for making or finishing paper or paperboard
8440	Bookbinding machinery, including book-sewing machines

<i>Commodity code</i> (1)	<i>Description (2)</i>
8441	Other machinery for making up paper pulp, paper or paperboard, including cutting machines of all kinds
8442	Machinery, apparatus and equipment (other than the machine tools of headings 8456 to 8465) for preparing or making plates, cylinders or other printing components; plates, cylinders and other printing components; plates, cylinders and lithographic stones, prepared for printing purposes (for example, planed, grained or polished)
8443	Printing machinery used for printing by means of plates, cylinders and other printing components of heading 8442; other printers, copying machines and facsimile machines, whether or not combined; parts and accessories thereof
8444 00	Machines for extruding, drawing, texturing or cutting man-made textile materials:
8445	Machines for preparing textile fibres; spinning, doubling or twisting machines and other machinery for producing textile yarns; textile reeling or winding (including weft-winding) machines and machines for preparing textile yarns for use on the machines of heading 8446 or 8447
8447	Knitting machines, stitch-bonding machines and machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net and machines for tufting
8448	Auxiliary machinery for use with machines of heading 8444 , 8445 , 8446 or 8447 (for example, dobbies, jacquards, automatic stop motions, shuttle changing mechanisms); parts and accessories suitable for use solely or principally with the machines of this heading or of heading 8444 , 8445 , 8446 or 8447 (for example, spindles and spindle flyers, card clothing, combs, extruding nipples, shuttles, healds and heald-frames, hosiery needles)
8449 00 00	Machinery for the manufacture or finishing of felt or nonwovens in the piece or in shapes, including machinery for making felt hats; blocks for making hats
8453	Machinery for preparing, tanning or working hides, skins or leather or for making or repairing footwear or other articles of hides, skins or leather, other than sewing machines
8454	Converters, ladles, ingot moulds and casting machines, of a kind used in metallurgy or in metal foundries
8455	Metal-rolling mills and rolls therefor
8457	Machining centres, unit construction machines (single station) and multi-station transfer machines, for working metal
8458	Lathes (including turning centres) for removing metal
8466	Parts and accessories suitable for use solely or principally with the machines of headings 8456 to 8465 , including work or tool holders, self- opening dieheads, dividing heads and other special attachments for machine tools; tool holders for any type of tool for working in the hand
8467	Tools for working in the hand, pneumatic, hydraulic or with self- contained electric or non-electric motor

<i>Commodity code</i> <i>(1)</i>	<i>Description (2)</i>
8468	Machinery and apparatus for soldering, brazing or welding, whether or not capable of cutting, other than those of heading 8515 ; gas-operated surface tempering machines and appliances
8471	Automatic data-processing machines and units thereof; magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data, not elsewhere specified or included
8474	Machinery for sorting, screening, separating, washing, crushing, grinding, mixing or kneading earth, stone, ores or other mineral substances, in solid (including powder or paste) form; machinery for agglomerating, shaping or moulding solid mineral fuels, ceramic paste, unhardened cements, plastering materials or other mineral products in powder or paste form; machines for forming foundry moulds of sand
8475	Machines for assembling electric or electronic lamps, tubes or valves or flashbulbs, in glass envelopes; machines for manufacturing or hot working glass or glassware
8477	Machinery for working rubber or plastics or for the manufacture of products from these materials, not specified or included elsewhere in this chapter
8479	Machines and mechanical appliances having individual functions, not specified or included elsewhere in this chapter
8480	Moulding boxes for metal foundry; mould bases; moulding patterns; moulds for metal (other than ingot moulds), metal carbides, glass, mineral materials, rubber or plastics
8481	Taps, cocks, valves and similar appliances for pipes, boiler shells, tanks, vats or the like, including pressure-reducing valves and thermostatically controlled valves
8482	Ball or roller bearings
8483	Transmission shafts (including cam shafts and crank shafts) and cranks; bearing housings and plain shaft bearings; gears and gearing; ball or roller screws; gear boxes and other speed changers, including torque converters; flywheels and pulleys, including pulley blocks; clutches and shaft couplings (including universal joints)
8484	Gaskets and similar joints of metal sheeting combined with other material or of two or more layers of metal; sets or assortments of gaskets and similar joints, dissimilar in composition, put up in pouches, envelopes or similar packings; mechanical seals
8501	Electric motors and generators (excluding generating sets)
8502	Electric generating sets and rotary converters
8503	Parts suitable for use solely or principally with electric motors and generators, electric generating sets or rotary converters not specified elsewhere
8504	Electrical transformers, static converters (for example, rectifiers) and inductors; parts thereof

<i>Commodity code</i> (1)	<i>Description (2)</i>
8505	Electromagnets (other than for medical use); permanent magnets and articles intended to become permanent magnets after magnetisation; electromagnetic or permanent magnet chucks, clamps and similar holding devices; electromagnetic couplings, clutches and brakes; electromagnetic lifting heads; parts thereof
8507	Electric accumulators, incl. separators therefor, whether or not square or rectangular; parts thereof (excl. spent and those of unhardened rubber or textiles)
8511	Electrical ignition or starting equipment of a kind used for spark-ignition or compression-ignition internal combustion engines (for example, ignition magnetos, magneto-dynamos, ignition coils, sparking plugs and glow plugs, starter motors); generators (for example, dynamos, alternators) and cut-outs of a kind used in conjunction with such engines; parts thereof
8514	Industrial or laboratory electric furnaces and ovens (including those functioning by induction or dielectric loss); other industrial or laboratory equipment for the heat treatment of materials by induction or dielectric loss; parts thereof
8529	Parts suitable for use solely or principally with the apparatus of headings 8525 to 8528
8537	Boards, panels, consoles, desks, cabinets and other bases, equipped with two or more apparatus of headings 8535 or 8536 , for electric control or the distribution of electricity, including those incorporating instruments or apparatus of Chapter 90, and numerical control cabinets (excl. switching apparatus for line telephony or line telegraphy or videophones)
8538	Parts suitable for use solely or principally with the apparatus of headings 8535 , 8536 or 8537 not specified elsewhere
8539	Electric filament or discharge lamps, including sealed beam lamp units and ultraviolet or infra-red lamps; arc lamps; parts thereof
8544	Insulated (incl. enamelled or anodised) wire, cable (incl. coaxial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors
8545	Carbon electrodes, carbon brushes, lamp carbons, battery carbons and other articles of graphite or other carbon, with or without metal, of a kind used for electrical purposes
8547	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal (for example, threaded sockets) incorporated during moulding solely for purposes of assembly, other than insulators of heading 8546 ; electrical conduit tubing and joints therefor, of base metal lined with insulating material
8548	Waste and scrap of primary cells, primary batteries and electric accumulators; spent primary cells, spent primary batteries and spent electric accumulators; electrical parts of machinery or apparatus, not specified elsewhere in Chapter 85

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

<i>Commodity code</i>	<i>Description (2)</i>
(1)	Confidential products under Chapter 85; goods under Chapter 85 transported by post or by parcel post (extra)/reconstituted code for statistical distribution

Machinery-related technology

3. “Software” for the “development”, “production” or “use” of any thing falling within paragraphs 2 and 3.

4. “Technology” for the “development”, “production” or “use” of any thing falling within paragraphs 2 to 4.]

[^{F272}SCHEDULE 2J

Regulation 20(3)

Cement, Gold, Gold Jewellery, Rubber and Wood Products

Textual Amendments

F272 Sch. 2J inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), reg. 1(2), Sch.

PART 1

Interpretation

1. Paragraph 1 of Schedule 2B applies for the purposes of interpreting Part 2 of this Schedule.

PART 2

Cement, gold, gold jewellery, rubber and wood products

2. “cement” means any thing falling within—
- a commodity code mentioned in column 1 of the following table, and
 - the description in column 2 corresponding to that code.

<i>(1)</i>	<i>(2)</i>
<i>Commodity Code</i>	<i>Description</i>
2523	Cement, incl. cement clinkers, whether or not coloured
6810	Articles of cement, concrete or artificial stone, whether or not reinforced

3. “gold” means any thing falling within—
- a commodity code mentioned in column 1 of the following table, and

(b) the description in column 2 corresponding to that code.

<i>(1)</i>	<i>(2)</i>
<i>Commodity Code</i>	<i>Description</i>
7108	Gold (including gold plated with platinum), unwrought or in semi-manufactured forms, or in powder form
71129 10000	Waste and scrap of gold, including metal clad with gold but excluding sweepings containing other precious metals
ex 7118 9000	Gold coin

4. “gold jewellery” means any thing falling within—

- (a) a commodity code mentioned in column 1 of the following table, and
 (b) the description in column 2 corresponding to that code.

<i>(1)</i>	<i>(2)</i>
<i>Commodity Code</i>	<i>Description</i>
Ex 7113	Articles of jewellery and parts thereof, of gold, containing gold or of metal clad with gold
Ex 7114	Articles of goldsmiths’ or silversmiths’ wares and parts thereof, of gold, containing gold or of metal clad with gold

5. “rubber” means any thing falling within—

- (a) a commodity code mentioned in column 1 of the following table, and
 (b) the description in column 2 corresponding to that code.

<i>(1)</i>	<i>(2)</i>
<i>Commodity Code</i>	<i>Description</i>
4011	New pneumatic tyres, of rubber

6. “wood” means any thing falling within—

- (a) a commodity code mentioned in column 1 of the following table, and
 (b) the description in column 2 corresponding to that code.

<i>(1)</i>	<i>(2)</i>
<i>Commodity Code</i>	<i>Description</i>
44	Wood and articles of wood; wood charcoal]

SCHEDULE 3

Regulation 32

Treasury licences: purposes

[^{F273}PART 1

Asset-freeze etc.]

Textual Amendments

F273 Sch. 3 Pt. 1 heading inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **38(b)**

^{F274}**Interpretation**

1. In this [^{F275}Part] —

^{F276} ...

“designated person” has the same meaning as it has in Part 3 (Finance);

^{F276} ...

“frozen funds or economic resources” means funds or economic resources frozen by virtue of regulation 11, and any reference to a person's frozen funds or economic resources is to funds or economic resources frozen as a consequence of the designation of that person for the purpose of that regulation.

Textual Amendments

F274 Sch. 3 paras. 1-9 become Sch. 3 Pt. 1 (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **38(a)**

F275 Word in Sch. 3 para. 1 substituted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **38(c)(i)**

F276 Words in Sch. 3 para. 1 omitted (14.10.2021 at noon) by virtue of [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **38(c)(ii)**

Commencement Information

I199 Sch. 3 para. 1 not in force at made date, see [reg. 1\(2\)](#)

I200 Sch. 3 para. 1 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Basic needs

2.—(1) To enable the basic needs of a designated person, or (in the case of an individual) any dependent family member of such a person, to be met.

(2) In the case of an individual in sub-paragraph (1), “basic needs” includes—

(a) medical needs;

(b) needs for—

(i) food;

(ii) [^{F277}payment] of insurance premiums;

- (iii) [^{F278}payment] of tax;
- (iv) rent or mortgage payments;
- (v) utility payments.

(3) In the case of a person other than an individual in sub-paragraph (1), “basic needs” includes needs for—

- (a) payment of insurance premiums;
- (b) payment of reasonable fees for the provision of property management services;
- (c) payment of remuneration, allowances or pensions of employees;
- (d) payment of tax;
- (e) rent or mortgage payments;
- (f) utility payments.

(4) In sub-paragraph (1)—

“dependent” means financially dependent;

“family member” includes—

- (a) the wife or husband of the designated person;
- (b) the civil partner of the designated person;
- (c) any parent or other ascendant of the designated person;
- (d) any child or other descendant of the designated person;
- (e) any person who is a brother or sister of the designated person, or a child or other descendant of such a person.

Textual Amendments

F274 Sch. 3 paras. 1-9 become Sch. 3 Pt. 1 (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **38(a)**

F277 Word in Sch. 3 para. 2(2)(b)(ii) substituted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **6(8)**; S.I. 2020/1514, **reg. 4**

F278 Word in Sch. 3 para. 2(2)(b)(iii) substituted (31.12.2020 immediately after IP completion day) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2020 \(S.I. 2020/590\)](#), regs. 1(2), **6(8)**; S.I. 2020/1514, **reg. 4**

Commencement Information

I201 Sch. 3 para. 2 not in force at made date, see [reg. 1\(2\)](#)

I202 Sch. 3 para. 2 in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 12(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Legal services

3. To enable the payment of—

- (a) reasonable professional fees for the provision of legal services, or
- (b) reasonable expenses associated with the provision of legal services.

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

Textual Amendments

F274 Sch. 3 paras. 1-9 become Sch. 3 Pt. 1 (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **38(a)**

Commencement Information

I203 Sch. 3 para. 3 not in force at made date, see [reg. 1\(2\)](#)

I204 Sch. 3 para. 3 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Maintenance of frozen funds and economic resources

4. To enable the payment of—
 - (a) reasonable fees, or
 - (b) reasonable service charges,

arising from the routine holding or maintenance of frozen funds or economic resources.

Textual Amendments

F274 Sch. 3 paras. 1-9 become Sch. 3 Pt. 1 (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **38(a)**

Commencement Information

I205 Sch. 3 para. 4 not in force at made date, see [reg. 1\(2\)](#)

I206 Sch. 3 para. 4 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Extraordinary expenses

5. To enable an extraordinary expense of a designated person to be met.

Textual Amendments

F274 Sch. 3 paras. 1-9 become Sch. 3 Pt. 1 (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **38(a)**

Commencement Information

I207 Sch. 3 para. 5 not in force at made date, see [reg. 1\(2\)](#)

I208 Sch. 3 para. 5 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Pre-existing judicial decisions etc

6. To enable, by the use of a designated person's frozen funds or economic resources, the implementation or satisfaction (in whole or in part) of a judicial, administrative or arbitral decision or lien, provided that—

- (a) the funds or economic resources so used are the subject of the decision or lien,
- (b) the decision or lien—
 - (i) was made or established before the date on which the person became a designated person, and
 - (ii) is enforceable in the United Kingdom, and

- (c) the use of the frozen funds or economic resources does not directly or indirectly benefit any other designated person.

Textual Amendments

F274 Sch. 3 paras. 1-9 become Sch. 3 Pt. 1 (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **38(a)**

Commencement Information

I209 Sch. 3 para. 6 not in force at made date, see [reg. 1\(2\)](#)

I210 Sch. 3 para. 6 in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 12(2)**; 2020 c. 1, Sch. 5 para. 1(1)

[^{F279}**Diplomatic missions etc.**

7.—(1) To enable anything to be done in order that the functions of a diplomatic mission or consular post in Belarus or of an international organisation enjoying immunities in accordance with international law may be carried out.

(2) To enable anything to be done in order that the functions of a diplomatic mission or consular post of Belarus in the United Kingdom may be carried out.]

Textual Amendments

F274 Sch. 3 paras. 1-9 become Sch. 3 Pt. 1 (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **38(a)**

F279 Sch. 3 para. 7 substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **44(a)**

Extraordinary situation

8. To enable anything to be done to deal with an extraordinary situation.

Textual Amendments

F274 Sch. 3 paras. 1-9 become Sch. 3 Pt. 1 (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **38(a)**

Commencement Information

I211 Sch. 3 para. 8 not in force at made date, see [reg. 1\(2\)](#)

I212 Sch. 3 para. 8 in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 12(2)**; 2020 c. 1, Sch. 5 para. 1(1)

Prior obligations

9. To enable, by the use of a designated person's frozen funds or economic resources, the satisfaction of an obligation of that person (whether arising under a contract, other agreement or otherwise), provided that—

- (a) the obligation arose before the date on which the person became a designated person, and
(b) no payments are made to another designated person, whether directly or indirectly.]

Changes to legislation: There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

Textual Amendments

F274 Sch. 3 paras. 1-9 become Sch. 3 Pt. 1 (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **38(a)**

Commencement Information

I213 Sch. 3 para. 9 not in force at made date, see [reg. 1\(2\)](#)

I214 Sch. 3 para. 9 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)

[^{F280} **Humanitarian assistance activity**

10. To enable anything to be done in connection with the performance of any humanitarian assistance activity.]

Textual Amendments

F280 Sch. 3 para. 10 inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **38(d)**

[^{F281} **Medical goods or services**

10A.—(1) To enable anything to be done in connection with the provision of medical goods or services for the benefit of the civilian population of a country.

(2) To enable the import, export or use of medical goods.

(3) In paragraphs (1) and (2), “medical goods” includes medicines and medical devices.

Textual Amendments

F281 Sch. 3 paras. 10A, 10B inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **44(b)**

Food

10B. To enable anything to be done in connection with the production or distribution of food for the benefit of the civilian population of a country.]

Textual Amendments

F281 Sch. 3 paras. 10A, 10B inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **44(b)**

[^{F282}PART 2

Loans and credit

Textual Amendments

F282 Sch. 3 Pts. 2, 3 inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **38(d)**

Humanitarian assistance activity

11. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

Nuclear safety

12. To enable anything to be done for the purposes of nuclear safety.

Extraordinary situation

13. To enable anything to be done to deal with an extraordinary situation.

[^{F283}Diplomatic missions etc.

14.—(1) To enable anything to be done in order that the functions of a diplomatic mission or consular post in Belarus or of an international organisation enjoying immunities in accordance with international law may be carried out.

(2) To enable anything to be done in order that the functions of a diplomatic mission or consular post of Belarus in the United Kingdom may be carried out.]

Textual Amendments

F283 Sch. 3 para. 14 substituted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **44(c)**

[^{F284}Medical goods or services

14A.—(1) To enable anything to be done in connection with the provision of medical goods or services for the benefit of the civilian population of a country.

(2) To enable the import, export or use of medical goods.

(3) In paragraphs (1) and (2), “medical goods” includes medicines and medical devices.

Textual Amendments

F284 Sch. 3 paras. 14A, 14B inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **44(d)**

Food

14B. To enable anything to be done in connection with the production or distribution of food for the benefit of the civilian population of a country.]

Textual Amendments

F284 Sch. 3 paras. 14A, 14B inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **44(d)**

PART 3

Insurance and reinsurance

Humanitarian assistance activity

15. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

Nuclear safety

16. To enable anything to be done for the purposes of nuclear safety.

Extraordinary situation

17. To enable anything to be done to deal with an extraordinary situation.]

[^{F285}Medical goods or services

18.—(1) To enable anything to be done in connection with the provision of medical goods or services for the benefit of the civilian population of a country.

(2) To enable the import, export or use of medical goods.

(3) In paragraphs (1) and (2), “medical goods” includes medicines and medical devices.

Textual Amendments

F285 Sch. 3 paras. 18-24 and Pt. 4 heading inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **44(e)**

Food

19. To enable anything to be done in connection with the production or distribution of food for the benefit of the civilian population of a country.]

Textual Amendments

F285 Sch. 3 paras. 18-24 and Pt. 4 heading inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **44(e)**

[^{F285}PART 4

Foreign exchange reserve and asset management services

Humanitarian assistance activity

20. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

Financial regulation

21.—(1) To enable anything to be done by, or on behalf of, a relevant financial authority for the purposes of the functions of that authority.

(2) In sub-paragraph (1), “relevant financial authority” means authorities involved in the regulation of financial services in the United Kingdom, including the Financial Conduct Authority, the Prudential Regulation Authority and the Bank of England.

Financial stability

22. To enable anything to be done by a person, following consultation by that person (or a person acting on their behalf) with the Bank of England, that is necessary or expedient in order to protect or enhance the stability of the financial system of the United Kingdom.

Safety and soundness of a firm

23. To enable anything to be done by a person, following consultation by that person (or a person acting on their behalf) with the relevant supervising authority or authorities, that is necessary or expedient in order to promote the safety and soundness of a firm which is supervised by the Bank of England, the Prudential Regulation Authority or the Financial Conduct Authority.

Extraordinary situation

24. To enable anything to be done to deal with an extraordinary situation.]

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 establish a sanctions regime in relation to Belarus for the purposes of encouraging the Government of Belarus: to respect democratic principles and institutions, the separation of powers and the rule of law; to refrain from the repression of civil society in Belarus; to properly investigate and institute criminal proceedings against those responsible for the disappearance of four persons named in the Regulations; and to comply with international human rights law and to respect human rights. Following the UK's withdrawal from the European Union, these Regulations also replace the EU sanctions regime in relation to Belarus, implemented via an EU Council Decision and Regulation.

Changes to legislation: *There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)*

The Regulations confer a power on the Secretary of State to designate persons who are, or have been, involved in: conduct enabling or facilitating the disappearance of the four persons named in the Regulations, or the failure to investigate properly and institute criminal proceedings against the persons responsible for those disappearances; the commission of a serious human rights violation or abuse in Belarus; the repression of civil society or democratic opposition in Belarus; or other actions, policies or activities which undermine democracy or the rule of law in Belarus. Designated persons may be excluded from the United Kingdom and may be made subject to financial sanctions, including having their funds and/or economic resources frozen.

These Regulations also impose trade restrictions on certain goods and technology, namely military goods and military technology and other goods and technology which may be used to repress the civilian population of Belarus (as specified in Schedule 2 of these Regulations).

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 Secretary of State and the Treasury to issue licences in respect of activities that would otherwise be prohibited under the financial and trade sanctions imposed. Schedule 3 of these Regulations sets out the purposes pursuant to which the Treasury may issue such licences in respect of financial sanctions.

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.

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. The Regulations prescribe powers for the provision and sharing of information to enable the effective implementation and enforcement of the sanctions regime.

Council Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus is revoked by these Regulations, as are the Belarus (Asset-Freezing) Regulations 2013 and the Export Control (Belarus) and (Syria Amendment) Order 2011.

An Impact Assessment has not been produced for these Regulations, as they are intended to ensure existing sanctions remain in place following the United Kingdom's withdrawal from the European Union. These Regulations are intended to deliver substantially the same policy effects as the existing European Union sanctions. 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 Republic of Belarus (Sanctions) (EU Exit) Regulations 2019.