

---

STATUTORY INSTRUMENTS

---

**2019 No. 855**

**The Russia (Sanctions) (EU Exit) Regulations 2019**

**PART 1**

General

**Citation and commencement**

- 1.—(1) These Regulations may be cited as the Russia (Sanctions) (EU Exit) Regulations 2019.
- (2) Subject to paragraph (3), these Regulations come into force on exit day.
- (3) The following provisions of these Regulations come into force on the day after the day on which the Regulations are made—
- (a) this regulation;
  - (b) regulation 2 (interpretation);
  - (c) regulation 4 (purposes);
  - (d) Part 2;
  - (e) Schedule 1 (rules for interpretation of regulations 7(2) and 16(7)).

**Commencement Information**

**II** Reg. 1 in force at 11.4.2019, see [reg. 1\(3\)\(a\)](#)

**Interpretation**

2. In these Regulations—
- “the Act” means the Sanctions and Anti-Money Laundering Act 2018;
- [<sup>F1</sup>“aircraft licence” means a licence under regulation 65A;]
- “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);
- “CEMA” means the Customs and Excise Management Act 1979 <sup>M1</sup>;
- “the Commissioners” means the Commissioners for Her Majesty's Revenue and Customs;
- “conduct” includes acts and omissions;
- “Crimea” means the Autonomous Republic of Crimea and the city of Sevastopol;
- “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 EU Russia Regulations” means the following, as they have effect in EU law—

- (a) Council Regulation (EU) No 269/2014 of 17 March 2014 (concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine) <sup>M2</sup>,
- (b) Council Regulation (EU) No 692/2014 of 23 June 2014 (concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol) <sup>M3</sup>, and
- (c) Council Regulation (EU) No 833/2014 of 31 July 2014 (concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine) <sup>M4</sup>;

F2 ...

[<sup>F3</sup>“non-government controlled areas of the Donetsk, Kherson Luhansk and Zaporizhzhia oblasts” means the parts of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts which are for the time being controlled by an authority other than the Government of Ukraine;]

[<sup>F4</sup>“non-government controlled Ukrainian territory” means Crimea and non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts;]

[<sup>F5</sup>“OFCOM” means the Office of Communications;]

“trade licence” means a licence under regulation 65;

“Treasury licence” means a licence under regulation 64(1); the “Ukraine Financial Sanctions Regulations” means—

- (a) The Ukraine (European Union Financial Sanctions) (No.2) Regulations 2014 <sup>M5</sup>, and
- (b) The Ukraine (European Union Financial Sanctions) (No.3) Regulations 2014 <sup>M6</sup>;

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

“working day” means any day other than—

- (a) Saturday or Sunday,
- (b) Christmas Day or Good Friday, or
- (c) a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom.

### Textual Amendments

- F1** Words in [reg. 2](#) inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), [regs. 1\(2\)](#), [3](#)
- F2** Words in [reg. 2](#) omitted (20.6.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), [regs. 1\(2\)](#), [3\(a\)](#)
- F3** Words in [reg. 2](#) inserted (20.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), [regs. 1\(2\)](#), [3\(b\)](#)
- F4** Words in [reg. 2](#) substituted (20.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), [regs. 1\(2\)](#), [3\(c\)](#)
- F5** Words in [reg. 2](#) inserted (29.4.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/477\)](#), [regs. 1\(2\)](#), [3](#)

### Commencement Information

- I2** [Reg. 2](#) in force at 11.4.2019, see [reg. 1\(3\)\(b\)](#)

### Marginal Citations

- M1** [1979 c.2](#). Amendments have been made to this Act and are cited, where relevant, in respect of the applicable regulations.
- M2** [OJ L 78, 17.3.2014, p. 6–15.](#)

- M3** OJ L 183 24.6.2014, p. 9.  
**M4** OJ L 229, 31.7.2014, p. 1–11.  
**M5** S.I. 2014/693, as modified by the Wales Act 2014 (c.29), **section 4(4)(a)** and amended by S.I. 2017/560, S.I. 2017/754 and S.I. 2018/682 and as prospectively amended by S.I. 2018/1149.  
**M6** S.I. 2014/2054, as amended by S.I. 2014/2445, S.I. 2014/3230, S.I. 2017/560, S.I. 2017/754, 2018/682 and as prospectively amended by S.I. 2018/1149.

### 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) In this regulation a “relevant prohibition” means any prohibition imposed—

- (a) by regulation 9(2) [<sup>F6</sup>or 9B(2)] (confidential information),
- (b) by Part 3 (Finance),
- (c) by Part 5 (Trade),

[<sup>F7</sup>(d) under Part 6 (Ships),]

[<sup>F8</sup>(da) by regulation 57L(6) (disclosure of confidential information), or]

(e) 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 [<sup>F9</sup>or a requirement imposed by a direction under regulation 57J(3) (direction by air traffic control to operator or pilot of Russian aircraft),][<sup>F10</sup>or a requirement imposed by a condition of an aircraft licence,] by conduct in the territorial sea.

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

(a) by or under Part 8 (Information and records), or by reason of a request made under a power conferred by [<sup>F11</sup>that Part,]

(b) by a condition of a Treasury licence or a [<sup>F12</sup>trade licence, or]

[<sup>F13</sup>(c) by a direction under regulation 57C (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

- F6** Words in **reg. 3(3)(a)** inserted (30.3.2022 at 5.00 p.m.) by **The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022** (S.I. 2022/395), **regs. 1(2), 4(a)**
- F7** Words in **reg. 3(3)(d)** substituted (8.3.2022 at 5.00 p.m.) by **The Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022** (S.I. 2022/241), **regs. 1(2), 3(a)(i)**
- F8** **Reg. 3(3)(da)** inserted (8.3.2022 at 5.00 p.m.) by **The Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022** (S.I. 2022/241), **regs. 1(2), 3(a)(ii)**
- F9** Words in **reg. 3(5)** inserted (8.3.2022 at 5.00 p.m.) by **The Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022** (S.I. 2022/241), **regs. 1(2), 3(b)**
- F10** Words in **reg. 3(5)** inserted (30.3.2022 at 5.00 p.m.) by **The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022** (S.I. 2022/395), **regs. 1(2), 4(b)**

- F11** Words in reg. 3(6)(a) substituted (1.3.2022 at 3.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/203), regs. 1(2), **3(a)**
- F12** Words in reg. 3(6)(b) substituted (1.3.2022 at 3.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/203), regs. 1(2), **3(b)**
- F13** Reg. 3(6)(c) inserted (1.3.2022 at 3.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/203), regs. 1(2), **3(c)**

#### Commencement Information

- I3** Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

### Purposes

4. The regulations contained in this instrument that are made under section 1 of the Act are for the purposes of [F14—]

- [F15(a)] encouraging Russia to cease actions destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine.
- [F16(b)] promoting the payment of compensation by Russia for damage, loss or injury suffered by Ukraine on or after 24th February 2022 as a result of Russia's invasion of Ukraine.]

#### Textual Amendments

- F14** Reg. 4: punctuation inserted (20.6.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2023 (S.I. 2023/665), regs. 1(2), **4(a)**
- F15** Words in reg. 4 renumbered as reg. 4(a) (20.6.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2023 (S.I. 2023/665), regs. 1(2), **4(b)**
- F16** Reg. 4(b) inserted (20.6.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2023 (S.I. 2023/665), regs. 1(2), **4(c)**

#### Commencement Information

- I4** Reg. 4 in force at 11.4.2019, see reg. 1(3)(c)

## PART 2

### Designation of persons

#### Power to designate persons

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

- (a) regulations 11 to 15 (asset-freeze etc.);
- [F17(aa) regulation 17A [F18(corresponding banking relationships and processing payments)];]
- [F19(ab) regulation 18C (trust services);]
- (b) regulation 20 [F20(immigration);]
- [F21(bza) regulation 46A (technical assistance relating to aircraft and ships);]
- [F22(bzb) regulation 54A (internet services);]
- [F23(ba) regulations 57A and 57C to 57E [F24(ships: prohibition on port entry etc.);]]

[<sup>F25</sup>(bb) regulations 57J and 57M (aircraft).]

[<sup>F26</sup>(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 (asset-freeze etc.);
- (b) regulation 17A [<sup>F27</sup>(corresponding banking relationships and processing payments)];  
[ regulation 18C (trust services);]

<sup>F28</sup>(ba)

- (c) regulation 20 (immigration);
- (d) regulation 46A (technical assistance relating to aircraft and ships);  
[ regulation 54A (internet services);]

<sup>F29</sup>(da)

- (e) regulations 57A and 57C to 57E (ships: prohibition on port entry etc.);
- (f) regulations 57J and 57M (aircraft).]

(2) The Secretary of State may designate different persons for the purposes of different provisions mentioned in paragraph (1) [<sup>F30</sup>or (1A)].

[<sup>F31</sup>(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

- F17** Reg. 5(1)(aa) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **3**
- F18** Words in reg. 5(1)(aa) substituted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **23(1)(2)(a)**
- F19** Reg. 5(1)(ab) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **3(a)**
- F20** Word in reg. 5(1)(b) substituted (1.3.2022 at 3.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/203), regs. 1(2), **4(a)**
- F21** Reg. 5(1)(bza) inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **5(a)**
- F22** Reg. 5(1)(bzb) inserted (29.4.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/477), regs. 1(2), **4(a)**
- F23** Reg. 5(1)(ba) inserted (1.3.2022 at 3.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/203), regs. 1(2), **4(b)**
- F24** Words in reg. 5(1)(ba) substituted (8.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/241), regs. 1(2), **4(a)**
- F25** Reg. 5(1)(bb) inserted (8.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/241), regs. 1(2), **4(b)**
- F26** Reg. 5(1A) inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **5(b)**
- F27** Words in reg. 5(1A)(b) substituted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **23(1)(2)(a)**

- F28** Reg. 5(1A)(ba) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **3(b)**
- F29** Reg. 5(1A)(da) inserted (29.4.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/477), regs. 1(2), **4(b)**
- F30** Words in reg. 5(2) inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **5(c)**
- F31** Reg. 5(3) inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **5(d)**

---

**Commencement Information**

- I5** Reg. 5 in force at 11.4.2019, see reg. 1(3)(d)

**Designation criteria**

[<sup>F32</sup>6.—(1) The Secretary of State may not designate a person under regulation 5 (power to designate persons) unless the Secretary of State—

- (a) has reasonable grounds to suspect that that person is an involved person, and
- (b) considers that the designation of that person is appropriate, having regard to—
  - (i) the purposes stated in regulation 4 (purposes), and
  - (ii) the likely significant effects of the designation on that person (as they appear to the Secretary of State to be on the basis of the information that the Secretary of State has).

(2) In this regulation, an “involved person” means a person who—

- (a) is or has been involved in—
  - (i) destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine, or
  - (ii) obtaining a benefit from or supporting the Government of Russia,
- (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) For the purposes of this regulation, a person is “involved in destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine” if—

- (a) the person is responsible for, engages in, provides support for, or promotes any policy or action which destabilises Ukraine or undermines or threatens the territorial integrity, sovereignty or independence of Ukraine;
- (b) the person provides financial services, or makes available funds, economic resources, goods or technology, that could contribute to destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine;
- (c) the person provides financial services, or makes available funds, economic resources, goods or technology, to—
  - (i) a person who is responsible for a policy or action which falls within sub-paragraph (a), or
  - (ii) a person who provides financial services, or makes available funds, economic resources, goods or technology, as mentioned in sub-paragraph (b);
- (d) the person obstructs the work of international organisations in Ukraine;

- (e) the person conducts business with a separatist group in the Donbas region;
  - (f) the person is a relevant person trading or operating in [<sup>F33</sup>non-government controlled Ukrainian territory];
  - (g) the person assists the contravention or circumvention of a relevant provision.
- (4) For the purposes of this regulation, being “involved in obtaining a benefit from or supporting the Government of Russia” means—
- (a) carrying on business as a Government of Russia-affiliated entity;
  - (b) carrying on business of economic significance to the Government of Russia;
  - (c) carrying on business in a sector of strategic significance to the Government of Russia;
  - (d) owning or controlling directly or indirectly (within the meaning of regulation 7), or working as a director (whether executive or non-executive), trustee, [<sup>F34</sup>or other manager] or equivalent, of—
    - (i) a Government of Russia-affiliated entity;
    - (ii) a person, other than an individual, which falls within sub-paragraph (b) or (c) [<sup>F35</sup>.]
  - [<sup>F36</sup>(e) holding the right, directly or indirectly, to nominate at least one director (whether executive or non-executive), trustee or equivalent of—
    - (i) a Government of Russia-affiliated entity, or
    - (ii) a person, other than an individual, which falls within sub-paragraph (b) or (c).]
- [<sup>F37</sup>(4A) For the purposes of this regulation, a person is involved in “destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine” or “obtaining a benefit from or supporting the Government of Russia” if they work for, or are affiliated to, the Government of Russia, as—
- (a) an aide or adviser to the President of the Russian Federation,
  - (b) a head or deputy-head of any public body, federal agency or service subordinate to the President of the Russian Federation, including the Administration of the President of the Russian Federation,
  - (c) a member of the Security Council of the Russian Federation, its Secretary or any of its Deputy Secretaries,
  - (d) the Chairman of the Government of the Russian Federation or any deputy of the Chairman,
  - (e) a Minister or Deputy Minister of any Ministry of the Russian Federation,
  - (f) a Governor or member of the Board of Directors of the Central Bank of the Russian Federation,
  - (g) a Presidential Plenipotentiary Envoy to a Federal District, or a regional Governor or Deputy Governor or equivalent,
  - (h) a head or deputy head of any other public body or agency of the Government of the Russian Federation,
  - (i) a member of the armed forces or law-enforcement organs of the Russian Federation of the rank of colonel, or equivalent, or higher,
  - (j) a member of the Russian security and intelligence services of the rank of colonel, or equivalent, or higher,
  - (k) a vice president, or equivalent position or higher, of a Government of Russia-affiliated entity, or
  - (l) a director or manager, or equivalent position or higher, of a Government of Russia-affiliated entity.]

- (5) In paragraph (3)(f), a person (“P”) is a “relevant person” if—
- (a) P is not an individual, and
  - (b) the ownership or control of P has been transferred contrary to the law of Ukraine;
- [<sup>F38</sup>(6) 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.]
- (7) In this regulation—
- “Government of Russia” means—
- (a) the Presidency of the Russian Federation;
  - (b) public bodies and agencies subordinate to the President of the Russian Federation, including the Administration of the President of the Russian Federation;
  - (c) the Chairman of the Government of the Russian Federation and the deputies of the Chairman of the Government;
  - (d) any Ministry of the Russian Federation;
  - (e) any other public body or agency of the Government of the Russian Federation, including the armed forces and law-enforcement organs of the Russian Federation;
  - (f) the Central Bank of the Russian Federation;
- “Government of Russia-affiliated entity” means a person, other than an individual—
- (a) which is owned or controlled directly or indirectly by the Government of Russia (within the meaning of regulation 7),
  - (b) in which the Government of Russia holds directly or indirectly a minority interest,
  - (c) which receives, or has received, financing, directly or indirectly, from the Russian Direct Investment Fund or the National Wealth Fund, or
  - (d) which otherwise obtains a financial benefit or other material benefit from the Government of Russia;
- [<sup>F39</sup>“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 Part 3 (Finance) or Part 5 (Trade);
  - (b) any provision of the law of a country other than the United Kingdom made for purposes corresponding to a purpose of any provision of Part 3 or Part 5;
- “sector of strategic significance to the Government of Russia” means—



- (a) the Russian chemicals sector;
- (b) the Russian construction sector;
- (c) the Russian defence sector;
- (d) the Russian electronics sector;
- (e) the Russian energy sector;
- (f) the Russian extractives sector;
- (g) the Russian financial services sector.
- (h) the Russian information, communications and digital technologies sector;
- (i) the Russian transport sector.

(8) Nothing in any sub-paragraph of paragraph (3) or (4) is to be taken to limit the meaning of any of the other sub-paragraphs of that paragraph.]

#### Textual Amendments

- F32** Reg. 6 substituted (10.2.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/123), regs. 1(2), **3**
- F33** Words in reg. 6(3)(f) substituted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **6**
- F34** Words in reg. 6(4)(d) inserted (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), **3(a)(i)**
- F35** Reg. 6(4)(d)(ii): semicolon substituted for full stop (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), **3(a)(ii)**
- F36** Reg. 6(4)(e) inserted (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), **3(a)(iii)**
- F37** Reg. 6(4A) inserted (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), **3(b)**
- F38** Reg. 6(6) substituted (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), **3(c)**
- F39** Words in reg. 6(7) inserted (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), **3(d)(i)**

#### [<sup>F40</sup> Conditions for the designation of persons by description

**6A.**—(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) in a case where the specified description is members of a particular organisation, that the organisation is an involved person, or
- (b) in the case of any other specified description, that any person falling within that description would necessarily be an involved person.

(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 (designation criteria);
- “organisation” includes any body, association or combination of persons.]

#### Textual Amendments

**F40** [Reg. 6A](#) inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), 7

#### 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 whether directly or indirectly, to achieve the result that affairs of C are conducted in accordance with P's wishes.

#### Commencement Information

**I6** Reg. 7 in force at 11.4.2019, see [reg. 1\(3\)\(d\)](#)

#### Notification and publicity where designation power used

- 8.—**(1) Paragraph (2) applies where the Secretary of State—
- (a) has made a designation under [<sup>F41</sup>regulation 5(1)], or
  - (b) has by virtue of section 22 of the Act varied or revoked a designation made under [<sup>F42</sup>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.
- (3) The information given under paragraph (2)(a) where a designation is made must include a statement of reasons.
- (4) In this regulation a “statement of reasons”, in relation to a designation, means a brief statement of the matters that the Secretary of State knows, or has reasonable grounds to suspect, in relation to the designated person which have led the Secretary of State to make the designation.
- (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**

- F41** Words in [reg. 8\(1\)\(a\)](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), [regs. 1\(2\)](#), **8(a)**
  - F42** Words in [reg. 8\(1\)\(b\)](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), [regs. 1\(2\)](#), **8(b)**
- 

**Commencement Information**

- I7** Reg. 8 in force at 11.4.2019, see [reg. 1\(3\)\(d\)](#)

**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**

**18** Reg. 9 in force at 11.4.2019, see [reg. 1\(3\)\(d\)](#)

**[<sup>F43</sup>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 6A (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 cause to suspect, in relation to persons of the specified description—
- (a) in the case of a designation under the standard procedure, which have led the Secretary of State to make the provision designating persons of that description, and
  - (b) in the case of a designation under the urgent procedure, as a result of which the persons do not cease to be designated persons at the end of the period mentioned in regulation 6A(6) (b) 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—
- (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—
      - (aa) a designation under the standard procedure, the statement of reasons relating to it, or
      - (bb) a designation under the urgent procedure, the contents of the statement required under paragraph (3)(b) relating to it;
  - (b) if one or more of those conditions is met, be steps to inform only such persons as the Secretary of State considers appropriate of the designation, variation or revocation and—
    - (i) in the case of a designation under the standard procedure, of the contents of the statement of reasons relating to it, or
    - (ii) in the case of a designation under the urgent procedure, of the contents of the statement required under paragraph (3)(b) relating to it.
- (8) The “restricted publicity conditions” are that the Secretary of State considers that disclosure of the designation, variation or revocation should be restricted—
- (a) in the interests of national security or international relations,
  - (b) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or
  - (c) in the interests of justice.
- (9) Paragraph (10) applies if—
- (a) when a designation is made one or more of the restricted publicity conditions is met, but
  - (b) at any time when the designation has effect, it becomes the case that none of the restricted publicity conditions is met.
- (10) The Secretary of State must—

- (a) take such steps as are reasonably practicable to inform persons of the specified description that none of the restricted publicity conditions is now met, and
- (b) take steps to publicise generally the designation and—
  - (i) in the case of a designation under the standard procedure, the statement of reasons relating to it, or
  - (ii) in the case of a designation under the urgent procedure, the statement required under paragraph (3)(b) relating to it.

#### Textual Amendments

**F43** Regs. 9A, 9B inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), 9

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

**9B.**—(1) Where the Secretary of State in accordance with regulation 9A(7)(b) informs only certain persons of a designation, variation or revocation and—

- (a) in the case of a designation under the standard procedure, of the content of the statement of reasons relating to it, or
- (b) in the case of a designation under the urgent procedure, of the content of the statement required under regulation 9A(3)(b) relating to it,

the Secretary of State may specify that any of that information is to be treated as confidential.

(2) A person (“P”) who—

- (a) is provided with information that is to be treated as confidential in accordance with paragraph (1), or
- (b) otherwise obtains such information,

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

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

(4) For this purpose information is disclosed with lawful authority only if and to the extent that—

- (a) the disclosure is by, or is authorised by, the Secretary of State,
- (b) the disclosure is by or with the consent of the person who is or was the subject of the designation,
- (c) the disclosure is necessary to give effect to a requirement imposed under or by virtue of these Regulations or any other enactment, or
- (d) the disclosure is required under rules of court, tribunal rules or a court or tribunal order, for the purposes of legal proceedings of any description.

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

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

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

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

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

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

#### Textual Amendments

**F43** Regs. 9A, 9B inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **9**

## PART 3

### Finance

#### CHAPTER 1

[<sup>F44</sup>Asset-freeze etc.]

#### Textual Amendments

**F44** Pt. 3 Ch. 1 heading substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **4**

#### Meaning of “designated person”

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

#### Commencement Information

**I9** Reg. 10 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### 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 7 (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.

**Commencement Information**

**I10** Reg. 11 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

**Making funds available to designated person**

**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 7 (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.

**Commencement Information**

**I11** Reg. 12 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

**Making funds available for benefit of designated person**

**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 7 (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.

**Commencement Information**

**I12** Reg. 13 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

**Making economic resources available to designated person**

**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 7 (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.

**Commencement Information**

**I13** Reg. 14 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

**Making economic resources available for benefit of designated person**

**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 7 (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.

**Commencement Information**

**I14** Reg. 15 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

## CHAPTER 2

### Other financial and investment restrictions

#### Dealing with transferable securities or money-market instruments

**16.—(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 has a maturity exceeding 30 days and is issued after 1 August 2014 by—

- (a) a person mentioned in any of paragraphs 1 to 5 of Schedule 2;
- (b) a person, other than an individual, which is—
  - (i) incorporated or constituted under the law of a non-UK country, and
  - (ii) owned by a person within sub-paragraph (a); or
- (c) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a) or sub-paragraph (b).

(3) A person (“P”) must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (4) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(4) A transferable security or money-market instrument falls within this paragraph if it has a maturity exceeding 30 days and is issued after 12 September 2014 by—

- (a) a person mentioned in any of paragraphs 6 to 11 of Schedule 2;
- (b) a person, other than an individual, which is—
  - (i) incorporated or constituted under the law of a non-UK country, and
  - (ii) owned by a person within sub-paragraph (a); or
- (c) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a) or sub-paragraph (b).

[<sup>F45</sup>(4A) A person (“P”) must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (4B) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(4B) A transferable security or money-market instrument falls within this paragraph if it has a maturity exceeding 30 days and is issued on or after 1st March 2022 by—

- (a) a person, other than an individual, which is—
  - (i) incorporated or constituted under the law of any part of the United Kingdom, and
  - (ii) owned by a person falling within Schedule 2; or
- (b) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a).

(4C) A person (“P”) must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (4D) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(4D) A transferable security or money-market instrument falls within this paragraph if it is issued on or after 1st March 2022 by—

- (a) a person connected with Russia, which is not—
  - (i) a person falling within Schedule 2,

- (ii) a person, other than an individual, which on 1st March 2022 is domiciled in a country other than Russia, or
  - (iii) a person, other than an individual, which on 1st March 2022 is a branch or subsidiary, wherever located, of a person mentioned in paragraph (ii);
  - (b) a person, other than an individual, which is owned by a person falling within sub-paragraph (a); or
  - (c) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a) or sub-paragraph (b).
- (4E) A person (“P”) must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (4F) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.
- (4F) A transferable security or money-market instrument falls within this paragraph if it is issued on or after 1st March 2022 by, or on behalf of, the Government of Russia.]
- [<sup>F46</sup>(4G) A person (“P”) must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (4H) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.
- (4H) A transferable security or money-market instrument falls within this paragraph if it is issued—
- (a) on or after 16th December 2022,
  - (b) by a person, other than an individual, which is not a person connected with Russia, and
  - (c) for the purposes of an activity mentioned in regulation 18B(2).]
- [<sup>F47</sup>(5) Paragraphs (1), (3), (4A), (4C) [<sup>F48</sup>, (4E) and (4G)] are subject to Part 7 (Exceptions and licences).]
- (6) A person who contravenes a prohibition in paragraph [<sup>F49</sup>(1), (3), (4A), (4C) [<sup>F50</sup>, (4E) or (4G)]] commits an offence.
- (7) For the purposes of this regulation, and regulations 17 (loans and credit arrangements) [<sup>F51</sup>, 59 (exceptions relating to loans and credit arrangements) and 60ZZA (exceptions relating to investments in relation to Russia)], a person (“C”) is “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.
- (8) Schedule 1 applies for the purpose of interpreting paragraph (7).
- (9) 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.
- (10) 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;

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

“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

- F45** Reg. 16(4A)-(4F) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **5(a)**
- F46** Reg. 16(4G)(4H) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **4(a)**
- F47** Reg. 16(5) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **5(b)**
- F48** Words in reg. 16(5) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **4(b)**
- F49** Words in reg. 16(6) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **5(c)**
- F50** Words in reg. 16(6) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **4(c)**
- F51** Words in reg. 16(7) substituted (19.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 12) Regulations 2022 (S.I. 2022/801), regs. 1(2), **3**

#### Commencement Information

- I15** Reg. 16 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

### Loans and credit arrangements

17.—(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.

[<sup>F52</sup>(2A) A person must not make funds or economic resources available to a relevant entity (“E”) where the purposes of making those funds or economic resources available is to enable E to grant a relevant loan on or after 16th December 2022.]

(3) Paragraphs (1) [<sup>F53</sup>, (2) and (2A)] are subject to [<sup>F54</sup>Part 7 (Exceptions and licences)].

(4) A person who contravenes a prohibition in paragraph (1) [<sup>F55</sup>, (2) or (2A)] commits an offence.

## (5) In this regulation—

<sup>F56</sup> ...

[<sup>F57</sup>“category 1 loan” means a loan or credit—

- (a) with a maturity exceeding 30 days,
- (b) made or granted to—
  - (i) a person falling within Schedule 2,
  - (ii) a person, other than an individual, which is—
    - (aa) incorporated or constituted under the law of a non-UK country, and
    - (bb) owned <sup>F58</sup>... by a person within paragraph (i), or
  - (iii) a person, other than an individual, acting on behalf or at the direction of a person within paragraph (i) or paragraph (ii), and
- (c) which is first made or granted at any time after IP completion day;

“category 2 loan” means a loan or credit—

- (a) with a maturity exceeding 30 days,
- (b) made or granted to a person, other than an individual, which is—
  - (i) incorporated or constituted under the law of any part of the United Kingdom, and
  - (ii) owned <sup>F59</sup>... by a person falling within Schedule 2, and
- (c) which is first made or granted at any time on or after 1st March 2022;

“category 3 loan” means a loan or credit—

- (a) with a maturity exceeding 30 days,
- (b) made or granted to a person, other than an individual, which is—
  - (i) connected with Russia,
  - (ii) owned <sup>F60</sup>... by a person within sub-paragraph (i), or
  - (iii) a person, other than an individual, acting on behalf or at the direction of a person within paragraph (i) or paragraph (ii),
- (c) [<sup>F61</sup>which is first made or granted at any time on or after 1st March 2022 but before [<sup>F62</sup>29th October 2022], and,]
- (d) which is not—
  - (i) a category 1 loan, a category 2 loan or a category 4 loan, or
  - (ii) a loan made or granted to—
    - (aa) a person, other than an individual, which on 1st March 2022 is domiciled in a country other than Russia,
    - (bb) a person, other than an individual, which is owned by a person falling within sub-paragraph (aa), or
    - (cc) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (aa) or sub-paragraph (bb);

“category 4 loan” means a loan or credit—

- (a) made or granted to the Government of Russia,
- (b) which is first made or granted at any time on or after 1st March 2022;]

[<sup>F63</sup>“category 5 loan” means a loan or credit—

- (a) with a maturity exceeding 30 days,
- (b) made or granted to a person, other than an individual—
  - (i) which is connected with Russia, other than—
    - (aa) a person which on [F6429th October 2022] is incorporated or constituted in a country other than Russia, or
    - (bb) a person which is owned by a person falling within paragraph (aa),
  - (ii) a person which is owned by a person within sub-paragraph (i), or
  - (iii) a person which is owned by a person connected with Russia who is an individual,
- (c) which is first made or granted at any time on or after [F6429th October 2022], and
- (d) which is not a category 1 loan, a category 2 loan, a category 3 loan or a category 4 loan.]

[F65“category 6 loan” means a loan or credit—

- (a) made or granted to a relevant entity,
- (b) which is for the purposes of an activity mentioned in regulation 18B(2),
- (c) which is first made or granted at any time on or after 16th December 2022, and
- (d) which is not a category 1 loan, a category 2 loan, a category 3 loan, a category 4 loan or a category 5 loan;]

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

[F66“owned” means owned within the meaning of regulation 16(7);]

[F67“relevant entity” has the meaning given in regulation 18B(8);]

[F68“relevant loan” means a category 1 loan, a category 2 loan, a category 3 loan [F69, a category 4 loan [F70, a category 5 loan or a category 6 loan];]

F71 ...

### Textual Amendments

- F52** Reg. 17(2A) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **5(a)**
- F53** Words in reg. 17(3) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **5(b)**
- F54** Words in reg. 17(3) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **6(a)**
- F55** Words in reg. 17(4) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **5(c)**
- F56** Words in reg. 17(5) omitted (16.12.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **5(d)(i)**
- F57** Words in reg. 17(5) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **6(b)(i)**
- F58** Words in reg. 17(5) omitted (29.10.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **3(3)**
- F59** Words in reg. 17(5) omitted (29.10.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **3(4)**
- F60** Words in reg. 17(5) omitted (29.10.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **3(5)(a)**
- F61** Words in reg. 17(5) substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **3(5)(b)**

- F62** Words in reg. 17(5) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **5(d)(ii)**
- F63** Words in reg. 17(5) inserted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **3(6)**
- F64** Words in reg. 17(5) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **5(d)(iii)**
- F65** Words in reg. 17(5) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **5(d)(iv)**
- F66** Words in reg. 17(5) inserted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **3(7)**
- F67** Words in reg. 17(5) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **5(d)(v)**
- F68** Words in reg. 17(5) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **6(b)(ii)**
- F69** Words in reg. 17(5) substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **3(8)**
- F70** Words in reg. 17(5) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **5(d)(vi)**
- F71** Words in reg. 17(5) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **6(b)(iii)**

#### Commencement Information

- I16** Reg. 17 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### [<sup>F72</sup>Correspondent banking relationships [<sup>F73</sup>and processing payments]

**17A.—(1)** A UK credit or financial institution (“C”) (“the correspondent”) must not establish or continue a correspondent banking relationship with the following (“the respondent”)—

- (a) a designated person (“D”),
- (b) a UK credit or financial institution, which is owned or controlled directly or indirectly (within the meaning of regulation 7) by D, or
- (c) a non-UK credit or financial institution, which is owned or controlled directly or indirectly (within the meaning of regulation 7) by D,

if C knows, or has reasonable cause to suspect, that the correspondent banking relationship is with a designated person.

(2) C must not process a <sup>F74</sup>... payment to, from or via –

- (a) D,
- (b) a UK credit or financial institution, which is owned or controlled directly or indirectly (within the meaning of regulation 7) by D, or
- (c) a non-UK credit or financial institution, which is owned or controlled directly or indirectly (within the meaning of regulation 7) by D,

if C knows, or has reasonable cause to suspect, that the <sup>F74</sup>... payment is to, from or via such a person.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

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

[<sup>F75</sup>(5) For the purposes of this regulation, a reference to “processing” a payment—

- (a) includes the clearing and settlement of a payment; but



- (b) does not include the act of crediting a payment, for the first time, to C where that payment is credited to an account which is—
- (i) in the name of C; and
  - (ii) not held on behalf of, or for the benefit of, a customer of C.]
- (6) In this regulation—
- “correspondent banking relationship” means the provision of banking services by a correspondent to a respondent including providing a current or other liability account and related services, such as cash management, international funds transfers, cheque clearing, providing customers of the respondent with direct access to accounts with the correspondent (and vice versa) and providing foreign exchange services;
- “designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of this regulation;
- “non-UK 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, other than a UK credit or financial institution, 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;
- “UK credit or financial institution” means—
- (a) a person that has permission under Part 4A of the Financial Services and Markets Act 2000 (permission to carry on regulated activities), or
  - (b) an undertaking domiciled in the United Kingdom 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.]

#### Textual Amendments

- F72** Reg. 17A inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), 7
- F73** Words in reg. 17A heading substituted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **3(2)**
- F74** Word in reg. 17A(2) omitted (15.12.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **3(3)**
- F75** Reg. 17A(5) substituted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **3(4)**

#### Investments in relation to <sup>F76</sup>non-government controlled Ukrainian territory]

18.—(1) A person (“P”) must not carry on an activity mentioned in paragraph (2) if P knows, or has reasonable cause to suspect, that P is carrying on such an activity.

(2) The activities in this paragraph are—

- (a) directly or indirectly acquiring or extending a participation, or acquiring any ownership interest, in land located in [<sup>F77</sup>non-government controlled Ukrainian territory];
  - (b) directly or indirectly acquiring or extending a participation, or acquiring any ownership interest in or control over, a relevant entity;
  - (c) directly or indirectly granting any loan or credit, entering into any arrangement to grant any loan or credit, or otherwise providing funds, including for example equity capital—
    - (i) to a relevant entity, or
    - (ii) for the documented purpose of financing any such entity;
  - (d) directly or indirectly establishing any joint venture—
    - (i) in [<sup>F77</sup>non-government controlled Ukrainian territory], or
    - (ii) with a relevant entity;
  - (e) providing investment services directly related to an activity referred to in sub-paragraphs (a) to (d) above.
- (3) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (4) A person who contravenes a prohibition in paragraph (1) commits an offence.
- (5) In this regulation—
- “investment services” has the same meaning as it has in regulation 16;
- “relevant entity” means a person, other than an individual, which has a place of business located in [<sup>F78</sup>non-government controlled Ukrainian territory].

#### Textual Amendments

- F76** Words in reg. 18 heading substituted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **10(a)**
- F77** Words in reg. 18(2) substituted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **10(b)**
- F78** Words in reg. 18(5) substituted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **10(b)**

#### Commencement Information

- I17** Reg. 18 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### [<sup>F79</sup>Provision of financial services relating to foreign exchange reserve and asset management

**18A.**—(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 Central Bank of the Russian Federation,
  - (b) the National Wealth Fund of the Russian Federation,
  - (c) the Ministry of Finance of the Russian Federation,

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

#### Textual Amendments

**F79** Reg. 18A inserted (1.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2022 (S.I. 2022/205), regs. 1(2), **3(1)**

#### [<sup>F80</sup> Investments in relation to Russia

**18B.**—(1) A person (“P”) must not carry on an activity mentioned in paragraph (2) if P knows, or has reasonable cause to suspect, that P is carrying on such an activity.

- (2) The activities in this paragraph are—
- (a) directly acquiring any ownership interest in land located in Russia;
  - (b) indirectly acquiring any ownership interest in land located in Russia for the purpose mentioned in paragraph (3);
  - (c) directly acquiring any ownership interest in or control over a person, other than an individual, connected with Russia;
  - (d) indirectly acquiring any ownership interest in or control over a person, other than an individual, connected with Russia for the purpose mentioned in paragraph (3);
  - (e) directly or indirectly acquiring any ownership interest in or control over a relevant entity for the purpose mentioned in paragraph (3);
  - (f) directly or indirectly establishing any joint venture with a person connected with Russia;
  - (g) opening a representative office or establishing a branch or subsidiary located in Russia; or
  - (h) providing investment services directly related to an activity referred to in sub-paragraphs (a) to (g).
- (3) The purpose mentioned in paragraph 2(b), (d) and (e) above is making funds or economic resources available—
- (a) directly or indirectly to a person connected with Russia; or
  - (b) for the benefit of a person connected with Russia.
- (4) For the purposes of paragraph (3)—
- (a) economic resources are made available to a person connected with Russia only if that person would be likely to exchange the economic resources for, or use them in exchange for, funds, goods or services;
  - (b) making funds or economic resources indirectly available to a person connected with Russia 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 a person connected with Russia; and
  - (c) funds or economic resources are made available for the benefit of a person connected with Russia only if that person thereby obtains, or is able to obtain, a significant financial benefit, and “financial benefit” includes the discharge (or partial discharge) of a financial obligation for which the person connected with Russia is wholly or partly responsible.

- (5) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (6) A person who contravenes a prohibition in paragraph (1) commits an offence.
- (7) In this regulation, the reference to a person (“P”) directly or indirectly acquiring any ownership interest in or control over a person or entity means—
- (a) P directly or indirectly acquiring any share in the person or entity;
  - (b) P directly or indirectly acquiring any voting rights in the person or entity;
  - (c) P directly or indirectly acquiring any right to appoint or remove a majority of the board of directors of the person or entity; or
  - (d) P directly or indirectly acquiring any means of ensuring that the affairs of the person or entity are conducted in accordance with the wishes of P where it is reasonable, having regard to all of the circumstances, to expect that P would (if P chose to) in most cases or significant respects, by whatever means, be able to do so.
- (8) In this regulation—
- “branch” means, in relation to a person other than an individual, a place of business which forms a legally dependent part of that person and which carries out all or some of the transactions inherent in the business of that person;
- “investment services” has the same meaning as it has in regulation 16 (dealing with transferable securities or money-market instruments);
- “relevant entity” means a person, other than an individual, which <sup>F81</sup>... is not a person connected with Russia.]

#### Textual Amendments

**F80** Reg. 18B inserted (19.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 12\) Regulations 2022 \(S.I. 2022/801\)](#), regs. 1(2), 4

**F81** Words in reg. 18B(8) omitted (16.12.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), regs. 1(2)(b), 6

#### [<sup>F82</sup>Trust services

- 18C.**—(1) A person must not provide trust services to or for the benefit of a designated person.
- (2) A person (“P”) must not provide trust services to or for the benefit of a person connected with Russia (“C”) unless pursuant to an ongoing arrangement pursuant to which P provided those trust services to or for the benefit of C immediately before 16th December 2022.
- (3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).
- (4) A person who contravenes a prohibition in paragraph (1) or (2) commits an offence.
- (5) For the purposes of paragraphs (1) and (2), trust services are provided for the benefit of a person (“B”) where—
- (a) B is a beneficiary of a trust or similar arrangement,
  - (b) B is referred to as a potential beneficiary in a document from the settlor relating to a trust or similar arrangement (such as a letter of wishes), or
  - (c) having regard to all the circumstances, B might reasonably be expected to obtain, or to be able to obtain, a significant financial benefit from the trust or similar arrangement.
- (6) For the purpose of paragraph (5), “beneficiary”, “potential beneficiary” and “settlor”, in relation to an arrangement similar to a trust, means those persons who hold equivalent or similar positions to those described in sub-paragraphs (a) to (c) of that paragraph in respect of a trust.

(7) In this regulation—

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

“trust services” means—

- (a) the creation of a trust or similar arrangement,
- (b) the provision of a registered office, business address, correspondence address or administrative address for a trust or similar arrangement,
- (c) the operation or management of a trust or similar arrangement, or
- (d) acting or arranging for another person to act as trustee of a trust or similar arrangement, where “trustee”, in relation to an arrangement similar to a trust, means a person who holds an equivalent or similar position to a trustee of a trust.]

#### Textual Amendments

**F82** Reg. 18C inserted (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), regs. 1(2)(b), 7

### CHAPTER 3

#### Further provision

#### Circumventing etc. prohibitions

**19.**—(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 [<sup>F83</sup>regulations 11 to [<sup>F84</sup>18C]], or
- (b) to enable or facilitate the contravention of any such prohibition.

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

#### Textual Amendments

**F83** Words in [reg. 19\(1\)](#) substituted (19.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 12\) Regulations 2022 \(S.I. 2022/801\)](#), regs. 1(2), 5

**F84** Word in [reg. 19\(1\)\(a\)](#) substituted (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), regs. 1(2)(b), 8

#### Commencement Information

**I18** Reg. 19 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### [<sup>F85</sup>Interpretation of Part 3

**19A.**—(1) In this Part—

“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 “UK credit or financial institution” or a “non-UK credit or financial institution”;

[<sup>F86</sup>“foreign exchange reserve and asset management” means activities relating to the reserves or assets of the persons mentioned in paragraph (2) of regulation 18A, 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.]

“Government of Russia” has the same meaning as in regulation 6;

“subsidiary” has the meaning given by section 1159 of the Companies Act 2006;

(2) For the purposes of this Part, a person is to be regarded as “connected with” Russia if the person is—

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

(3) In this Part, the definitions of—

- (a) “non-UK credit or financial institution”, and
- (b) “UK credit or financial institution”,

[<sup>F87</sup>have the meaning given in regulation 17A [<sup>F88</sup>(corresponding banking relationships and processing payments)] and] are 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

- F85** Reg. 19A inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **8**
- F86** Words in reg. 19A(1) inserted (1.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/205\)](#), regs. 1(2), **3(2)**
- F87** Words in reg. 19A(3) inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **12**
- F88** Words in reg. 19A(3) substituted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **23(1)(2)(b)**

## PART 4

### Immigration

#### Immigration

**20.** 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 <sup>M7</sup>.

#### Commencement Information

**I19** Reg. 20 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Marginal Citations

**M7** 1971 c. 77, as amended by the Immigration and Asylum Act 1999 (c.33), s.8 and the Immigration Act 2016 (c.19), s.76.

## PART 5

### Trade

#### CHAPTER 1

#### Interpretation

#### Interpretation of this Part

**21.—(1)** In this Part—

[<sup>F89</sup>“aviation and space goods” means—

- (a) any thing specified in Schedule 2C, other than any thing which is aviation and space technology, and
- (b) any tangible storage medium on which aviation and space technology is recorded or from which it can be derived;

“aviation and space technology” means any thing described in Schedule 2C as software or technology;]

“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;

[<sup>F90</sup>“coal and coal products” means any thing specified in Schedule 3H;]

[<sup>F91</sup>“critical-industry goods” means—

- (a) any thing specified in Schedule 2A, other than—
  - (i) any thing which is critical-industry technology, or
  - (ii) any thing for the time being specified in—

- (aa) Schedule 2 <sup>F92</sup>... to the Export Control Order 2008, <sup>F93</sup>...
- (bb) Annex I of the Dual-Use Regulation, [<sup>F94</sup>or]
- (cc) [<sup>F95</sup>Part 3 of Schedule 3C, and]
- (b) any tangible storage medium on which critical-industry technology is recorded or from which it can be derived;

“critical-industry technology” means any thing described in Schedule 2A as software or technology, other than any thing for the time being specified in—

- (a) Schedule 2 <sup>F96</sup>... to the Export Control Order 2008, <sup>F97</sup>...
- (b) Annex I of the Dual-Use Regulation; [<sup>F98</sup>or]
- (c) [<sup>F99</sup>Part 3 of Schedule 3C,]

[<sup>F100</sup>“defence and security goods” means—

- (a) interception and monitoring goods,
- (b) internal repression goods, and
- (c) goods relating to chemical and biological weapons;]

[<sup>F100</sup>“defence and security technology” means—

- (a) interception and monitoring technology,
- (b) internal repression technology, and
- (c) technology relating to chemical and biological weapons;]

“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;

“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;

“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;

“energy-related goods” means any thing falling within Part 2 of Schedule 3;

[<sup>F101</sup>“G7 dependency and further goods” means any thing specified in Schedule 3E other than any thing for the time being specified in—

- (a) Schedule 2 <sup>F102</sup>... to the Export Control Order 2008,
- (b) Annex 1 of the Dual-Use Regulation, or
- (c) Schedule 2A;]

[<sup>F90</sup>“gold” means the gold and products related to gold specified in [<sup>F103</sup>Part 2 of] Schedule 3G;]

[<sup>F104</sup>“gold jewellery” means the gold products specified in Part 3 of Schedule 3G;]

[<sup>F100</sup>“goods relating to chemical and biological weapons” means—

- (a) any thing specified in Part 4 of Schedule 3C, other than technology relating to chemical and biological weapons (but see paragraph (4A)), and
- (b) any tangible storage medium on which technology relating to chemical and biological weapons is recorded or from which it can be derived [<sup>F105</sup>,]



[<sup>F106</sup>other than any thing for the time being specified in Schedule 2 to the Export Control Order 2008 or in Annex 1 of the Dual-Use Regulation;]

“infrastructure-related goods” means any thing falling within Part 3 of Schedule 3;

[<sup>F100</sup>“interception and monitoring goods” means any item mentioned in paragraph (a) or (b), provided that it may be used for interception and monitoring services—

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

[<sup>F100</sup>“interception and monitoring technology” means any thing—

- (a) which is described as software in paragraph 2 of Part 2 of Schedule 3C provided that it may be used for interception and monitoring services, and
- (b) which is described as other software or other technology in paragraph 3 of Part 2 of Schedule 3C (but see paragraph (4C));]

[<sup>F100</sup>“internal repression goods” means—

- (a) any thing specified in Part 3 of Schedule 3C, other than—
  - (i) any thing which is internal repression technology,
  - (ii) any thing for the time being specified in Schedule 2 to the Export Control Order 2008, or
  - (iii) any thing for the time being specified in 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;]

[<sup>F100</sup>“internal repression technology” means any thing which is described in Part 3 of Schedule 3C as software or technology;]

[<sup>F107</sup>“luxury goods” means any thing specified in Schedule 3A, other than any thing for the time being specified in—

- (a) [<sup>F108</sup>Schedule 2] to the Export Control Order 2008,
- (b) Annex 1 of the Dual-Use Regulation, or
- (c) Schedule 2A;]

[<sup>F100</sup>“maritime goods” and “maritime technology” mean respectively any goods and technology specified in Chapter 4 (Navigation Equipment) and Chapter 5 (Radio-Communication Equipment) of Annex 1 of the Merchant Shipping Notice 1874 but not including any thing in those Chapters for the time being specified in—

- (a) [<sup>F109</sup>Schedule 2] to the Export Control Order 2008,
- (b) Annex I to the Dual Use Regulation, or
- (c) Schedule 2A;]

[<sup>F100</sup>“medical device” means—

- (a) a medical device within the meaning given in regulation 2 of the Medical Devices Regulations 2002 in so far as those Regulations apply to England, Wales and Scotland, and
- (b) a medical device within the meaning given in—
  - (i) article 2 of Regulation (EU) 2017/745 of the European Parliament and of the Council of 5 April 2017 on medical devices, amending [Directive 2001/83/EC](#),

Regulation (EC) No 178/2002 and Regulation (EC) No 1223/2009 and repealing Council Directives 90/385/EEC and 93/42/EEC, and

- (ii) article 2 of Regulation (EU) 2017/746 of the European Parliament and of the Council of 5 April 2017 on in vitro diagnostic medical devices and repealing Directive 98/79/EC and Commission Decision 2010/227/EU,

in so far as those Regulations apply to Northern Ireland;]

“military goods” means—

- (a) any thing for the time being specified in Schedule 2 to the Export Control Order 2008<sup>M8</sup>, 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;

“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;

[<sup>F90</sup>“oil and oil products” means any thing specified in Schedule 3F;]

[<sup>F107</sup>“oil refining goods” means—

- (a) any thing specified in Schedule 2D, other than—
- (i) any thing which is oil refining technology, or
- (ii) any thing for the time being specified in—
- (aa) Schedule [<sup>F110</sup>2] to the Export Control Order 2008,
- (bb) Annex 1 of the Dual-Use Regulation,
- (cc) Schedule 2A, or
- (dd) Part 2 of Schedule 3, and
- (b) any tangible storage medium on which oil refining technology is recorded or from which it can be derived;]

[<sup>F107</sup>“oil refining technology” means any thing described in Schedule 2D as software or technology, other than any thing for the time being specified in —

- (a) Schedule [<sup>F111</sup>2] to the Export Control Order 2008,
- (b) Annex 1 of the Dual-Use Regulation, or
- (c) Schedule 2A;]

<sup>F112</sup> ...

[<sup>F107</sup>“quantum computing and advanced materials goods” means—

- (a) any thing specified in Schedule 2E, 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<sup>F113</sup> ... to the Export Control Order 2008,
- (bb) Annex 1 of the Dual-Use Regulation,
- (cc) Schedule 2A,
- (dd) Schedule 2C,
- (ee) Schedule 2D, or
- (ff) Part 2 of Schedule 3, and

(b) any tangible storage medium on which quantum computing and advanced materials technology is recorded or from which it can be derived;]

[<sup>F107</sup>“quantum computing and advanced materials technology” means any thing described in Schedule 2E as software or technology, other than anything for the time being specified in—

- (a) Schedule 2 <sup>F114</sup>... to the Export Control Order 2008,
- (b) Annex 1 of the Dual-Use Regulation,
- (c) Schedule 2A,
- (d) Schedule 2C, or
- (e) Schedule 2D.]

[<sup>F115</sup>“restricted goods” means—

- (a) critical-industry goods;
- (b) dual-use goods;
- (c) military goods;
- (d) [<sup>F116</sup>aviation and space goods;]
- (e) [<sup>F117</sup>oil refining goods;]
- (f) [<sup>F117</sup>quantum computing and advanced materials goods;]
- (g) [<sup>F118</sup>defence and security goods;
- (h) maritime goods;]

“restricted technology” means—

- (a) critical-industry technology;
- (b) dual-use technology;
- (c) military technology;
- (d) [<sup>F119</sup>aviation and space technology;]
- (e) [<sup>F120</sup>oil refining technology;]
- (f) [<sup>F120</sup>quantum computing and advanced materials technology;]
- (g) [<sup>F121</sup>defence and security technology;
- (h) maritime technology;]

[<sup>F104</sup>“Russia’s vulnerable goods” means any thing specified in Schedule 3I other than any thing for the time being specified in—

- (a) Schedule 2 <sup>F122</sup>... to the Export Control Order 2008,
- (b) Annex 1 of the Dual-Use Regulation, or
- (c) Schedule 2A;]

“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;

<sup>F123</sup>...

[<sup>F100</sup>“technology relating to chemical and biological weapons” means any thing specified as technology or software in Part 4 of Schedule 3C [<sup>F124</sup>(except any thing for the time being

specified in Schedule 2 to the Export Control Order 2008 or in Annex 1 of the Dual-Use Regulation)], 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;]

“transfer” has the meaning given in paragraph 37 of Schedule 1 to the Act.

(2) For the purposes of this Part, a person is to be regarded as “connected with” Russia if the person is—

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

(3) For the purposes of this Part, a person is to be regarded as “connected with” [<sup>F125</sup>non-government controlled Ukrainian territory] if the person is—

- (a) an individual who is, or an association or combination of individuals who are, ordinarily resident in [<sup>F125</sup>non-government controlled Ukrainian territory],
- (b) an individual who is, or an association or combination of individuals who are, located in [<sup>F125</sup>non-government controlled Ukrainian territory], or
- (c) a person, other than an individual, which has its registered office, central administration or principal place of business located in [<sup>F125</sup>non-government controlled Ukrainian territory].

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

[<sup>F126</sup>(4A) The definition of “goods relating to chemical and biological weapons” does not apply to anything specified in Part 4 of Schedule 3C—

- (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.

(4B) For the purpose of the definition of “interception and monitoring goods” in paragraph (1) “a relevant Part 2 item” means any thing described in Part 2 of Schedule 3C, 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 # of the Dual-Use Regulation.

(4C) 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.

(4D) For the purposes of this Part, the following terms have the meaning given to them in the Dual-Use Regulation—

- “basic scientific research”;
- “in the public domain”.]

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

### Textual Amendments

- F89** Words in reg. 21 inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **5(a)**
- F90** Words in reg. 21(1) inserted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **3**
- F91** Words in reg. 21 inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **3(a)** (with reg. 11)
- F92** Words in reg. 21(1) omitted (15.12.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **4(4)(5)(a)**
- F93** Word in reg. 21(1) omitted (15.7.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **3(3)(a)** (with reg. 13)
- F94** Word in reg. 21(1) substituted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **3(3)(b)** (with reg. 13)
- F95** Words in reg. 21(1) inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **3(3)(c)** (with reg. 13)
- F96** Words in reg. 21(1) omitted (15.12.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **4(4)(5)(b)**
- F97** Word in reg. 21(1) omitted (15.7.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **3(4)(a)** (with reg. 13)
- F98** Word in reg. 21(1) inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **3(4)(b)** (with reg. 13)
- F99** Words in reg. 21(1) inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **3(4)(c)** (with reg. 13)
- F100** Words in reg. 21(1) inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **3(2)** (with reg. 13)
- F101** Words in reg. 21(1) substituted (29.10.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 15\) Regulations 2022 \(S.I. 2022/1110\)](#), regs. 1(2)(b), **4(2)**
- F102** Words in reg. 21(1) omitted (15.12.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **4(4)(5)(c)**
- F103** Words in reg. 21(1) inserted (29.10.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 15\) Regulations 2022 \(S.I. 2022/1110\)](#), regs. 1(2)(b), **4(3)**
- F104** Words in reg. 21(1) inserted (29.10.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 15\) Regulations 2022 \(S.I. 2022/1110\)](#), regs. 1(2)(b), **4(4)**
- F105** Comma in reg. 21(1) substituted for semicolon (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **4(2)(a)**
- F106** Words in reg. 21(1) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **4(2)(b)**
- F107** Words in reg. 21(1) inserted (14.4.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/452\)](#), regs. 1(2), **3(a)**

- F108** Words in reg. 21(1) substituted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **4(6)**
- F109** Words in reg. 21(1) substituted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **4(7)**
- F110** Word in reg. 21(1) substituted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **4(8)(a)**
- F111** Word in reg. 21(1) substituted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **4(8)(b)**
- F112** Words in reg. 21(1) omitted (29.10.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), reg. 1(2)(b), **Sch. 3 para. 1**
- F113** Words in reg. 21(1) omitted (15.12.2023) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **4(4)(5)(d)**
- F114** Words in reg. 21(1) omitted (15.12.2023) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **4(4)(5)(e)**
- F115** Words in reg. 21 inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **3(b)** (with reg. 11)
- F116** Words in reg. 21 inserted (8.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/241), regs. 1(2), **5(b)**
- F117** Words in reg. 21(1) inserted (14.4.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/452), regs. 1(2), **3(b)**
- F118** Words in reg. 21(1) inserted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), **3(5)** (with reg. 13)
- F119** Words in reg. 21 inserted (8.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/241), regs. 1(2), **5(c)**
- F120** Words in reg. 21(1) inserted (14.4.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/452), regs. 1(2), **3(c)**
- F121** Words in reg. 21(1) inserted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), **3(6)** (with reg. 13)
- F122** Words in reg. 21(1) omitted (15.12.2023) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **4(4)(5)(f)**
- F123** Words in reg. 21(1) 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), **10(3)**; S.I. 2020/1514, reg. 4
- F124** Words in reg. 21(1) inserted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **4(3)**
- F125** Words in reg. 21(3) substituted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **13**
- F126** Reg. 21(4A)-(4D) inserted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), **3(7)** (with reg. 13)

### Commencement Information

- I20** Reg. 21 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

### Marginal Citations

- M8** S.I. 2008/3231. Schedule 2 was substituted by S.I. 2017/85 and subsequently amended by S.I. 2017/697 and S.I. 2018/165. There are other instruments which amend other parts of the Order.

[<sup>F127</sup> **Definition of interception and monitoring services**

**21A.**—(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

**F127** Reg. 21A inserted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), 4 (with reg. 13)

## CHAPTER 2

[<sup>F128</sup>Restricted goods, restricted technology] and related activities

#### Textual Amendments

**F128** Words in Pt. 5 Ch. 2 heading substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), 4(1) (with reg. 11)

### Export of [<sup>F129</sup>restricted goods]

22.—(1) The export of [<sup>F129</sup>restricted goods] to, or for use in, Russia is prohibited.

[<sup>F130</sup>(1A) The export of maritime goods for the placing on board of a Russian-flagged vessel is prohibited.]

(2) [<sup>F131</sup>Paragraphs (1) and (1A) are] subject to Part 7 (Exceptions and licences).

#### Textual Amendments

**F129** Words in reg. 22 substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), 4(2)(a) (with reg. 11)

**F130** Reg. 22(1A) inserted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), 5(1)(a) (with reg. 13)

**F131** Words in reg. 22(2) substituted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), 5(1)(b) (with reg. 13)

#### Commencement Information

**I21** Reg. 22 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### Import of arms and related materiel

23.—(1) The import of arms and related materiel which are consigned from Russia is prohibited.

(2) The import of arms and related materiel which originate in Russia is prohibited.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).



(4) In this regulation “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.

(5) 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 3.

#### Commencement Information

**I22** Reg. 23 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### Supply and delivery of [<sup>F132</sup>restricted goods]

24.—(1) A person must not—

- (a) directly or indirectly supply or deliver [<sup>F133</sup>restricted goods] from a third country to a place in Russia;
  - (b) directly or indirectly supply or deliver military goods from a place in Russia to a third country.
  - [<sup>F134</sup>(c) directly or indirectly supply or deliver maritime goods from a third country for the placing on board of a Russian-flagged vessel.]
- (2) Paragraph (1) is subject to Part 7 (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 goods were destined (or ultimately destined) for Russia;
  - (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 supply or delivery was from a place in Russia, whether directly or indirectly.
  - [<sup>F135</sup>(c) it is a defence for a person charged with the offence of contravening paragraph (1)(c) to show that the person did not know and had no reasonable cause to suspect that the supply or delivery was for the placing on board of a Russian-flagged vessel, whether directly or indirectly.]

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

#### Textual Amendments

- F132** Words in reg. 24 heading substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(2)(b)** (with reg. 11)
- F133** Words in reg. 24(1)(a) substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(2)(b)** (with reg. 11)
- F134** Reg. 24(1)(c) inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **5(2)(a)** (with reg. 13)
- F135** Reg. 24(3)(c) inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **5(2)(b)** (with reg. 13)

### Commencement Information

**I23** Reg. 24 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

### Making available or acquiring [<sup>F136</sup>restricted goods] and [<sup>F137</sup>restricted technology]

25.—(1) A person must not—

- (a) directly or indirectly make [<sup>F138</sup>restricted goods] or [<sup>F139</sup>restricted technology] available to a person connected with Russia;
  - (b) directly or indirectly make [<sup>F140</sup>restricted goods] or [<sup>F141</sup>restricted technology] available for use in Russia;
  - (c) directly or indirectly acquire military goods or military technology from a person connected with Russia;
  - <sup>F142</sup>(d) . . . . .
  - (e) directly or indirectly acquire military goods or military technology located in Russia.
  - <sup>F143</sup>(f) directly or indirectly make maritime goods or maritime technology available for the placing on board of a Russian-flagged vessel.]
- (2) Paragraph (1) is subject to Part 7 (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) or (c) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
  - (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 Russia;
  - <sup>F144</sup>(c) . . . . .
  - (d) it is a defence for a person charged with the offence of contravening paragraph (1)(e) to show that the person did not know and had no reasonable cause to suspect that the goods or technology were located in Russia.
  - <sup>F145</sup>(e) it is a defence for a person charged with the offence of contravening paragraph (1)(f) to show that the person did not know and had no reasonable cause to suspect that the goods or technology were to be made available for the placing on board of a Russian-flagged vessel.]

### Textual Amendments

- F136** Words in reg. 25 heading substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(2)(c)** (with reg. 11)
- F137** Words in reg. 25 heading substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(3)(a)** (with reg. 11)
- F138** Words in reg. 25(1)(a) substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(2)(c)** (with reg. 11)
- F139** Words in reg. 25(1)(a) substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(3)(a)** (with reg. 11)
- F140** Words in reg. 25(1)(b) substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(2)(c)** (with reg. 11)

- F141** Words in reg. 25(1)(b) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(3)(a)** (with reg. 11)
- F142** Reg. 25(1)(d) 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), **10(4)(a)**; S.I. 2020/1514, reg. 4
- F143** Reg. 25(1)(f) inserted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), **5(3)(a)** (with reg. 13)
- F144** Reg. 25(3)(c) 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), **10(4)(b)**; S.I. 2020/1514, reg. 4
- F145** Reg. 25(3)(e) inserted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), **5(3)(b)** (with reg. 13)

#### Commencement Information

- I24** Reg. 25 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### Transfer of <sup>F146</sup>restricted technology]

26.—(1) A person must not—

- (a) transfer <sup>F147</sup>restricted technology] to a place in Russia;
  - (b) transfer <sup>F148</sup>restricted technology] to a person connected with Russia;
  - (c) transfer military technology to persons outside the United Kingdom or to a place outside the United Kingdom, where the transfer is from a place in Russia.
- <sup>F149</sup>(d) transfer maritime technology to a Russian-flagged vessel.]
- (2) Paragraph (1) is subject to Part 7 (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 Russia;
  - (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 Russia;
  - (c) it is a defence for a person charged with the offence of contravening paragraph (1)(c) to show that the person did not know and had no reasonable cause to suspect that the transfer was from a place in Russia.
- <sup>F150</sup>(d) it is a defence for a person charged with the offence of contravening paragraph (1)(d) to show that the person did not know and had no reasonable cause to suspect that the transfer was to a Russian-flagged vessel.]

#### Textual Amendments

- F146** Words in reg. 26 heading substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(3)(b)** (with reg. 11)
- F147** Words in reg. 26(1)(a) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(3)(b)** (with reg. 11)
- F148** Words in reg. 26(1)(b) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(3)(b)** (with reg. 11)

**F149** Reg. 26(1)(d) inserted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), **5(4)(a)** (with reg. 13)

**F150** Reg. 26(3)(d) inserted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), **5(4)(b)** (with reg. 13)

#### Commencement Information

**I25** Reg. 26 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### Technical assistance relating to [F151restricted goods] and [F152restricted technology]

**27.**—(1) A person must not directly or indirectly provide technical assistance relating to [F151restricted goods] or [F152restricted technology]—

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

(2) Paragraph (1) is subject to Part 7 (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) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
- (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 goods or technology were for use in Russia.

#### Textual Amendments

**F151** Words in regs. 27-29 substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(2)(d)** (with reg. 11)

**F152** Words in regs. 27-29 substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(3)(c)** (with reg. 11)

#### Commencement Information

**I26** Reg. 27 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### Financial services and funds relating to [F151restricted goods] and [F152restricted technology]

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

- (a) the export of [F151restricted goods],
- (b) the direct or indirect supply or delivery of [F151restricted goods],
- (c) directly or indirectly making [F151restricted goods] or [F152restricted technology] available to a person,
- (d) the transfer of [F152restricted technology], or
- (e) the direct or indirect provision of technical assistance relating to [F151restricted goods] or [F152restricted technology].

(2) A person must not directly or indirectly make funds available to a person connected with Russia 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 [<sup>F151</sup>restricted goods] to, or for use in, Russia;
- (b) the direct or indirect supply or delivery of [<sup>F151</sup>restricted goods] to a place in Russia;
- (c) directly or indirectly making [<sup>F151</sup>restricted goods] or [<sup>F152</sup>restricted technology] available—
  - (i) to a person connected with Russia, or
  - (ii) for use in Russia;
- (d) the transfer of [<sup>F152</sup>restricted technology]—
  - (i) to a person connected with Russia, or
  - (ii) to a place in Russia; or
- (e) the direct or indirect provision of technical assistance relating to [<sup>F151</sup>restricted goods] or [<sup>F152</sup>restricted technology]—
  - (i) to a person connected with Russia, or
  - (ii) for use in Russia.

<sup>F153</sup>(4) .....

<sup>F154</sup>(5) .....

(6) Paragraphs (1) to [<sup>F155</sup>(3)] are subject to Part 7 (Exceptions and licences).

(7) A person who contravenes a prohibition in any of paragraphs (1) [<sup>F156</sup>to (3)] commits an offence, but—

- (a) it is a defence for a person charged with an offence of contravening paragraph (1) [<sup>F157</sup>or (2)] (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
- (b) it is a defence for a person charged with the offence of contravening 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 [<sup>F158</sup>.]

<sup>F159</sup>(c) .....

#### Textual Amendments

**F151** Words in regs. 27-29 substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(2)(d)** (with reg. 11)

**F152** Words in regs. 27-29 substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **4(3)(c)** (with reg. 11)

**F153** Reg. 28(4) 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), **10(5)(a)**; S.I. 2020/1514, reg. 4

**F154** Reg. 28(5) 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), **10(5)(a)**; S.I. 2020/1514, reg. 4

- F155** Word in reg. 28(6) 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), **10(5)(b)**; S.I. 2020/1514, reg. 4
- F156** Words in reg. 28(7) 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), **10(5)(c)(i)**; S.I. 2020/1514, reg. 4
- F157** Words in reg. 28(7)(a) 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), **10(5)(c)(ii)**; S.I. 2020/1514, reg. 4
- F158** Full stop in reg. 28(7)(b) substituted for semicolon (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), **10(5)(c)(iii)**; S.I. 2020/1514, reg. 4
- F159** Reg. 28(7)(c) 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), **10(5)(c)(iv)**; S.I. 2020/1514, reg. 4

#### Commencement Information

- I27** Reg. 28 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### Brokering services: non-UK activity relating to <sup>F151</sup>restricted goods] and <sup>F152</sup>restricted technology]

**29.—(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 <sup>F151</sup>restricted goods] from a third country to a place in Russia;
- (b) directly or indirectly making <sup>F151</sup>restricted goods] available in a third country for direct or indirect supply or delivery—
  - (i) to a person connected with Russia, or
  - (ii) to a place in Russia;
- (c) directly or indirectly making <sup>F152</sup>restricted technology] available in a third country for transfer—
  - (i) to a person connected with Russia, or
  - (ii) to a place in Russia;
- (d) the transfer of <sup>F152</sup>restricted technology] from a place in a third country—
  - (i) to a person connected with Russia, or
  - (ii) to a place in Russia;
- (e) the direct or indirect provision, in a non-UK country, of technical assistance relating to <sup>F151</sup>restricted goods] or <sup>F152</sup>restricted technology]—
  - (i) to a person connected with Russia, or
  - (ii) for use in Russia;
- (f) the direct or indirect provision, in a non-UK country, of financial services—
  - (i) to a person connected with Russia, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 28(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 28(3);
- (g) directly or indirectly making funds available, in a non-UK country, to a person connected with Russia, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 28(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 28(3).

(2) Paragraph (1) is subject to Part 7 (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;

“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 Russia,
- (b) for the purposes of any other provision of paragraph (1), a country that is not the United Kingdom or Russia.

#### Textual Amendments

**F151** Words in regs. 27-29 substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(2)(d)** (with reg. 11)

**F152** Words in regs. 27-29 substituted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **4(3)(c)** (with reg. 11)

#### Commencement Information

**I28** Reg. 29 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### <sup>F160</sup> **Insurance and reinsurance services relating to aviation and space goods and aviation and space technology**

**29A.**—(1) A person must not directly or indirectly provide insurance or reinsurance services relating to aviation and space goods or aviation and space technology—

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

(2) Paragraph (1) is subject to Part 7 (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) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
- (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 goods or technology were for use in Russia.]

### Textual Amendments

**F160** Reg. 29A inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), 6

### Enabling or facilitating military activities

**30.**—(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 Russian military or any other military end-user who is a person connected with Russia.

(2) Paragraph (1) is subject to Part 7 (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 Russian military or any other military end-user who is a person connected with Russia.

(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.

### Commencement Information

**I29** Reg. 30 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

## [<sup>F161</sup>CHAPTER 2A

Goods and technology relating to non-government controlled Ukrainian territory

### Textual Amendments

**F161** Pt. 5 Ch. 2A inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), 6 (with reg. 13)

### Interpretation

**30A.** In this Chapter—

“relevant restricted goods” means only those restricted goods which are not infrastructure-related goods but which are military goods;



“relevant restricted technology” means only that restricted technology which is military technology.

#### **[<sup>F162</sup>Export of relevant restricted goods**

**30B.**—(1) The export of relevant restricted goods to, or for use in, Crimea is prohibited.

(2) The export of relevant restricted goods to, or for use in, non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts is prohibited.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

(4) It is a defence for a person charged with the offence under section 68(1) (offences in relation to exportation of prohibited or restricted goods) of CEMA in relation to the prohibition in paragraph (2) to show that they did not know and had no reasonable cause to suspect that the export was, or would have been, to, or the goods were for use in, non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts.]

#### **Textual Amendments**

**F162** Reg. 30B substituted (20.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), regs. 1(2), 5

#### **Supply and delivery of relevant restricted goods**

**30C.**—(1) A person must not directly or indirectly supply or deliver relevant restricted goods from a third country to a place in non-government controlled Ukrainian territory.

(2) Paragraph (1) is subject to Part 7 (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 the offence of contravening paragraph (1) to show that the person did not know and had no reasonable cause to suspect that the goods were destined (or ultimately destined) for non-government controlled Ukrainian territory.

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

#### **Making available relevant restricted goods and relevant restricted technology**

**30D.**—(1) A person must not—

- (a) directly or indirectly make relevant restricted goods or relevant restricted technology available to a person connected with non-government controlled Ukrainian territory; or
- (b) directly or indirectly make relevant restricted goods or relevant restricted technology available for use in non-government controlled Ukrainian territory.

(2) Paragraph (1) is subject to Part 7 (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) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with non-government controlled Ukrainian territory;
- (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 non-government controlled Ukrainian territory.

### **Transfer of relevant restricted technology**

**30E.**—(1) A person must not—

- (a) transfer relevant restricted technology to a place in non-government controlled Ukrainian territory; or
  - (b) transfer relevant restricted technology to a person connected with non-government controlled Ukrainian territory.
- (2) Paragraph (1) is subject to Part 7 (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 non-government controlled Ukrainian territory;
  - (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 non-government controlled Ukrainian territory.

### **Technical assistance relating to relevant restricted goods and relevant restricted technology**

**30F.**—(1) A person must not directly or indirectly provide technical assistance relating to relevant restricted goods or relevant restricted technology—

- (a) to a person connected with non-government controlled Ukrainian territory; or
  - (b) for use in non-government controlled Ukrainian territory.
- (2) Paragraph (1) is subject to Part 7 (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) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with non-government controlled Ukrainian territory;
  - (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 goods or technology were for use in non-government controlled Ukrainian territory.

### **Financial services and funds relating to relevant restricted goods and relevant restricted technology**

**30G.**—(1) A person must not directly or indirectly provide, to a person connected with non-government controlled Ukrainian territory, financial services in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of relevant restricted goods;
  - (b) the direct or indirect supply or delivery of relevant restricted goods;
  - (c) directly or indirectly making relevant restricted goods or relevant restricted technology available to a person;
  - (d) the transfer of relevant restricted technology; or
  - (e) the direct or indirect provision of technical assistance relating to relevant restricted goods or relevant restricted technology.
- (2) A person must not directly or indirectly provide funds to a person connected with non-government controlled Ukrainian territory 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 relevant restricted goods to, or for use in, non-government controlled Ukrainian territory;
  - (b) the direct or indirect supply or delivery of relevant restricted goods to a place in non-government controlled Ukrainian territory;
  - (c) directly or indirectly making relevant restricted goods or relevant restricted technology available—
    - (i) to a person connected with non-government controlled Ukrainian territory, or
    - (ii) for use in non-government controlled Ukrainian territory;
  - (d) the transfer of relevant restricted technology—
    - (i) to a person connected with non-government controlled Ukrainian territory, or
    - (ii) to a place in non-government controlled Ukrainian territory; or
  - (e) the direct or indirect provision of technical assistance relating to relevant restricted goods or relevant restricted technology—
    - (i) to a person connected with non-government controlled Ukrainian territory, or
    - (ii) for use in non-government controlled Ukrainian territory.
- (4) Paragraphs (1) to (3) are subject to Part 7 (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 non-government controlled Ukrainian territory;
  - (b) it is a defence for a person charged with the offence of contravening 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.

### **Brokering services relating to relevant restricted goods and relevant restricted technology**

**30H.**—(1) A person must not directly or indirectly provide brokering services to a person connected with non-government controlled Ukrainian territory in relation to an arrangement whose object or effect is—

- (a) the export of relevant restricted goods;
  - (b) the direct or indirect supply or delivery of relevant restricted goods;
  - (c) directly or indirectly making relevant restricted goods or relevant restricted technology available to a person;
  - (d) the transfer of relevant restricted technology; or
  - (e) the direct or indirect provision of technical assistance relating to relevant restricted goods or relevant restricted technology.
- (2) Paragraph (1) is subject to Part 7 (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.]

F163 CHAPTER 3

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

**Textual Amendments**

**F163** Pt. 5 Ch. 3 omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), 5 (with reg. 11)

**Interpretation of this Chapter**

31. ....

**Export of dual-use goods**

32. ....

**Supply and delivery of dual-use goods**

33. ....

**Making dual-use goods and dual-use technology available**

34. ....

**Transfer of dual-use technology**

35. ....

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

36. ....

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

37. ....

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

38. ....

CHAPTER 4

Energy-related goods and related activities

**Interpretation of this Chapter**

39. For the purposes of this Chapter “Russia” includes Russia's exclusive economic zone and continental shelf (which terms are to be interpreted in accordance with the United Nations Convention on the Law of the Sea) <sup>M9</sup>.

**Commencement Information**

**I30** Reg. 39 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**Marginal Citations**

**M9** Command 8941.

**Export of energy-related goods**

**40.**—<sup>[F164]</sup>(1) The export of energy-related goods to, or for use in, Russia is prohibited.]  
(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

**Textual Amendments**

**F164** Reg. 40(1) substituted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), 4

**Commencement Information**

**I31** Reg. 40 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**<sup>[F165]</sup>Supply and delivery of energy-related goods**

**41.**—(1) A person must not directly or indirectly supply or deliver energy-related goods from a third country to a place in Russia.

(2) Paragraph (1) is subject to Part 7 (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 the offence of contravening paragraph (1) to show that the person did not know and had no reasonable cause to suspect that the goods were destined (or ultimately destined) for Russia.

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

**Textual Amendments**

**F165** Reg. 41 substituted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), 5

**Making energy-related goods available**

**42.**—(1) A person must not directly or indirectly make energy-related goods available for use in Russia.

<sup>[F166]</sup>(1A) A person must not directly or indirectly make energy-related goods available to a person connected with Russia.]

(2) <sup>[F167]</sup>Paragraphs (1) and (1A) are] subject to Part 7 (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 goods were for use in Russia.

[<sup>F168</sup>(4) A person who contravenes a prohibition in paragraph (1A) 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 person was connected with Russia.]

#### Textual Amendments

- F166** Reg. 42(1A) inserted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **6(1)**
- F167** Words in reg. 42(2) substituted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **6(2)**
- F168** Reg. 42(4) inserted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **6(3)**

#### Commencement Information

- I32** Reg. 42 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### [<sup>F169</sup>Technical assistance relating to energy-related goods

**43.**—(1) A person must not directly or indirectly provide technical assistance relating to energy-related goods—

- (a) to a person connected with Russia; or
  - (b) for use in Russia.
- (2) Paragraph (1) is subject to Part 7 (Exception 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) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
  - (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 goods were for use in Russia.]

#### Textual Amendments

- F169** Reg. 43 substituted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), 7

#### Financial services and funds relating to energy-related goods <sup>F170</sup> ...

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

- (a) the export of energy-related goods,
- (b) the direct or indirect supply or delivery of energy-related goods,
- (c) directly or indirectly making energy-related goods available to a person, or

- (d) the direct or indirect provision of technical assistance relating to energy-related goods.
- (2) A person must not directly or indirectly make funds available to a person connected with Russia in pursuance of or in connection with an arrangement mentioned in paragraph (1).
- [<sup>F171</sup>(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 energy related goods to, or for use in, Russia;
  - (b) the direct or indirect supply or delivery of energy related goods to a place in Russia;
  - (c) directly or indirectly making energy related goods available—
    - (i) to a person connected with Russia; or
    - (ii) for use in Russia;
  - (d) the direct or indirect provision of technical assistance relating to energy related goods—
    - (i) to a person connected with Russia, or
    - (ii) for use in Russia.]

(4) Paragraphs (1) to (3) are subject to Part 7 (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 a prohibition in 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 Russia;
    - (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 that paragraph.

#### Textual Amendments

**F170** Words in [reg. 44 heading](#) omitted (21.7.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **8(a)**

**F171** [Reg. 44\(3\)](#) substituted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **8(b)**

#### Commencement Information

**I33** [Reg. 44](#) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

#### Brokering services: non-UK activity relating to energy-related goods <sup>F172</sup> ...

- 45.**—(1) A person (“P”) 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 energy-related goods <sup>F173</sup>... from a third country to a place in Russia;
  - [<sup>F174</sup>(b) directly or indirectly making energy-related goods available in a third country for direct or indirect supply or delivery—
    - (i) to a person connected with Russia, or
    - (ii) to a place in Russia;]

- (c) the direct or indirect provision, in a non-UK country, of technical assistance relating to energy-related goods—
  - (i) to a person connected with Russia, or
  - (ii) for use in Russia;
- (d) the direct or indirect provision, in a non-UK country, of financial services—
  - (i) to a person connected with Russia, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 44(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 44(3);
- (e) directly or indirectly making funds available, in a non-UK country, to a person connected with Russia, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 44(1); or
- (f) 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 44(3).

(2) Paragraph (1) is subject to Part 7 (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;

“third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

#### Textual Amendments

**F172** Words in [reg. 45 heading](#) omitted (21.7.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **9(a)**

**F173** Words in [reg. 45\(1\)\(a\)](#) omitted (21.7.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **9(b)**

**F174** [Reg. 45\(1\)\(b\)](#) substituted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **9(c)**

#### Commencement Information

**I34** [Reg. 45](#) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

### Prohibition on providing other energy-related services

**46.**—(1) A person must not provide, directly or indirectly, relevant energy services.

(2) Paragraph (1) is subject to Part 7 (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 person was providing relevant energy services.

(4) In this regulation—



[<sup>F175</sup>“relevant energy services” means specified services necessary for an oil or gas exploration or production project in Russia;]

<sup>F176</sup> ...

“specified services” means any of the following—

- (a) drilling;
- (b) well testing;
- (c) logging and completion services;
- (d) supply of specialised floating vessels.

#### Textual Amendments

**F175** Words in reg. 46(4) substituted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), **10(a)**

**F176** Words in reg. 46(4) omitted (21.7.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), **10(b)**

#### Commencement Information

**I35** Reg. 46 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

## [<sup>F177</sup>CHAPTER 4A

### Aircraft and ships

#### Textual Amendments

**F177** Pt. 5 Ch. 4A inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **14**

#### Technical assistance relating to aircraft and ships

**46A.**—(1) A person must not directly or indirectly provide to, or for the benefit of, a designated person technical assistance relating to—

- (a) an aircraft, or
- (b) a ship.

(2) [<sup>F178</sup>Paragraph (1)(b)] does not apply to any technical assistance which is prohibited under regulation 27 (technical assistance relating to restricted goods and restricted technology).

(3) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(4) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with an offence of contravening paragraph (1) (“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 designated person.

(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.]

### Textual Amendments

**F178** Words in [reg. 46A\(2\)](#) substituted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **11**

## [<sup>F179</sup>CHAPTER 4B

### Luxury goods

### Textual Amendments

**F179** Pt. 5 Ch. 4B inserted (14.4.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/452\)](#), regs. 1(2), **4**

### Luxury goods

- 46B.**—(1) The export of luxury goods to, or for use in, Russia is prohibited.
- (2) A person must not directly or indirectly—
- supply or deliver luxury goods from a third country to a place in Russia;
  - make luxury goods available to a person connected with Russia;
  - make luxury goods available for use in Russia.
- (3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).
- (4) A person who contravenes a prohibition in paragraph (2) commits an offence, but—
- it is a defence for a person charged with the offence of contravening paragraph (2)(a) to show that the person did not know and had no reasonable cause to suspect that the goods were destined (or ultimately destined) for Russia;
  - it is a defence for a person charged with the offence of contravening paragraph (2)(b) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
  - it is a defence for a person charged with the offence of contravening paragraph (2)(c) to show that the person did not know and had no reasonable cause to suspect that the goods were for use in Russia.
- (5) In this regulation, “third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

### [<sup>F180</sup>Technical assistance relating to luxury goods

- 46BA.**—(1) A person must not directly or indirectly provide technical assistance relating to luxury goods—
- to a person connected with Russia, or
  - for use in Russia.
- (2) Paragraph (1) is subject to Part 7 (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 an 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 Russia;

- (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 luxury goods were for use in Russia.

**Textual Amendments**

**F180** Regs. 46BA-46BC inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), 5

**Financial services and funds relating to luxury goods**

**46BB.**—(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 export of luxury goods to, or for use in, Russia;
- (b) the direct or indirect supply or delivery of luxury goods to a place in Russia;
- (c) directly or indirectly making luxury goods available—
  - (i) to a person connected with Russia, or
  - (ii) for use in Russia; or
- (d) the direct or indirect provision of technical assistance relating to luxury goods—
  - (i) to a person connected with Russia, or
  - (ii) for use in Russia.

(2) Paragraph (1) is subject to Part 7 (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 the offence of contravening that paragraph 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.

**Textual Amendments**

**F180** Regs. 46BA-46BC inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), 5

**Brokering services relating to luxury goods**

**46BC.**—(1) A person must not directly or indirectly provide brokering services relating to luxury goods—

- (a) to a person connected with Russia; or
- (b) for use in Russia.

(2) A person must not directly or indirectly provide brokering services in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of luxury goods to, or for use in, Russia;
- (b) the direct or indirect supply or delivery of luxury goods to a place in Russia;
- (c) directly or indirectly making luxury goods available—
  - (i) to a person connected with Russia, or

- (ii) for use in Russia; or
- (d) the direct or indirect provision of technical assistance relating to luxury goods—
  - (i) to a person connected with Russia, or
  - (ii) for use in Russia.
- (3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).
- (4) A person who contravenes a prohibition in any of paragraph (1) or (2) commits an offence, but—
  - (a) it is a defence for a person charged with an offence of contravening paragraph (1)(a) (“P”) to show that P did not know and had no reasonable cause to suspect that the brokering services were provided to person who was connected with Russia;
  - (b) it is a defence for a person charged with an offence of contravening paragraph (1)(b) (“P”) to show that P did not know and had no reasonable cause to suspect that the brokering services were provided in relation to goods which were for use in Russia;
  - (c) 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 brokering services were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.]]

#### Textual Amendments

**F180** Regs. 46BA-46BC inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), 5

## [<sup>F181</sup>CHAPTER 4C

### Iron and steel products

#### Textual Amendments

**F181** Pt. 5 Ch. 4C inserted (14.4.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/452\)](#), regs. 1(2), 4

#### [<sup>F182</sup>Interpretation

**46C.** In this Chapter—

“iron and steel products” means any thing specified in Schedule 3B;

“third country” means a country that is not the United Kingdom, the Isle of Man or Russia.]

#### Textual Amendments

**F182** Reg. 46C substituted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), 7(2) (with reg. 13)

#### Import of iron and steel products

**46D.**—(1) The import of iron and steel products which are consigned from Russia is prohibited.

(2) The import of iron and steel products which originate in Russia is prohibited.

- (3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

#### **Acquisition of iron and steel products**

- 46E.**—(1) A person must not directly or indirectly acquire iron and steel products—
- (a) which originate in Russia;
  - (b) which are located in Russia.
- (2) Paragraph (1) is subject to Part 7 (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 goods originated in Russia;
  - (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 Russia.

#### **Supply and delivery of iron and steel products**

- 46F.**—(1) A person must not directly or indirectly supply or deliver iron and steel products from a place in Russia to a third country.
- (2) Paragraph (1) is subject to Part 7 (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 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 Russia, whether directly or indirectly.
- (4) In this regulation, “third country” means a country that is not the United Kingdom, the Isle of Man or Russia.]

#### **[<sup>F183</sup>Technical assistance relating to iron and steel products**

- 46G.**—(1) A person must not directly or indirectly provide technical assistance relating to—
- (a) the import of iron and steel products which—
    - (i) originate in Russia; or
    - (ii) are consigned from Russia;
  - (b) the direct or indirect acquisition of iron and steel products which—
    - (i) originate in Russia; or
    - (ii) are located in Russia; or
  - (c) the direct or indirect supply or delivery of iron and steel products from a place in Russia to a third country.
- (2) Paragraph (1) is subject to Part 7 (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), 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 that paragraph.

#### Textual Amendments

**F183** Regs. 46G-46I inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **7(3)** (with reg. 13)

#### Financial services and funds relating to iron and steel products

**46H.**—(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 iron and steel products which—
  - (i) originate in Russia; or
  - (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of iron and steel products which—
  - (i) originate in Russia; or
  - (ii) are located in Russia; or
- (c) the direct or indirect supply or delivery of iron and steel products from a place in Russia to a third country.

(2) Paragraph (1) is subject to Part 7 (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 financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

#### Textual Amendments

**F183** Regs. 46G-46I inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **7(3)** (with reg. 13)

#### Brokering services relating to iron and steel products

**46I.**—(1) A person must not directly or indirectly provide brokering services in relation to any arrangements described in regulation 46H(1)(a) to (c).

(2) Paragraph (1) is subject to Part 7 (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.]

#### Textual Amendments

**F183** Regs. 46G-46I inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **7(3)** (with reg. 13)

### [<sup>F184</sup>CHAPTER 4CA

Iron and steel products processed in a third country <sup>F185</sup>...

#### Textual Amendments

**F184** Pt. 5 Ch. 4CA inserted (30.9.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(3), **3(1)**

**F185** Words in Pt. 5 Ch. 4CA heading omitted (15.12.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **6(2)**

#### Interpretation

**46IA.**—(1) In this Chapter—

“iron or steel product” means any thing specified in [<sup>F186</sup>Part 1, 2 or 3 of] Schedule 3B (Iron and steel products);

“relevant day” means 30th September 2023;

“relevant processed iron or steel product” means any iron or steel product which—

- (a) has been processed in a third country; and
- (b) which incorporates one or more iron or steel products originating in Russia;

“third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

(2) For the purposes of the definition of “relevant processed iron or steel product” in paragraph (1), an iron or steel product is processed where it is—

- (a) altered;
- (b) transformed in any way; or
- (c) subjected to any other type of operation or process.

#### Textual Amendments

**F186** Words in reg. 46IA(1) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **6(3)**

#### Import of relevant processed iron or steel products

**46IB.**—(1) The import of a relevant processed iron or steel product, on or after the relevant day, is prohibited.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

#### Technical assistance relating to relevant processed iron or steel products

**46IC.**—(1) A person must not directly or indirectly provide technical assistance relating to the import of a relevant processed iron or steel product.

(2) Paragraph (1) is subject to Part 7 (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 technical assistance related to an import described in that paragraph.

#### **Financial services and funds relating to relevant processed iron or steel products**

**46ID.**—(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 the import of a relevant processed iron or steel product.

(2) Paragraph (1) is subject to Part 7 (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 financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

#### **Brokering services relating to relevant processed iron or steel products**

**46IE.**—(1) A person must not directly or indirectly provide brokering services in the pursuance of, or in connection, with any arrangement described in regulation 46ID.

(2) Paragraph (1) is subject to Part 7 (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 brokering services were provided in relation to an arrangement mentioned in that paragraph.]

## [<sup>F187</sup>CHAPTER 4CB

### Metals

#### **Textual Amendments**

**F187** Pt. 5 Ch. 4CB inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), 7

#### **Interpretation**

**46IF.** In this Chapter—

“metals” means any thing specified in Schedule 3BA;

“third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

#### **Import of metals**

**46IG.**—(1) The import of metals which are consigned from Russia is prohibited.

(2) The import of metals which originate in Russia is prohibited.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

#### **Acquisition of metals**

**46IH.**—(1) A person must not directly or indirectly acquire metals which—



- (a) originate in Russia; or
  - (b) are located in Russia.
- (2) Paragraph (1) is subject to Part 7 (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 metals originated in Russia;
  - (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 metals were located in Russia.

### Supply and delivery of metals

**46II.**—(1) A person must not directly or indirectly supply or deliver metals from a place in Russia to a third country.

(2) Paragraph (1) is subject to Part 7 (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 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 Russia, whether directly or indirectly.]

## [<sup>F188</sup>CHAPTER 4D

### Interception and monitoring services

#### Textual Amendments

**F188** Pt. 5 Chs. 4D-4G inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **8** (with reg. 13)

### Interpretation

**46J.** In this Chapter, “Government of Russia” has the meaning given in regulation 6(7);

### Interception and monitoring services

**46K.**—(1) A person must not directly or indirectly provide interception and monitoring services to, or for the benefit of, the Government of Russia.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes the prohibition in paragraph (1) commits an offence, but it is a defence for a person (“P”) charged with that offence 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 Russia.

## CHAPTER 4E

### Banknotes

### Banknotes

**46L.**—(1) The export of banknotes to, or for use in, Russia is prohibited.

- (2) A person must not directly or indirectly—
  - (a) supply or deliver banknotes to a person connected with Russia;
  - (b) make banknotes available to a person connected with Russia; or
  - (c) make banknotes available for use in Russia.
- (3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).
- (4) A person who contravenes a prohibition in paragraph (2) commits an offence.
- (5) In this regulation, “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.

#### CHAPTER 4F

##### Jet fuel and fuel additives

#### Interpretation

**46M.** In this Chapter, “jet fuel and fuel additives” means the goods listed under that heading in Part 8 of Schedule 2A.

#### Jet fuel and fuel additives

- 46N.**—(1) The export of jet fuel and fuel additives to, or for use in, Russia is prohibited.
- (2) A person must not directly or indirectly—
    - (a) supply or deliver jet fuel and fuel additives from a third country to a place in Russia;
    - (b) make jet fuel and fuel additives available to a person connected with Russia;
    - (c) make jet fuel and fuel additives available for use in Russia.
  - (3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).
  - (4) A person who contravenes a prohibition in paragraph (2) commits an offence, but—
    - (a) it is a defence for a person charged with the offence of contravening paragraph (2)(a) to show that the person did not know and had no reasonable cause to suspect that the jet fuel and fuel additives were destined (or ultimately destined) for Russia;
    - (b) it is a defence for a person charged with the offence of contravening paragraph (2)(b) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
    - (c) it is a defence for a person charged with the offence of contravening paragraph (2)(c) to show that the person did not know and had no reasonable cause to suspect that the jet fuel and fuel additives were for use in Russia.
  - (5) In this regulation, “third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

#### Technical assistance relating to jet fuel and fuel additives

- 46O.**—(1) A person must not directly or indirectly provide technical assistance relating to jet fuel and fuel additives—
- (a) to a person connected with Russia; or
  - (b) for use in Russia.

- (2) Paragraph (1) is subject to Part 7 (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 was to be provided to a person connected with Russia;
  - (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 jet fuel and fuel additives for use in Russia.

### **Financial services and funds relating to jet fuel and fuel additives**

**46P.**—(1) A person must not directly or indirectly provide, to a person connected with Russia, financial services in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of jet fuel and fuel additives;
- (b) the direct or indirect supply or delivery of jet fuel and fuel additives;
- (c) directly or indirectly making jet fuel and fuel additives available to a person connected with Russia; or
- (d) the direct or indirect provision of technical assistance relating to jet fuel and fuel additives.

(2) A person must not directly or indirectly make funds available to a person connected with Russia 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 jet fuel and fuel additives to, or for use in, Russia;
- (b) the direct or indirect supply or delivery of jet fuel and fuel additives to a place in Russia;
- (c) directly or indirectly making jet fuel and fuel additives available—
  - (i) to a person connected with Russia, or
  - (ii) for use in Russia; or
- (d) the direct or indirect provision of technical assistance relating to jet fuel and fuel additives—
  - (i) to a person connected with Russia, or
  - (ii) for use in Russia.

(4) Paragraphs (1) to (3) are subject to Part 7 (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 Russia;
- (b) it is a defence for a person charged with the offence of contravening 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.

### **Brokering services relating to jet fuel and fuel additives**

**46Q.**—(1) A person must not directly or indirectly provide brokering services to a person connected with Russia in relation to an arrangement whose object or effect is—

- (a) the export of jet fuel and fuel additives;
  - (b) the direct or indirect supply or delivery of jet fuel and fuel additives;
  - (c) directly or indirectly making jet fuel and fuel additives available to a person connected with Russia; or
  - (d) the direct or indirect provision of technical assistance relating to jet fuel and fuel additives.
- (2) Paragraph (1) is subject to Part 7 (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.

## CHAPTER 4G

### [<sup>F189</sup>Schedule 3D] Revenue generating goods

#### Textual Amendments

**F189** Words in Pt. 5 Ch. 4G heading inserted (21.4.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **4(a)**

#### Interpretation

**46R.** In this Chapter—

“<sup>F190</sup>Schedule 3D] revenue generating goods” means any thing specified in Schedule 3D;

“third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

#### Textual Amendments

**F190** Words in reg. 46R inserted (21.4.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **4(b)**

#### Import of [<sup>F191</sup>Schedule 3D] revenue generating goods

**46S.**—(1) The import of [<sup>F191</sup>Schedule 3D] revenue generating goods which are consigned from Russia is prohibited.

(2) The import of [<sup>F191</sup>Schedule 3D] revenue generating goods which originate in Russia is prohibited.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

#### Textual Amendments

**F191** Words in reg. 46S inserted (21.4.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **4(c)**

#### Acquisition of [<sup>F192</sup>Schedule 3D] revenue generating goods

**46T.**—(1) A person must not directly or indirectly acquire [<sup>F192</sup>Schedule 3D] revenue generating goods which—

- (a) originate in Russia; or
- (b) are located in Russia,

with the intention of those goods entering the United Kingdom.

- (2) Paragraph (1) is subject to Part 7 (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 goods originated in Russia;
  - (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 Russia.

**Textual Amendments**

**F192** Words in [reg. 46T](#) inserted (21.4.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **4(d)**

**Supply and delivery of revenue generating goods**

<sup>F193</sup>**46U.** . . . . .

**Textual Amendments**

**F193** [Reg. 46U](#) omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **4(e)**

**Technical assistance relating to [<sup>F194</sup>Schedule 3D] revenue generating goods**

- 46V.**—(1) A person must not directly or indirectly provide technical assistance relating to—
- (a) the import of [<sup>F194</sup>Schedule 3D] revenue generating goods which—
    - (i) originate in Russia, or
    - (ii) are consigned from Russia;
  - (b) the direct or indirect acquisition of [<sup>F194</sup>Schedule 3D] revenue generating goods which—
    - (i) originate in Russia, or
    - (ii) are located in Russia,with the intention of those goods entering the United Kingdom;

<sup>F195</sup>(c) . . . . .

- (2) Paragraph (1) is subject to Part 7 (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;

<sup>F196</sup>(c) .....

#### Textual Amendments

- F194** Words in reg. 46V inserted (21.4.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **4(f)(i)**
- F195** Reg. 46V(1)(c) omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **4(f)(ii)**
- F196** Reg. 46V(3)(c) omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **4(f)(ii)**

#### Financial services and funds relating to [<sup>F197</sup>Schedule 3D] revenue generating goods

**46W.—(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 [<sup>F197</sup>Schedule 3D] revenue generating goods which—
- (i) originate in Russia, or
  - (ii) are consigned from Russia; or
- (b) the direct or indirect acquisition of [<sup>F197</sup>Schedule 3D] revenue generating goods which—
- (i) originate in Russia, or
  - (ii) are located in Russia,
- with the intention of those goods entering the United Kingdom;

<sup>F198</sup>(c) .....

(2) Paragraph (1) is subject to Part 7 (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 financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

#### Textual Amendments

- F197** Words in reg. 46W inserted (21.4.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **4(g)(i)**
- F198** Reg. 46W(1)(c) omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **4(g)(ii)**

#### Brokering services relating to [<sup>F199</sup>Schedule 3D] revenue generating goods

**46X.—(1)** A person must not directly or indirectly provide brokering services in relation to any arrangements described in regulation [<sup>F200</sup>46W(1)(a) or (b)].

(2) Paragraph (1) is subject to Part 7 (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.]

#### Textual Amendments

- F199** Words in reg. 46X heading inserted (21.4.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(2), 4(h)(i)
- F200** Words in reg. 46X(1) substituted (21.4.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(2), 4(h)(ii)

### [<sup>F201</sup>CHAPTER 4GA

#### Schedule 3DA revenue generating goods

#### Textual Amendments

- F201** Pt. 5 Ch. 4GA inserted (21.4.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(2), 5

#### Interpretation

**46XA.** In this Chapter—

“Schedule 3DA revenue generating goods” means any thing specified in Schedule 3DA;

“third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

#### Import of Schedule 3DA revenue generating goods

**46XB.**—(1) The import of Schedule 3DA revenue generating goods which are consigned from Russia is prohibited.

(2) The import of Schedule 3DA revenue generating goods which originate in Russia is prohibited.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

#### Acquisition of Schedule 3DA revenue generating goods

**46XC.**—(1) A person must not directly or indirectly acquire Schedule 3DA revenue generating goods which—

(a) originate in Russia; or

(b) are located in Russia.

(2) Paragraph (1) is subject to Part 7 (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 goods originated in Russia;

(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 Russia.

#### Supply and delivery of Schedule 3DA revenue generating goods to a third country

**46XD.**—(1) A person must not directly or indirectly supply or deliver Schedule 3DA revenue generating goods from a place in Russia to a third country.

(2) Paragraph (1) is subject to Part 7 (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 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 Russia, whether directly or indirectly.

#### **Technical assistance relating to Schedule 3DA revenue generating goods**

**46XE.**—(1) A person must not directly or indirectly provide technical assistance relating to—

- (a) the import of Schedule 3DA revenue generating goods which—
  - (i) originate in Russia; or
  - (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of Schedule 3DA revenue generating goods which—
  - (i) originate in Russia; or
  - (ii) are located in Russia;
- (c) the direct or indirect supply or delivery of Schedule 3DA revenue generating goods from a place in Russia to a third country.

(2) Paragraph (1) is subject to Part 7 (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), 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 that paragraph.

#### **Financial services and funds relating to Schedule 3DA revenue generating goods**

**46XF.**—(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 Schedule 3DA revenue generating goods which—
  - (i) originate in Russia; or
  - (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of Schedule 3DA revenue generating goods which—
  - (i) originate in Russia; or
  - (ii) are located in Russia;
- (c) the direct or indirect supply or delivery of Schedule 3DA revenue generating goods from a place in Russia to a third country.

(2) Paragraph (1) is subject to Part 7 (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 financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.



### Brokering services relating to Schedule 3DA revenue generating goods

**46XG.**—(1) A person must not directly or indirectly provide brokering services in relation to any arrangements described in regulation 46XF(1)(a) to (c).

(2) Paragraph (1) is subject to Part 7 (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.]

[<sup>F202</sup>Chapter 4H

[<sup>F203</sup>G7 dependency and further goods]

#### Textual Amendments

**F202** Pt. 5 Chs. 4H-4K inserted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), 12

**F203** Pt. 5 Ch. 4H heading substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), reg. 1(2)(b), **Sch. 3 para. 10(1)(2)(a)**

### [<sup>F204</sup>G7 dependency and further goods]

**46Y.**—(1) The export of [<sup>F205</sup>G7 dependency and further goods] to, or for use in, Russia is prohibited.

(2) A person must not directly or indirectly—

- (a) supply or deliver [<sup>F205</sup>G7 dependency and further goods] from a third country to a place in Russia;
- (b) make [<sup>F205</sup>G7 dependency and further goods] available to a person connected with Russia;
- (c) make [<sup>F205</sup>G7 dependency and further goods] available for use in Russia.

(3) Paragraphs (1) and (2) are subject to Part 7 (exceptions and licences).

(4) A person who contravenes a prohibition in paragraph (2) commits an offence, but—

- (a) it is a defence for a person charged with the offence of contravening paragraph (2)(a) to show that the person did not know and had no reasonable cause to suspect that the goods were destined (or ultimately destined) for Russia;
- (b) it is a defence for a person charged with the offence of contravening paragraph (2)(b) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
- (c) it is a defence for a person charged with the offence of contravening paragraph (2)(c) to show that the person did not know and had no reasonable cause to suspect that the goods were for use in Russia.

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

#### Textual Amendments

**F204** Words in reg. 46Y heading substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), reg. 1(2)(b), **Sch. 3 para. 10(1)(2)(b)**

**F205** Words in reg. 46Y substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), reg. 1(2)(b), **Sch. 3 para. 10(1)(2)(b)**

### Technical assistance relating to [<sup>F206</sup>G7 dependency and further goods]

**46Z.**—(1) A person must not directly or indirectly provide technical assistance relating to [<sup>F207</sup>G7 dependency and further goods] —

- (a) to a person connected with Russia; or
  - (b) for use in Russia.
- (2) Paragraph (1) is subject to Part 7 (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) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
  - (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 goods were for use in Russia.

### Textual Amendments

- F206** Words in reg. 46Z heading substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), reg. 1(2)(b), **Sch. 3 para. 10(1)(2)(c)**
- F207** Words in reg. 46Z(1) substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), reg. 1(2)(b), **Sch. 3 para. 10(1)(2)(c)**

### Financial services and funds relating to [<sup>F208</sup>G7 dependency and further goods]

**46Z1.**—(1) A person must not directly or indirectly provide, to a person connected with Russia, financial services in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of [<sup>F209</sup>G7 dependency and further goods];
  - (b) the direct or indirect supply or delivery of [<sup>F209</sup>G7 dependency and further goods];
  - (c) directly or indirectly making [<sup>F209</sup>G7 dependency and further goods] available to a person; or
  - (d) the direct or indirect provision of technical assistance relating to [<sup>F209</sup>G7 dependency and further goods].
- (2) A person must not directly or indirectly make funds available to a person connected with Russia 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 [<sup>F209</sup>G7 dependency and further goods] to, or for use in, Russia;
  - (b) the direct or indirect supply or delivery of [<sup>F209</sup>G7 dependency and further goods] to a place in Russia;
  - (c) directly or indirectly making [<sup>F209</sup>G7 dependency and further goods] available—
    - (i) to a person connected with Russia, or
    - (ii) for use in Russia; or

- (d) the direct or indirect provision of technical assistance relating to [F209G7 dependency and further goods] —
- (i) to a person connected with Russia, or
  - (ii) for use in Russia.
- (4) Paragraphs (1) to (3) are subject to Part 7 (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 Russia;
  - (b) it is a defence for a person charged with the offence of contravening 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.

#### Textual Amendments

- F208** Words in reg. 46Z1 heading substituted (29.10.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 15\) Regulations 2022 \(S.I. 2022/1110\)](#), reg. 1(2)(b), **Sch. 3 para. 10(1)(2)(d)**
- F209** Words in reg. 46Z1 substituted (29.10.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 15\) Regulations 2022 \(S.I. 2022/1110\)](#), reg. 1(2)(b), **Sch. 3 para. 10(1)(2)(d)**

#### Brokering services relating to [F210G7 dependency and further goods]

**46Z2.**—(1) A person must not directly or indirectly provide brokering services to a person connected with Russia in pursuance of or in connection with an arrangement (“arrangement A”) whose object or effect is—

- (a) the export of [F211G7 dependency and further goods];
  - (b) the direct or indirect supply or delivery of [F211G7 dependency and further goods];
  - (c) directly or indirectly making [F211G7 dependency and further goods] available to a person;
  - (d) the direct or indirect provision of technical assistance relating to [F211G7 dependency and further goods];
  - (e) the direct or indirect provision, in a non-UK country, of financial services—
    - (i) to a person connected with Russia, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 46Z1(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 46Z1(3);
  - (f) directly or indirectly making funds available, in a non-UK country, to a person connected with Russia, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 46Z1(1); or
  - (g) 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 46Z1(3).
- (2) Paragraph (1) is subject to Part 7 (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.

[  
<sup>F212</sup>(4) In this regulation, “non-UK country” means a country which is not the United Kingdom.]

#### Textual Amendments

- F210** Words in [reg. 46Z2](#) heading substituted (29.10.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 15\) Regulations 2022 \(S.I. 2022/1110\)](#), [reg. 1\(2\)\(b\)](#), [Sch. 3 para. 10\(1\)\(2\)\(e\)](#)
- F211** Words in [reg. 46Z2](#) substituted (29.10.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 15\) Regulations 2022 \(S.I. 2022/1110\)](#), [reg. 1\(2\)\(b\)](#), [Sch. 3 para. 10\(1\)\(2\)\(e\)](#)
- F212** [Reg. 46Z2\(4\)](#) inserted (29.10.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 15\) Regulations 2022 \(S.I. 2022/1110\)](#), [reg. 1\(2\)\(b\)](#), [Sch. 3 para. 2](#)

## CHAPTER 4I

### Oil and Oil Products

#### Meaning of “relevant day”

**46Z3.** In this Chapter, “relevant day” means [<sup>F213</sup>5th December 2022].

#### Textual Amendments

- F213** Words in [reg. 46Z3](#) substituted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), [regs. 1\(2\), 3](#)

#### Import of oil and oil products

**46Z4.**—(1) The import of oil and oil products, on or after the relevant day, which are consigned from Russia is prohibited.

(2) The import of oil and oil products, on or after the relevant day, which originate in Russia is prohibited.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

#### Acquisition of oil and oil products

**46Z5.**—(1) A person must not, on or after the relevant day, directly or indirectly acquire oil and oil products—

- (a) which originate in Russia; or
- (b) which are located in Russia,

with the intention of those goods entering the United Kingdom.

(2) Paragraph (1) is subject to Part 7 (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 goods originated in Russia;

- (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 Russia.

**Supply and delivery of oil and oil products**

<sup>F214</sup>**46Z6.** . . . . .

**Textual Amendments**  
**F214** Reg. 46Z6 omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **6(1)**

**Technical assistance relating to oil and oil products**

**46Z7.**—<sup>F215</sup>(1) A person must not, on or after the relevant day, directly or indirectly provide technical assistance relating to—

- (a) the import of oil and oil products which—
  - (i) originate in Russia, or
  - (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of oil and oil products which—
  - (i) originate in Russia, or
  - (ii) are located in Russia,with the intention of those goods entering the United Kingdom;

<sup>F216</sup>(c) . . . . .

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes any of the prohibitions in paragraph (1) commits an offence, but it is a defence for a person charged with an offence of contravening—

- (a) 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) 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;

<sup>F217</sup>(c) . . . . .

**Textual Amendments**  
**F215** Reg. 46Z7(1) substituted (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), reg. 1(2)(b), **Sch. 4 para. 1**  
**F216** Reg. 46Z7(1)(c) omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **6(2)**  
**F217** Reg. 46Z7(3)(c) omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **6(2)**

## Financial services and funds relating to oil and oil products

**46Z8.**—<sup>F218</sup>(1) A person must not, on or after the relevant day, 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 oil and oil products which—
  - (i) originate in Russia, or
  - (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of oil and oil products which—
  - (i) originate in Russia, or
  - (ii) are located in Russia,
 with the intention of those goods entering the United Kingdom;

<sup>F219</sup>(c) . . . . .]

<sup>F220</sup>(2) [<sup>F221</sup>Paragraph (1) is] are subject to Part 7 (Exceptions and licences).

<sup>F222</sup>(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 financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

### Textual Amendments

- F218** Reg. 46Z8(1) substituted (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), reg. 1(2)(b), **Sch. 4 para. 2**
- F219** Reg. 46Z8(1)(c) omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **6(3)**
- F220** Reg. 46Z8(3) renumbered as reg. 46Z8(2) (29.10.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 15\) Regulations 2022 \(S.I. 2022/1110\)](#), reg. 1(2)(b), **Sch. 3 para. 3(a)**
- F221** Words in reg. 46Z8(2) substituted (29.10.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 15\) Regulations 2022 \(S.I. 2022/1110\)](#), reg. 1(2)(b), **Sch. 3 para. 3(b)**
- F222** Reg 46Z8(4) renumbered as reg. 46Z8(3) (29.10.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 15\) Regulations 2022 \(S.I. 2022/1110\)](#), reg. 1(2)(b), **Sch. 3 para. 3(c)**

## Brokering services relating to oil and oil products

**46Z9.**—(1) A person must not, on or after the relevant day, directly or indirectly provide brokering services in relation to any arrangements described in regulation [<sup>F223</sup>46Z8(1)(a) or (b)].

(2) Paragraph (1) is subject to Part 7 (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.

### Textual Amendments

- F223** Words in reg. 46Z9(1) substituted (21.4.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **6(4)**

## [<sup>F224</sup>CHAPTER 4IA

### Maritime transportation of certain oil and oil products

#### Textual Amendments

**F224** Pt. 5 Ch. 4IA inserted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), 4

#### Interpretation

**46Z9A.**—(1) In this Chapter—

“2709 oil and oil products” means those oil and oil products—

- (a) falling within commodity code 2709; and
- (b) which originate in or are consigned from Russia;

“2710 oil and oil products” means those oil and oil products—

- (a) falling within commodity code 2710; and
- (b) which originate in or are consigned from Russia;

“first relevant day” means 5th December 2022;

“second relevant day” means 5th February 2023;

“ship” includes every description of vessel (including a hovercraft) used in navigation, except the naval, military or air-force ships of any country;

“third country” means any country other than the United Kingdom, the Isle of Man or Russia.

(2) Paragraph 1 of Schedule 3 applies for determining whether oil and oil products fall within the commodity codes specified in paragraph (1).

#### Maritime transportation of certain oil and oil products to and between third countries

**46Z9B.**—(1) A person must not directly or indirectly, on or after the first relevant day, supply or deliver by ship, 2709 oil and oil products—

- (a) from a place in Russia to a third country; or
- (b) from one third country to another third country.

(2) A person must not directly or indirectly, on or after the second relevant day, supply or deliver by ship, 2710 oil and oil products—

- (a) from a place in Russia to a third country; or
- (b) from one third country to another third country.

(3) For the purposes of paragraphs (1) and (2), “supply or deliver by ship” includes any transfer of the goods concerned between ships on which those goods are being supplied or delivered as specified in those paragraphs.

(4) For the purposes of paragraphs (1) and (2), a person supplying or delivering the goods concerned by ship includes a person who owns, controls, charters or operates a ship—

- (a) on which those goods are being carried; or
- (b) from or to which those goods are being transferred.

(5) For the purposes of paragraph (4), whether a person—

- (a) owns a ship is to be determined in accordance with regulation 57I(1)(a);

- (b) controls a ship is to be determined in accordance with regulation 57I(1)(b);
- (c) has chartered a ship is to be determined in accordance with regulation 57E(3)(c).
- (6) Regulation 57I(2) does not apply for the purposes of paragraph (5)(b).
- (7) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).
- (8) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with an offence of contravening that prohibition to show that the person did not know and had no reasonable cause to suspect that the supply or delivery related to oil and oil products—
  - (a) which fell within commodity code 2709; or
  - (b) which were consigned from or originated in Russia.
- (9) A person who contravenes a prohibition in paragraph (2) commits an offence, but it is a defence for a person charged with an offence of contravening that prohibition to show that the person did not know and had no reasonable cause to suspect that the supply or delivery related to oil and oil products—
  - (a) which fell within commodity code 2710; or
  - (b) which were consigned from or originated in Russia.

#### **Financial services and funds relating to maritime transportation of certain oil and oil products**

- 46Z9C.**—(1) A person must not directly or indirectly, on or after the first relevant day, provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is the supply or delivery by ship of 2709 oil and oil products—
- (a) from a place in Russia to a third country; or
  - (b) from one third country to another third country.
- (2) A person must not directly or indirectly, on or after the second relevant day, provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is the supply or delivery by ship of 2710 oil and oil products—
- (a) from a place in Russia to a third country; or
  - (b) from one third country to another third country.
- (3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).
- (4) A person who contravenes a prohibition in paragraph (1) commits an offence but it is a defence for a person charged with an offence of contravening that prohibition 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 the supply or delivery of oil and oil products—
- (a) which fell within commodity code 2709; or
  - (b) which were consigned from or originated in Russia.
- (5) A person who contravenes a prohibition in paragraph (2) commits an offence but it is a defence for a person charged with an offence of contravening that prohibition 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 the supply or delivery of oil and oil products—
- (a) which fell within commodity code 2710; or
  - (b) which were consigned from or originated in Russia.



### **Brokering services relating to maritime transportation of certain oil and oil products**

**46Z9D.**—(1) A person must not directly or indirectly, on or after the first relevant day, provide brokering services in relation to any arrangements described in regulation 46Z9C(1).

(2) A person must not directly or indirectly, on or after the second relevant day, provide brokering services in relation to any arrangements described in regulation 46Z9C(2).

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

(4) 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 described 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 described in that paragraph.]

## **CHAPTER 4J**

### **Gold**

#### **Meaning of “relevant day”**

**46Z10.** In this Chapter, “relevant day” means the day on which this Chapter comes into force.

#### **Prohibition on the import of gold from Russia**

**46Z11.**—(1) The import of gold [<sup>F225</sup>originating in] Russia is prohibited, where that gold has been exported from Russia on or after the relevant day.

(2) For the purposes of these Regulations, gold has been exported from Russia when—

(a) it has completed the applicable export formalities; and

(b) where the gold was transported by—

(i) land, it has left Russian territory;

(ii) sea, the ship on which it was transported has departed a port in Russia for a destination outside of Russia;

(iii) air, the aircraft on which it was transported has departed an airport in Russia for a destination outside of Russia.

(3) Paragraph (1) is subject to Part 7 (Exceptions and licences).

#### **Textual Amendments**

**F225** Words in [reg. 46Z11\(1\)](#) substituted (29.10.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 15\) Regulations 2022 \(S.I. 2022/1110\)](#), [reg. 1\(2\)\(b\)](#), [Sch. 3 para. 4](#)

#### **Acquisition of gold from Russia**

**46Z12.**—(1) A person must not directly or indirectly acquire gold which on or after the relevant day—

(a) originated in Russia; and

(b) is located in Russia,

with the intention of those goods entering the United Kingdom.

- (2) Paragraph (1) is subject to Part 7 (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 gold originated in Russia;
  - (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 gold was located in Russia.

**Supply and delivery of gold from Russia**

<sup>F226</sup>**46Z13.** . . . . .

**Textual Amendments**  
**F226** Reg. 46Z13 omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), 7(1)

**Technical assistance relating to gold**

- 46Z14.**—(1) A person must not directly or indirectly provide technical assistance relating to—
- (a) the import of gold which on or after the relevant day—
    - (i) originated in Russia; or
    - (ii) is consigned from Russia;
  - (b) the direct or indirect acquisition of gold which on or after the relevant day—
    - (i) originated in Russia; and
    - (ii) is located in Russia,
 with the intention of that gold entering the United Kingdom;

<sup>F227</sup>(c) . . . . .

- (2) Paragraph (1) is subject to Part 7 (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 an offence of contravening —
  - (a) 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) 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;

<sup>F228</sup>(c) . . . . .

**Textual Amendments**  
**F227** Reg. 46Z14(1)(c) omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), 7(2)  
**F228** Reg. 46Z14(3)(c) omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), 7(2)

### Financial services and funds relating to gold

**46Z15.**—<sup>F229</sup>(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 gold which on or after the relevant day—
  - (i) originated in Russia, or
  - (ii) is consigned from Russia;
- (b) the direct or indirect acquisition of gold which on or after the relevant day—
  - (i) originated in Russia, and
  - (ii) is located in Russia,with the intention of that gold entering the United Kingdom;

<sup>F230</sup>(c) . . . . .]

(2) Paragraph (1) is subject to Part 7 (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 the offence of contravening paragraph (1) 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.

#### Textual Amendments

**F229** Reg. 46Z15(1) substituted (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), reg. 1(2)(b), **Sch. 4 para. 3**

**F230** Reg. 46Z15(1)(c) omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **7(3)**

### Brokering services relating to gold

**46Z16.**—(1) A person must not directly or indirectly provide brokering services in relation to any arrangements described in regulation [<sup>F231</sup>46Z15(1)(a) or (b)].

(2) Paragraph (1) is subject to Part 7 (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.

#### Textual Amendments

**F231** Words in reg. 46Z16(1) substituted (21.4.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **7(4)**

## [<sup>F232</sup>CHAPTER 4JA

### Gold jewellery and relevant processed gold

#### Textual Amendments

**F232** Pt. 5 Ch. 4JA inserted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), 5

#### Interpretation

**46Z16A.**—(1) In this Chapter—

“relevant day” means the day on which this Chapter comes into force;

“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 Russia, and
  - (ii) has been exported from Russia;

“third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

(2) For the purposes of this Chapter, a thing has been exported from Russia when—

- (a) it has completed the applicable export formalities; and
- (b) where the thing was transported by—
  - (i) land, it has left Russian territory;
  - (ii) sea, the ship on which it was transported has departed a port in Russia for a destination outside of Russia;
  - (iii) air, the aircraft on which it was transported has departed an airport in Russia for a destination outside of Russia.

(3) For the purposes of this Chapter, gold is processed where it is—

- (a) altered;
- (b) transformed in any way; or
- (c) subjected to any other type of operation or process.

#### Prohibition on the import of gold jewellery from Russia

**46Z16B.**—(1) The import of gold jewellery originating in Russia is prohibited where the gold jewellery has been exported from Russia on or after the relevant day.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

#### Prohibition on the import of relevant processed gold

**46Z16C.**—(1) The import of relevant processed gold is prohibited.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

#### Acquisition of gold jewellery from Russia

**46Z16D.**—(1) A person must not directly or indirectly acquire gold jewellery which—

- (a) originates in Russia; and
  - (b) is located in Russia,
- with the intention of the gold jewellery entering the United Kingdom.
- (2) A person must not directly or indirectly acquire gold jewellery which—
- (a) originates in Russia; and
  - (b) on or after the relevant day, has been exported from Russia,
- with the intention of the gold jewellery entering the United Kingdom.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

(4) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with the offence of contravening that paragraph to show that the person did not know and had no reasonable cause to suspect that the gold jewellery—

- (a) originated in Russia; or
- (b) was located in Russia.

(5) A person who contravenes a prohibition in paragraph (2) commits an offence, but it is a defence for a person charged with the offence of contravening that paragraph to show that the person did not know and had no reasonable cause to suspect that the gold jewellery—

- (a) originated in Russia; or
- (b) had been exported from Russia on or after the relevant day.

#### Technical assistance relating to gold jewellery

**46Z16E.**—<sup>F233</sup>(1) A person must not directly or indirectly provide technical assistance relating to—

- (a) the import of gold jewellery which on or after the relevant day—
  - (i) originated in Russia, or
  - (ii) is exported from Russia;
- (b) the direct or indirect acquisition of gold jewellery which—
  - (i) originated in Russia, or
  - (ii) is located in Russia or, on or after the relevant day, has been exported from Russia, with the intention of that gold jewellery entering the United Kingdom.]

(2) Paragraph (1) is subject to Part 7 (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 an offence of contravening—

- (a) 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 sub-paragraph;
- (b) 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 sub-paragraph.

#### Textual Amendments

**F233** Reg. 46Z16E(1) substituted (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), reg. 1(2)(b), **Sch. 4 para. 4**

### Technical assistance relating to relevant processed gold

**46Z16F.**—(1) A person must not directly or indirectly provide technical assistance relating to the import of relevant processed gold.

(2) Paragraph (1) is subject to Part 7 (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 an offence of contravening paragraph (1) 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.

### Financial services and funds relating to gold jewellery

**46Z16G.**—<sup>F234</sup>(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 gold jewellery which on or after the relevant day—
  - (i) originated in Russia, or
  - (ii) is exported from Russia;
- (b) the direct or indirect acquisition of gold which on or after the relevant day—
  - (i) originated in Russia, or
  - (ii) is located in Russia,

with the intention of that gold jewellery entering the United Kingdom.]

(2) Paragraph (1) is subject to Part 7 (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 the offence of contravening paragraph (1) 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.

#### Textual Amendments

**F234** Reg. 46Z16G(1) substituted (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), reg. 1(2)(b), [Sch. 4 para. 5](#)

### Financial services and funds relating to relevant processed gold

**46Z16H.**—(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 the import of relevant processed gold.

(2) Paragraph (1) is subject to Part 7 (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 the offence of contravening paragraph (1) 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.

### Brokering services relating to gold jewellery and relevant processed gold

**46Z16I.**—(1) A person must not directly or indirectly provide brokering services in the pursuance of, or in connection, with any arrangements described in regulations 46Z16G(1) and 46Z16H(1).

(2) Paragraph (1) is subject to Part 7 (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 the offence of contravening paragraph (1) 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.]

## [<sup>F235</sup>CHAPTER 4JB

### Textual Amendments

**F235** Pt. 5 Ch. 4JB inserted (1.1.2024) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 5\) Regulations 2023 \(S.I. 2023/1367\)](#), regs. 1(2), 3

### Interpretation

**46Z16J.** In this Chapter—

“diamonds” means any thing specified in Part 2 of Schedule 3GA;

“diamond jewellery” means any thing specified in Part 3 of Schedule 3GA;

“third country” means a country which is not the United Kingdom, the Isle of Man or Russia.

### Import of diamonds and diamond jewellery

**46Z16K.**—(1) The import of diamonds and diamond jewellery which are consigned from Russia is prohibited.

(2) The import of diamonds and diamond jewellery which originate in Russia is prohibited.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

### Acquisition of diamonds and diamond jewellery

**46Z16L.**—(1) A person must not directly or indirectly acquire diamonds or diamond jewellery which—

(a) originate in Russia; or

(b) are located in Russia.

(2) Paragraph (1) is subject to Part 7 (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 goods originated in Russia;

(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 Russia.

### **Supply and delivery of diamonds and diamond jewellery**

**46Z16M.**—(1) A person must not directly or indirectly supply or deliver diamonds or diamond jewellery from a place in Russia to a third country.

(2) Paragraph (1) is subject to Part 7 (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 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 Russia, whether directly or indirectly.

### **Technical assistance relating to diamonds and diamond jewellery**

**46Z16N.**—(1) A person must not directly or indirectly provide technical assistance relating to—

- (a) the import of diamonds or diamond jewellery which—
  - (i) originate in Russia, or
  - (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of diamonds or diamond jewellery which—
  - (i) originate in Russia, or
  - (ii) are located in Russia; or
- (c) the direct or indirect supply or delivery of diamonds or diamond jewellery from a place in Russia to a third country.

(2) Paragraph (1) is subject to Part 7 (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 an offence of contravening—

- (a) 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) 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) paragraph (1)(c), 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 that paragraph.

### **Financial services and funds relating to diamonds and diamond jewellery**

**46Z16O.**—(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 diamonds or diamond jewellery which—
  - (i) originate in Russia, or
  - (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of diamonds or diamond jewellery which—
  - (i) originate in Russia, or
  - (ii) are located in Russia; or
- (c) the direct or indirect supply or delivery of diamonds or diamond jewellery from a place in Russia to a third country.

(2) Paragraph (1) is subject to Part 7 (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 the offence of contravening that paragraph 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.

### **Brokering services relating to diamonds and diamond jewellery**

**46Z16P.**—(1) A person must not directly or indirectly provide brokering services in relation to any arrangements described in regulation 46Z16O(1).

(2) Paragraph (1) is subject to Part 7 (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 the offence of contravening that paragraph 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.]

## [<sup>F236</sup>CHAPTER 4JC

### Certain diamonds processed in a third country

#### **Textual Amendments**

**F236** Pt. 5 Ch. 4JC inserted (1.3.2024) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2024 \(S.I. 2024/218\)](#), regs. 1(2), 2

### **Interpretation**

**46Z16Q.**—(1) In this Chapter—

“diamonds” means any thing falling within—

- (a) the following commodity codes—
  - (i) 7102 10 (unsorted diamonds);
  - (ii) 7102 39 (non-industrial diamonds, other than unworked or simply sawn, cleaved or bruted); and
- (b) both commodity code ex 7102 31 and the description “non-industrial diamonds, simply sawn, cleaved or bruted”;

“relevant day” means—

- (a) 1st March 2024 in relation to any diamonds which are equal to or larger than 1 carat;
- (b) 1st September 2024 in relation to any diamonds which are equal to or larger than 0.5 carats;

“relevant processed diamonds” means diamonds which—

- (a) have been processed in a third country; and
- (b) originate in Russia;

“third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

(2) Paragraph 1 of Schedule 3 applies for the purposes of interpreting the definition of diamonds in paragraph (1).

(3) For the purposes of this Chapter, diamonds are processed where they are—

- (a) altered;

- (b) transformed in any way; or
- (c) subjected to any other type of operation or process.

#### **Import of relevant processed diamonds**

**46Z16R.**—(1) The import of relevant processed diamonds, on or after the relevant day, is prohibited.

- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

#### **Technical assistance relating to relevant processed diamonds**

**46Z16S.**—(1) A person must not on or after the relevant day directly or indirectly provide technical assistance relating to the import of relevant processed diamonds.

- (2) Paragraph (1) is subject to Part 7 (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 an offence of contravening paragraph (1) 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.

#### **Financial services and funds relating to relevant processed diamonds**

**46Z16T.**—(1) A person must not on or after the relevant day directly or indirectly provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is the import of relevant processed diamonds.

- (2) Paragraph (1) is subject to Part 7 (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 the offence of contravening paragraph (1) 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.

#### **Brokering services relating to relevant processed diamonds**

**46Z16U.**—(1) A person must not on or after the relevant day directly or indirectly provide brokering services in relation to any arrangements described in regulation 46Z16T(1).

- (2) Paragraph (1) is subject to Part 7 (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 the offence of contravening paragraph (1) 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.]

### CHAPTER 4K

#### Coal and Coal Products

#### **Meaning of relevant day**

**46Z17.** In this Chapter, “relevant day” means 10th August 2022.

### Import of coal and coal products

**46Z18.**—(1) The import of coal and coal products, on or after the relevant day, which are consigned from Russia is prohibited.

(2) The import of coal and coal products, on or after the relevant day, which originate in Russia is prohibited.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

### Acquisition of coal and coal products

**46Z19.**—(1) A person must not directly or indirectly, on or after the relevant day, acquire coal and coal products—

- (a) which originate in Russia; or
- (b) which are located in Russia,

with the intention of those goods entering the United Kingdom.

(2) Paragraph (1) is subject to Part 7 (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 goods originated in Russia;
- (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 Russia.

### Supply and delivery of coal and coal products

<sup>F237</sup>**46Z20.** . . . . .

#### Textual Amendments

**F237** Reg. 46Z20 omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **8(1)**

### Technical assistance relating to coal and coal products

**46Z21.**—<sup>F238</sup>(1) A person must not, on or after the relevant day, directly or indirectly provide technical assistance relating to—

- (a) the import of coal and coal products which—
  - (i) originate in Russia, or
  - (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of coal and coal products which—
  - (i) originate in Russia, or
  - (ii) are located in Russia,

with the intention of those goods entering the United Kingdom;

<sup>F239</sup>(c) . . . . .]

(2) Paragraph (1) is subject to Part 7 (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 an offence of contravening—

- (a) 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) 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;

<sup>F240</sup>(c) .....

**Textual Amendments**

- F238** Reg. 46Z21(1) substituted (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), reg. 1(2)(b), **Sch. 4 para. 6**
- F239** Reg. 46Z21(1)(c) omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **8(2)**
- F240** Reg. 46Z21(3)(c) omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **8(2)**

**Financial services and funds relating to coal and coal products**

**46Z22.**—<sup>F241</sup>(1) A person must not, on or after the relevant day, 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 coal and coal products which—
  - (i) originate in Russia, or
  - (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of coal and coal products which—
  - (i) originate in Russia, or
  - (ii) are located in Russia,

with the intention of those goods entering the United Kingdom;

<sup>F242</sup>(c) .....

(2) Paragraphs (1) is subject to Part 7 (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 financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

**Textual Amendments**

- F241** Reg. 46Z22(1) substituted (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), reg. 1(2)(b), **Sch. 4 para. 7**
- F242** Reg. 46Z22(1)(c) omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **8(3)**

**Brokering services relating to coal and coal products**

**46Z23.**—(1) A person must not, on or after the relevant day, directly or indirectly provide brokering services in relation to any arrangements described in regulation [<sup>F243</sup>46Z22(1)(a) or (b)].

(2) Paragraph (1) is subject to Part 7 (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.]

#### Textual Amendments

**F243** Words in [reg. 46Z23\(1\)](#) substituted (21.4.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), [regs. 1\(2\), 8\(4\)](#)

## [<sup>F244</sup>CHAPTER 4L

### Liquefied natural gas

#### Textual Amendments

**F244** [Pt. 5 Chs. 4L, 4M](#) inserted (1.1.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 15\) Regulations 2022 \(S.I. 2022/1110\)](#), [regs. 1\(2\)\(a\), 6](#)

#### Interpretation

**46Z24.**—(1) In this Chapter, “liquefied natural gas” means liquefied natural gas falling within commodity code 2711 11 00.

(2) Paragraph 1 of Schedule 3 applies for the purposes of interpreting the definition in paragraph (1).

#### Import of liquefied natural gas

**46Z25.**—(1) The import of liquefied natural gas which is consigned from Russia is prohibited.

(2) The import of liquefied natural gas which originates in Russia is prohibited.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

#### Acquisition of liquefied natural gas

**46Z26.**—(1) A person must not directly or indirectly acquire liquefied natural gas—

(a) which originates in Russia; or

(b) which is located in Russia,

with the intention of the liquefied natural gas entering the United Kingdom.

(2) Paragraph (1) is subject to Part 7 (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 liquefied natural gas originated in Russia;

(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 liquefied natural gas was located in Russia.

### Technical assistance relating to liquefied natural gas

**46Z27.**—<sup>[F245]</sup>(1) A person must not directly or indirectly provide technical assistance relating to—

- (a) the import of liquefied natural gas which—
  - (i) originates in Russia, or
  - (ii) is consigned from Russia;
- (b) the direct or indirect acquisition of liquefied natural gas which—
  - (i) originates in Russia, or
  - (ii) is located in Russia,

with the intention of the liquefied natural gas entering the United Kingdom.]

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes any of the prohibitions in paragraph (1) commits an offence, but it is a defence for a person charged with an offence of contravening—

- (a) 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) 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.

#### Textual Amendments

**F245** Reg. 46Z27(1) substituted (1.1.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), reg. 1(2)(a), **Sch. 4 para. 9**

### Financial services and funds relating to liquefied natural gas

**46Z28.**—<sup>[F246]</sup>(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 liquefied natural gas which—
  - (i) originates in Russia, or
  - (ii) is consigned from Russia;
- (b) the direct or indirect acquisition of liquefied natural gas which—
  - (i) originates in Russia, or
  - (ii) is located in Russia,

with the intention of the liquefied natural gas entering the United Kingdom.]

(2) Paragraph (1) is subject to Part 7 (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 financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

#### Textual Amendments

**F246** Reg. 46Z28(1) substituted (1.1.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), reg. 1(2)(a), **Sch. 4 para. 10**

### **Brokering services relating to liquefied natural gas**

**46Z29.**—(1) A person must not directly or indirectly provide brokering services in relation to any arrangements described in regulation 46Z28(1)(a) and (b).

(2) Paragraph (1) is subject to Part 7 (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.

## **CHAPTER 4M**

### **Russia's vulnerable goods**

#### **Russia's vulnerable goods**

**46Z30.**—(1) The export of Russia's vulnerable goods to, or for use in, Russia is prohibited.

(2) A person must not directly or indirectly—

- (a) supply or deliver Russia's vulnerable goods from a third country to a place in Russia;
- (b) make Russia's vulnerable goods available to a person connected with Russia;
- (c) make Russia's vulnerable goods available for use in Russia.

(3) Paragraphs (1) and (2) are subject to Part 7 (exceptions and licences).

(4) A person who contravenes a prohibition in paragraph (2) commits an offence, but—

- (a) it is a defence for a person charged with the offence of contravening paragraph (2)(a) to show that the person did not know and had no reasonable cause to suspect that the goods were destined (or ultimately destined) for Russia;
- (b) it is a defence for a person charged with the offence of contravening paragraph (2)(b) ("P") to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
- (c) it is a defence for a person charged with the offence of contravening paragraph (2)(c) to show that the person did not know and had no reasonable cause to suspect that the goods were for use in Russia.

(5) In this regulation "third country" means a country that is not the United Kingdom, the Isle of Man or Russia.

#### **Technical assistance relating to Russia's vulnerable goods**

**46Z31.**—(1) A person must not directly or indirectly provide technical assistance relating to Russia's vulnerable goods—

- (a) to a person connected with Russia; or
- (b) for use in Russia.

(2) Paragraph (1) is subject to Part 7 (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) ("P") to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
- (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 goods were for use in Russia.

### **Financial services and funds relating to Russia's vulnerable goods**

**46Z32.**—(1) A person must not directly or indirectly provide, to a person connected with Russia, financial services in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of Russia's vulnerable goods;
- (b) the direct or indirect supply or delivery of Russia's vulnerable goods;
- (c) directly or indirectly making Russia's vulnerable goods available to a person; or
- (d) the direct or indirect provision of technical assistance relating to Russia's vulnerable goods.

(2) A person must not directly or indirectly make funds available to a person connected with Russia 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 Russia's vulnerable goods to, or for use in, Russia;
- (c) the direct or indirect supply or delivery of Russia's vulnerable goods to a place in Russia;
- (c) directly or indirectly making Russia's vulnerable goods available—
  - (i) to a person connected with Russia, or
  - (ii) for use in Russia; or
- (d) the direct or indirect provision of technical assistance relating to Russia's vulnerable goods—
  - (i) to a person connected with Russia, or
  - (ii) for use in Russia.

(4) Paragraphs (1) to (3) are subject to Part 7 (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 Russia;
- (a) it is a defence for a person charged with the offence of contravening 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.

### **Brokering services relating to Russia's vulnerable goods**

**46Z33.**—(1) A person must not directly or indirectly provide brokering services to a person connected with Russia in pursuance of or in connection with an arrangement ("arrangement A") whose object or effect is—

- (a) the export of Russia's vulnerable goods;
- (b) the direct or indirect supply or delivery of Russia's vulnerable goods;
- (c) directly or indirectly making Russia's vulnerable goods available to a person;
- (d) the direct or indirect provision of technical assistance relating to Russia's vulnerable goods;
- (e) the direct or indirect provision, in a non-UK country, of financial services—



- (i) to a person connected with Russia, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 46Z32(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 46Z32(3);
  - (f) directly or indirectly making funds available, in a non-UK country, to a person connected with Russia, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 46Z32(1); or
  - (g) 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 46Z32(3).
- (2) Paragraph (1) is subject to Part 7 (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 other than the United Kingdom.]

## CHAPTER 5

Exports and imports, and related activities, in relation to [F247 non-government controlled Ukrainian territory]

### Textual Amendments

**F247** Words in Pt. 5 Ch. 5 heading substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **15(a)**

### Imports from [F248 non-government controlled Ukrainian territory]

**47.**—(1) The import of goods which originate in [F248 non-government controlled Ukrainian territory] is prohibited.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

### Textual Amendments

**F248** Words in reg. 47 substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **15(b)(i)**

### Commencement Information

**I36** Reg. 47 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### Export of infrastructure-related goods to [F249 non-government controlled Ukrainian territory]

[F250 **48.**—(1) The export of infrastructure-related goods to, or for use in, Crimea is prohibited.

(2) The export of infrastructure-related goods to, or for use in, non-government controlled areas of the Donetsk Kherson, Luhansk and Zaporizhzhia oblasts is prohibited.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

(4) It is a defence for a person charged with the offence under section 68(1) (offences in relation to exportation of prohibited or restricted goods) of CEMA in relation to the prohibition in paragraph (2) to show that they did not know and had no reasonable cause to suspect that the export was, or would have been, to, or the goods were for use in, non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts.]

#### Textual Amendments

**F249** Words in [reg. 48](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **15(b)(ii)**

**F250** [Reg. 48](#) substituted (20.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), regs. 1(2), **6**

#### Supply and delivery of infrastructure-related goods

**49.**—(1) A person must not directly or indirectly supply or deliver infrastructure-related goods from a third country to a place in [<sup>F251</sup>non-government controlled Ukrainian territory].

(2) Paragraph (1) is subject to Part 7 (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 [<sup>F251</sup>non-government controlled Ukrainian territory].

(4) In this regulation, “third country” means a country that is not the United Kingdom, the Isle of Man or [<sup>F251</sup>non-government controlled Ukrainian territory].

#### Textual Amendments

**F251** Words in [reg. 49](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **15(b)(iii)**

#### Commencement Information

**I37** [Reg. 49](#) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

#### Making infrastructure-related goods available

**50.**—(1) A person must not—

- (a) directly or indirectly make infrastructure-related goods available to a person connected with [<sup>F252</sup>non-government controlled Ukrainian territory];
- (b) directly or indirectly make infrastructure-related goods available for use in [<sup>F252</sup>non-government controlled Ukrainian territory].

(2) Paragraph (1) is subject to Part 7 (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 [F252 non-government controlled Ukrainian territory];
- (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 for use in [F252 non-government controlled Ukrainian territory].

#### Textual Amendments

**F252** Words in [reg. 50](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), [regs. 1\(2\)](#), [15\(b\)\(iv\)](#)

#### Commencement Information

**I38** [Reg. 50](#) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

### Technical assistance relating to infrastructure-related goods

**51.—(1)** A person must not directly or indirectly provide technical assistance relating to infrastructure-related goods—

- (a) to a person connected with [F253 non-government controlled Ukrainian territory], or
  - (b) for use in [F253 non-government controlled Ukrainian territory].
- (2) Paragraph (1) is subject to Part 7 (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 [F253 non-government controlled Ukrainian territory];
  - (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 for use in [F253 non-government controlled Ukrainian territory].

#### Textual Amendments

**F253** Words in [reg. 51](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), [regs. 1\(2\)](#), [15\(b\)\(v\)](#)

#### Commencement Information

**I39** [Reg. 51](#) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

### Financial services and funds relating to infrastructure-related goods etc.

**52.—(1)** A person must not directly or indirectly provide, to a person connected with [F254 non-government controlled Ukrainian territory], financial services in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of infrastructure-related goods,
- (b) the direct or indirect supply or delivery of infrastructure-related goods,

- (c) directly or indirectly making infrastructure-related goods available to a person, or
  - (d) the direct or indirect provision of technical assistance relating to infrastructure-related goods.
- (2) A person must not directly or indirectly make funds available to a person connected with [F254non-government controlled Ukrainian territory] 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 import of goods which originate in [F254non-government controlled Ukrainian territory];
  - (b) the export of infrastructure-related goods to, or for use in, [F254non-government controlled Ukrainian territory],
  - (c) the direct or indirect supply or delivery of infrastructure-related goods to a place in [F254non-government controlled Ukrainian territory],
  - (d) directly or indirectly making infrastructure-related goods available—
    - (i) to a person connected with [F254non-government controlled Ukrainian territory], or
    - (ii) for use in [F254non-government controlled Ukrainian territory],
  - (e) the direct or indirect provision of technical assistance relating to infrastructure-related goods—
    - (i) to a person connected with [F254non-government controlled Ukrainian territory], or
    - (ii) for use in [F254non-government controlled Ukrainian territory].
- (4) Paragraphs (1) to (3) are subject to Part 7 (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 [F254non-government controlled Ukrainian territory];
  - (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.

---

**Textual Amendments**

**F254** Words in [reg. 52](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), [regs. 1\(2\)](#), [15\(b\)\(vi\)](#)

---

**Commencement Information**

**I40** [Reg. 52](#) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

**Brokering services: non-UK activity relating to infrastructure-related goods and goods from [F255 non-government controlled Ukrainian territory]**

**53.**—(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 import of goods which originate in [F255 non-government controlled Ukrainian territory];
- (b) the direct or indirect supply or delivery of infrastructure-related goods from a third country to a place in [F255 non-government controlled Ukrainian territory],
- (c) directly or indirectly making infrastructure-related goods available in a third country for direct or indirect supply or delivery—
  - (i) to a person connected with [F255 non-government controlled Ukrainian territory], or
  - (ii) to a place in [F255 non-government controlled Ukrainian territory],
- (d) the direct or indirect provision, in a non-UK country, of technical assistance relating to infrastructure-related goods—
  - (i) to a person connected with [F255 non-government controlled Ukrainian territory], or
  - (ii) for use in [F255 non-government controlled Ukrainian territory],
- (e) the direct or indirect provision, in a non-UK country, of financial services—
  - (i) to a person connected with [F255 non-government controlled Ukrainian territory], where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 52(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 52(3) in relation to infrastructure-related goods,
- (f) directly or indirectly making funds available, in a non-UK country, to a person connected with [F255 non-government controlled Ukrainian territory], where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 52(1), or
- (g) 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 52(3) in relation to infrastructure-related goods.

(2) Paragraph (1) is subject to Part 7 (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;

“third country” means a country that is not the United Kingdom, the Isle of Man or [F255 non-government controlled Ukrainian territory].

**Textual Amendments**

**F255** Words in [reg. 53](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **15(b)(vii)**

#### Commencement Information

**141** Reg. 53 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### <sup>F256</sup>Application of prohibitions and requirements in Chapter 2 of Part 5 to non-government controlled Ukrainian territory

##### 53A.—[

<sup>F257</sup>(1)] Where it is specified in Schedule 2A, 3 or 3C or in any table in those Schedules that this regulation applies in relation to an item, any prohibition or requirement in Chapter 2 of this Part which applies to Russia in relation to that item also applies to non-government controlled Ukrainian territory.

[

<sup>F258</sup>(2) Paragraph (3) applies where the person is charged with the offence under section 68(1) (offences in relation to exportation of prohibited or restricted goods) of CEMA in relation to exportation of goods to, or for use in, non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts which is or would be contrary to the prohibition in regulation 22(1) (export of restricted goods), as it has effect by virtue of this regulation.

(3) It is a defence for a person charged with the offence mentioned in paragraph (2) to show that the person did not know and had no reasonable cause to suspect that the export was, or would have been, to, or the goods were for use in, non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts.]]

#### Textual Amendments

**F256** Reg. 53A inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **9** (with reg. 13)

**F257** Reg. 53A renumbered as reg. 53A(1) (20.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), regs. 1(2), **7(a)**

**F258** Reg. 53A(2)(3) inserted (20.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), regs. 1(2), **7(b)**

## CHAPTER 6

Other services relating to <sup>F259</sup>non-government controlled Ukrainian territory]

#### Textual Amendments

**F259** Words in Pt. 5 Ch. 6 heading substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **16(a)**

#### Prohibition on providing certain services relating to <sup>F260</sup>non-government controlled Ukrainian territory]

**54.**—(1) A person must not provide—

- (a) services relating to a relevant infrastructure sector in <sup>F261</sup>non-government controlled Ukrainian territory]; or
- (b) services relating to tourism in <sup>F261</sup>non-government controlled Ukrainian territory].

- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (3) A person who contravenes the prohibition in paragraph (1) commits an offence, but—
- (a) it is a defence for a person charged with the offence in paragraph (1)(a) (“P”) to show that P did not know and had no reasonable cause to suspect that P was providing services relating to a relevant infrastructure sector in [<sup>F262</sup>non-government controlled Ukrainian territory];
  - (b) it is a defence for a person charged with the offence in paragraph (1)(b) (“P”) to show that P did not know and had no reasonable cause to suspect that P was providing services relating to tourism in [<sup>F262</sup>non-government controlled Ukrainian territory].
- (4) In this regulation—
- “services relating to a relevant infrastructure sector in [<sup>F263</sup>non-government controlled Ukrainian territory]” means technical assistance, brokering, construction or engineering services directly relating to infrastructure in [<sup>F263</sup>non-government controlled Ukrainian territory] in any of the following sectors—
- (a) transport;
  - (b) telecommunications;
  - (c) energy;
  - (d) the prospection, exploration and production of oil, gas and mineral resources;
- “technical assistance” means the provision of technical support or any other technical service.

#### Textual Amendments

- F260** Words in [reg. 54](#) heading substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), [regs. 1\(2\)](#), **16(b)(i)**
- F261** Words in [reg. 54\(1\)](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), [regs. 1\(2\)](#), **16(b)(ii)**
- F262** Words in [reg. 54\(3\)](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), [regs. 1\(2\)](#), **16(b)(ii)**
- F263** Words in [reg. 54\(4\)](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), [regs. 1\(2\)](#), **16(b)(ii)**

#### Commencement Information

- I42** [Reg. 54](#) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

## [<sup>F264</sup>CHAPTER 6A

### Internet services

#### Textual Amendments

- F264** [Pt. 5 Ch. 6A](#) inserted (29.4.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/477\)](#), [regs. 1\(2\)](#), **5**

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

**54A.—(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.]

## [<sup>F265</sup>CHAPTER 6B

### Professional and Business Services

#### Textual Amendments

**F265** Pt. 5 Ch. 6B inserted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), 13

#### Interpretation of this Chapter

**54B.** In this Chapter—

- [<sup>F266</sup>(a) “accounting services” has the meaning given in paragraph 2 of Schedule 3J;
- (b) “advertising services” has the meaning given in paragraph 3 of Schedule 3J;
- (c) “architectural services” has the meaning given in paragraph 4 of Schedule 3J;
- (d) “auditing services” has the meaning given in paragraph 5 of Schedule 3J;
- (e) “business and management consulting services” has the meaning given in paragraph 6 of Schedule 3J;
- (f) “engineering services” has the meaning given in paragraph 7 of Schedule 3J;
- (g) “IT consultancy and design services” has the meaning given in paragraph 8 of Schedule 3J;
- [<sup>F267</sup>(ga) “legal advisory services” has the meaning given in paragraph 8A of Schedule 3J;]
- (h) “public relations services” has the meaning given in paragraph 9 of Schedule 3J.]



#### Textual Amendments

**F266** Reg. 54B(a)-(h) substituted for reg. 54B(a)-(c) (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), regs. 1(2)(b), **9**

**F267** Reg. 54B(ga) inserted (30.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2023 \(S.I. 2023/713\)](#), regs. 1(2), **3(1)**

#### Professional and business services

**54C.**—(1) A person must not directly or indirectly provide, to a person connected with Russia—

- [<sup>F268</sup>(a) accounting services,  
(b) advertising services,  
(c) architectural services,  
(d) auditing services,  
(e) business and management consulting services,  
(f) engineering services,  
(g) IT consultancy and design services, or  
(h) public relations services.]

(2) Paragraph (1) is subject to Part 7 (exceptions and licences).

(3) A person who contravenes any of the prohibitions in paragraph (1) (“P”) commits an offence, but it is a defence for P to show that P did not know and had no reasonable cause to suspect that the person to whom the services were provided was connected with Russia.

#### Textual Amendments

**F268** Reg. 54C(1)(a)-(h) substituted for reg. 54C(1)(a)-(c) (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), regs. 1(2)(b), **10**

#### [<sup>F269</sup>Legal advisory services

**54D.**—(1) A person must not directly or indirectly provide legal advisory services to any person who is not a United Kingdom person in relation to, or in connection with, any activity (“the relevant activity”) which satisfies the condition in paragraph (2), whether or not those services are provided to a person in the United Kingdom.

(2) The condition is that the relevant activity would—

- (a) be prohibited under any of regulations 11 to 18C of Part 3 (Finance), Chapters 2 to 6 or Chapter 6B of Part 5 (Trade) if—  
(i) the relevant activity was done by a United Kingdom person, or  
(ii) the relevant activity was taking place in the United Kingdom, or  
(b) contravene regulation 19 or 55 if—  
(i) the relevant activity was done by a United Kingdom person, or  
(ii) the relevant activity was taking place in the United Kingdom.

(3) Paragraph (1) is subject to Part 7 (exceptions and licences).

(4) A person who contravenes any of the prohibitions in paragraph (1) (“P”) commits an offence, but it is a defence for P to show that P did not know and had no reasonable cause to suspect that the relevant activity satisfied the condition in paragraph (2).]]

#### Textual Amendments

**F269** Reg. 54D inserted (30.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2023 \(S.I. 2023/713\)](#), regs. 1(2), **3(2)**

## CHAPTER 7

### Further provision

#### Circumventing etc. prohibitions

**55.**—(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 [<sup>F270</sup>Chapters 2 to 6 and Chapter 6B 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

**F270** Words in [reg. 55\(1\)\(a\)](#) substituted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **14**

#### Commencement Information

**I43** Reg. 55 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Defences

**56.**—(1) Paragraph (2) applies where a person relies on a defence under any of [<sup>F271</sup>Chapters 2 to 6 and Chapter 6B 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

**F271** Words in [reg. 56](#) substituted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **15**

#### Commencement Information

**I44** Reg. 56 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

## PART 6

### Ships

#### [<sup>F272</sup>Crimean ports direction, Donetsk ports direction or Kherson and Zaporizhzhia ports direction]

57.—(1) The Secretary of State may give a [<sup>F273</sup>Crimean ports direction, a Donetsk ports direction or a Kherson and Zaporizhzhia ports direction] to a master or pilot of a British ship which is a cruise ship.

(2) In this regulation, a “Crimean ports direction” is a direction prohibiting a ship from entering a port or any ports located in Crimea.

[<sup>F274</sup>(2A) In this regulation, a “Donetsk ports direction” is a direction prohibiting a ship from entering a port or any ports located in the non-government controlled areas of the Donetsk and Luhansk oblasts.]

[<sup>F275</sup>(2B) In this regulation, a “Kherson and Zaporizhzhia ports direction” is a direction prohibiting a ship from entering a port or any ports located in non-government controlled areas of the Kherson and Zaporizhzhia oblasts.]

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

(4) A [<sup>F276</sup>Crimean ports direction, a Donetsk ports direction or a Kherson and Zaporizhzhia ports direction]—

- (a) may be given to any master or pilot of a British ship which is a cruise ship, or to masters and pilots of British ships which are cruise ships generally;
- (b) may be of indefinite duration or a defined duration.

(5) The Secretary of State may vary, revoke or suspend a [<sup>F277</sup>Crimean ports direction, a Donetsk ports direction or a Kherson and Zaporizhzhia ports direction] at any time.

(6) In this regulation, “cruise ship” means a ship providing cruise services.

(7) 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.

#### Textual Amendments

- F272** Reg. 57 heading substituted (20.6.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2023 (S.I. 2023/665), regs. 1(2), **8(a)**
- F273** Words in reg. 57(1) substituted (20.6.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2023 (S.I. 2023/665), regs. 1(2), **8(b)**
- F274** Reg. 57(2A) inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **17(c)**
- F275** Reg. 57(2B) inserted (20.6.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2023 (S.I. 2023/665), regs. 1(2), **8(c)**
- F276** Words in reg. 57(4) substituted (20.6.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2023 (S.I. 2023/665), regs. 1(2), **8(d)**
- F277** Words in reg. 57(5) substituted (20.6.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2023 (S.I. 2023/665), regs. 1(2), **8(e)**

### Commencement Information

**I45** Reg. 57 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### [<sup>F278</sup> Prohibition on port entry

**57A.**—(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 7 (Exceptions) (see, in particular, regulation 61A (ships: exceptions from prohibitions on port entry)).

(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 persons connected with Russia,
- (c) a ship flying the flag of Russia,
- (d) a ship registered in Russia, 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 the relevant regulations under this Part.

### Textual Amendments

**F278** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6

### Directions prohibiting port entry

**57B.**—(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.

#### Textual Amendments

**F278** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6

#### Movement of ships

**57C.**—(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 persons connected with Russia,
- (c) a ship registered in Russia,
- (d) a ship flying the flag of Russia, 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—

a “designated person” means a person who is designated under regulation 5 for the purposes of the relevant regulations under this Part;

a “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;

a “port entry direction” means a direction requiring a ship to proceed to or enter a port specified in the direction.

#### Textual Amendments

**F278** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6

## Detention of ships

**57D.**—(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 persons connected with Russia,  
[ a ship registered in Russia,]

<sup>F279</sup>(ba)

- (c) a ship flying the flag of Russia, or
- (d) 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) [<sup>F280</sup>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 ships) 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, “designated persons” means a person who is designated under regulation 5 for the purposes of the relevant regulations under this Part.

#### Textual Amendments

- F278** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), **6**
- F279** Reg. 57D(3)(ba) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **7(a)**
- F280** Words in reg. 57D(6) substituted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **7(b)**

#### Registration of ships in the United Kingdom

**57E.**—(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) designated persons; or
  - (b) persons connected with Russia.
- (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) designated persons;
    - (ii) persons connected with Russia; 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 persons” means a person who is designated under regulation 5 for the purposes of the relevant regulations under this Part, and
  - (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.

#### Textual Amendments

- F278** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), **6**

#### Specification of ships

**57F.**—(1) The Secretary of State may specify ships within the meaning of section 7 of the Act for the purposes of—

- (a) regulation 57A (prohibition on port entry),
- (b) regulation 57B (directions prohibiting port entry),
- (c) regulation 57C (movement of ships),
- (d) regulation 57D (detention of ships), and
- (e) regulation 57E (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—

- (a) has reasonable grounds to suspect that the ship is, has been, or is likely to be, involved in a relevant activity, and
- (b) considers that it is appropriate for that ship to be specified, having regard to the purposes stated in regulation 4.

(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 these Regulations.

---

**Textual Amendments**

**F278** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6

**Notification and publicity where specification power used**

**57G.**—(1) Paragraph (2) applies where the Secretary of State—

- (a) has specified a ship under regulation 57F(1) or (2) (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.

---

**Textual Amendments**

**F278** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6



### Directions under this Part: general

**57H.**—(1) Paragraphs (2) to (4) apply in relation to a direction given by the Secretary of State 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 57C(2) (movement of ships) may be given to any harbour authority or to harbour authorities generally.

#### Textual Amendments

**F278** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), 6

### Interpretation of Part 6

**57I.**—(1) For the purposes of regulations 57A to 57H, a ship is—

[<sup>F281</sup>(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 in a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by that person, or

(ii) the person, or a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by that 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 the relevant regulations of this Part.

[<sup>F282</sup>(2A) For the purposes of regulations 57A to 57H, a ship is not “operated” by its master or crew unless that master or crew are designated persons under the relevant regulations of this Part.]

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

(4) 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 57F (specification of ships);

“the relevant regulations of this Part” means regulations 57A, 57C, 57D and 57E.

(5) For the purposes of this Part, a person is to be regarded as “connected with Russia” if the person is—

(a) an individual who is, or an association or combination of individuals who are, ordinarily resident in Russia,

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

#### Textual Amendments

- F278** Regs. 57A-57I inserted (1.3.2022 at 3.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/203\)](#), regs. 1(2), **6**
- F281** Reg. 57I(1)(a) substituted (18.7.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 13\) Regulations 2022 \(S.I. 2022/814\)](#), regs. 1(2), **5**
- F282** Reg. 57I(2A) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **8**

## [<sup>F283</sup>PART 6A

### Aircraft

#### Textual Amendments

- F283** Pt. 6A inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **9**

#### Movement of aircraft

- 57J.**—(1) A Russian aircraft must not—
- (a) overfly the United Kingdom, or
  - (b) land in the United Kingdom.
- (2) Paragraph (1) is subject to [<sup>F284</sup>Part 7 (Exceptions and licences)].
- (3) Air traffic control may direct the operator or pilot in command of a Russian aircraft—
- (a) not to enter the airspace over the United Kingdom, or
  - (b) to leave the airspace over the United Kingdom by a specific route.
- (4) The Secretary of State may direct air traffic control to give a direction under paragraph (3).
- (5) An airport operator may direct the operator or pilot in command of a Russian 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.
- (6) The Secretary of State may direct an airport operator to—
- (a) give a direction under paragraph (5),
  - (b) secure the detention of a Russian aircraft at an airport, or
  - (c) secure the movement of a Russian aircraft to an airport specified in the direction.

(7) An airport operator giving a direction under paragraph (5)(a) must take such steps as are reasonably practicable to detain the aircraft.

<sup>F285</sup>(8) .....

(9) The Secretary of State may direct the CAA to—

- (a) refuse permission under article 250 of the ANO in respect of a Russian aircraft,
- (b) refuse permission under article 252 of the ANO in respect of a Russian aircraft,
- (c) suspend or revoke any permission granted under article 250 of the ANO in respect of a Russian aircraft, or
- (d) suspend or revoke any permission granted under article 252 of the ANO in respect of a Russian aircraft.

(10) In this regulation “Russian aircraft” means an aircraft—

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

(11) In paragraph (10), a “designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of either this regulation or regulation 57M (registration of an aircraft in the United Kingdom).

**Textual Amendments**

**F284** Words in [reg. 57J\(2\)](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **18(a)**

**F285** [Reg. 57J\(8\)](#) omitted (30.3.2022 at 5.00 p.m.) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **18(b)**

**Directions under regulation 57J**

**57K.**—(1) Paragraphs (2) to (4) apply in relation to a direction given under regulation 57J (movement of aircraft).

- (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 57J(6) may be given to any airport operator or to airport operators generally.

(6) Any directions made by the Secretary of State under regulation 57J may make different provision for different purposes.

(7) Any directions in regulation 57J(3) to (9) are subject to the exceptions in regulation 61B (aircraft: exceptions from prohibitions).

**Directions under regulation 57J: supplementary**

**57L.**—(1) Where a direction is given under regulation 57J(9)(c) or (d) (movement of aircraft: direction to CAA)—

- (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 [<sup>F286</sup>the suspension or] the revocation which is the subject of the direction.

(2) Where a direction is given under regulation 57J which conflicts with a permission under article 250 or 252 of the ANO, the permission is to be disregarded.

(3) In so far as a direction under regulation 57J conflicts with the requirements of section 93 of the Transport Act 2000 or an order under section 94 of that Act, the direction is to be disregarded.

(4) In so far as a direction under regulation 57J 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, those requirements are to be disregarded.

(5) The Secretary of State may notify a person that the existence of, or any part of the content of, a direction under regulation 57J, or anything done under the direction, is to be treated as confidential.

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

#### Textual Amendments

**F286** Words in [reg. 57L\(1\)\(b\)](#) inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), [regs. 1\(2\), 19](#)

### Registration of an aircraft in the United Kingdom

**57M.**—(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 paragraph (4), a “designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of either this regulation or regulation 57J (movement of aircraft).

### Offences

**57N.**—(1) If a prohibition in regulation 57J(1) (movement of aircraft) is contravened by the flight or landing of a Russian aircraft, the operator and pilot in command of the aircraft commit an offence.

(2) 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 57J(6).

(3) It is an offence for a person to whom a direction is given under regulation 57J(3) (direction by air traffic control to operator or pilot of Russian aircraft) to fail to comply with the direction.

(4) It is an offence for a person to whom a direction is given under regulation 57J(5) (direction by airport operator to operator or pilot of Russian aircraft) to fail to comply with the direction.

(5) A person who contravenes the prohibition in regulation 57L(6) (disclosure of direction) commits an offence.

[  
F287(6) In paragraph (1), “Russian aircraft” has the same meaning as in regulation 57J.]

#### Textual Amendments

**F287** Reg. 57N(6) inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **20**

#### Interpretation of Part 6A

**57O.**—(1) In this Part—

“air traffic control” means a person who holds a licence under section 5 of the Transport Act 2000;

“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;

F288 ...

[F289(2) For the purposes of 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 a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by that person, or
- (b) the person, or a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by that 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) For the purposes of this Part a person is to be regarded as “connected with” Russia if the person is—

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

(4) 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

**F288** Words in reg. 57O(1) omitted (30.3.2022 at 5.00 p.m.) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **21**

**F289** Reg. 57O(2) substituted (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), 6

## PART 7

### Exceptions and licences

#### Asset-freeze etc.: exceptions from prohibitions

**58.**—(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 <sup>M10</sup>,
- (b) account B is with a ring-fenced body within the meaning of section 142A of the Financial Services and Markets Act 2000 <sup>M11</sup>, and
- (c) accounts A and B are held or controlled (directly or indirectly) by P.

(7) In this regulation—

“designated person” has the same meaning as it has in Chapter 1 Part 3 (Finance);

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

“relevant institution” means a person that has permission under Part 4A of the Financial Services and Markets Act 2000 <sup>M12</sup> (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 <sup>M13</sup>, any relevant order under that section <sup>M14</sup> and Schedule 2 to that Act <sup>M15</sup>.

**Commencement Information**

**I46** Reg. 58 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**Marginal Citations**

- M10** 2000 c.8. Section 142D was inserted by section 4(1) of the **Financial Services (Banking Reform) Act 2013 (c.33)**.
- M11** Section 142A was inserted by section 4(1) of the **Financial Services (Banking Reform) Act 2013 (c.33)**.
- M12** Part 4A was inserted by the **Financial Services Act 2012 (c.21)**, **section 11(2)** and amended by S.I. 2018/135.
- M13** Section 22 was amended by; the **Financial Guidance and Claims Act 2018 (c.10)**, **Part 2**, s.27(4); the **Financial Services Act 2012**, section 7(1); and S.I. 2018/135.
- M14** S.I. 2001/544, as amended by S.I. 2017/500.
- M15** Schedule 2 was amended by; the **Dormant Bank and Building Society Accounts Act 2008 (c.31)**, **section 15**, **Schedule 2**, para. 1; the **Regulation of Financial Services (Land Transactions) Act 2003 (c.24)**, **section 1**; the **Financial Services Act 2012**, section 7(2) to (5) and section 8; S.I. 2013/1881; and it is prospectively amended by S.I. 2018/135.

**Exceptions relating to loans and credit arrangements**

**59.**—(1) The prohibitions in regulation 17 (loans and credit arrangements) are not contravened by the grant of—

- <sup>F290</sup>(a) . . . . .
- (b) 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;
- [<sup>F291</sup>(c) a relevant loan consisting of a drawdown or disbursement made under an arrangement entered into before—
  - (i) in the case of a category 1 loan, 15th September 2014;
  - (ii) in the case of a category 2 loan, a category 3 loan or a category 4 loan, 1st March 2022;
  - [<sup>F292</sup>(iii) in the case of a category 5 loan, [<sup>F293</sup>29th October 2022];]
  - [<sup>F294</sup>(iv) in the case of a category 6 loan, 16th December 2022;]  
where the conditions in paragraph (2) are met.]
- (2) The conditions referred to in paragraph (1)(c) are that—
  - (a) all the terms and conditions of such drawdowns or disbursements—
    - [<sup>F295</sup>(i) were agreed before—
      - (aa) in the case of a category 1 loan, 15th September 2014;
      - (bb) in the case of a category 2 loan, a category 3 loan or a category 4 loan, 1st March 2022;]
      - [<sup>F296</sup>(cc) in the case of a category 5 loan, [<sup>F297</sup>29th October 2022];]
      - [<sup>F298</sup>(dd) in the case of a category 6 loan, 16th December 2022;]
    - (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.
- (3) In this regulation—
- F299 ...
- [<sup>F300</sup>“category 1 loan” has the meaning given to it in regulation 17;
- “category 2 loan” has the meaning given to it in regulation 17;
- “category 3 loan” has the meaning given to it in regulation 17;
- “category 4 loan” has the meaning given to it in regulation 17;]
- [<sup>F301</sup>“category 5 loan” has the meaning given to it in regulation 17;]
- [<sup>F302</sup>“category 6 loan” has the meaning given to it in regulation 17;]
- F303 ...
- F304 ...
- “relevant loan” has the meaning given to it in regulation 17;
- “relevant subsidiary” means a person, other than an individual, which is—
- (a) incorporated or constituted under the law of any part of the United Kingdom, and
- (b) [<sup>F305</sup>owned (within the meaning of regulation 16(7)) by a person, other than an individual, that is connected with Russia.]

#### Textual Amendments

- F290** Reg. 59(1)(a) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(a)(i)**
- F291** Reg. 59(1)(c) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(a)(ii)**
- F292** Reg. 59(1)(c)(iii) inserted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **7(2)**
- F293** Words in reg. 59(1)(c)(iii) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **11(a)**
- F294** Reg. 59(1)(c)(iv) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **11(b)**
- F295** Reg. 59(2)(a)(i) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(b)**
- F296** Reg. 59(2)(a)(i)(cc) inserted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **7(3)**
- F297** Words in reg. 59(2)(a)(i)(cc) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **11(c)**
- F298** Reg. 59(2)(a)(i)(dd) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **11(d)**
- F299** Words in reg. 59(3) omitted (16.12.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **11(e)(i)**
- F300** Words in reg. 59(3) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(c)(i)**
- F301** Words in reg. 59(3) inserted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **7(4)(b)**
- F302** Words in reg. 59(3) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **11(e)(ii)**



- F303** Words in reg. 59(3) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(c)(ii)**
- F304** Words in reg. 59(3) omitted (30.3.2022 at 5.00 p.m.) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **22**
- F305** Words in reg. 59(3) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(c)(iii)**

#### Commencement Information

- 147** Reg. 59 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### [<sup>F306</sup>[<sup>F307</sup>Exceptions relating to processing payments]

##### 59A.—[

<sup>F308</sup>(1)] The prohibition in regulation 17A(2) (processing <sup>F309</sup>... payments) does not apply to the processing of a <sup>F309</sup>... payment for any fee or charge required to permit an aircraft to overfly, land in or take off from Russia.

[

<sup>F310</sup>(2) The prohibition in regulation 17A(2) is not contravened by a transfer (or, if necessary, more than one transfer) of funds by C from account A to account B where—

- (a) neither account A nor account B are held in the name of a customer of C; and
- (b) both account A and account B are held within the United Kingdom; and
- (c) the transfer (or transfers) from account A to account B is (or are) carried out for the purpose of compliance with regulation 17A(2).]]

#### Textual Amendments

- F306** Reg. 59A inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **10**
- F307** Reg. 59A heading substituted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **8(2)**
- F308** Reg. 59A renumbered as reg. 59A(1) (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **8(3)**
- F309** Word in reg. 59A(1) omitted (15.12.2023) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **8(4)**
- F310** Reg. 59A(2) inserted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **8(5)**

#### Exceptions relating to investments in relation to [<sup>F311</sup>non-government controlled Ukrainian territory]

**60.**—(1) The prohibitions in [<sup>F312</sup>regulation 18 (investments in relation to non-government controlled Ukrainian territory)] are not contravened by any act done by a person (“P”) in satisfaction of an obligation of P arising under a contract concluded before [<sup>F313</sup>the relevant date], or an ancillary contract necessary for the satisfaction of such a contract, provided that P has notified the Treasury no later than the day five working days before the day on which the act is carried out.

(2) The prohibitions in regulation 18 are not contravened by activities carried on by a person with entities outside [<sup>F314</sup>non-government controlled Ukrainian territory] where the related investment is not destined for an entity in [<sup>F314</sup>non-government controlled Ukrainian territory].

- <sup>F315</sup>(3) In this regulation, “the relevant date” means—
- (a) in the case of investments in relation to Crimea, 20th December 2014;
  - (b) in the case of investments in relation to non-government controlled areas of the Donetsk and Luhansk oblasts, 23rd February 2022.
  - [ in the case of investments in relation to non-government controlled areas of the Kherson <sup>F316</sup>(c) and Zaporizhzhia oblasts, 20th June 2023.]]

#### Textual Amendments

- F311** Words in [reg. 60](#) heading substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **23(a)**
- F312** Words in [reg. 60\(1\)](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **23(b)(i)**
- F313** Words in [reg. 60\(1\)](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **23(b)(ii)**
- F314** Words in [reg. 60\(2\)](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **23(c)**
- F315** [Reg. 60\(3\)](#) inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **23(d)**
- F316** [Reg. 60\(3\)\(c\)](#) inserted (20.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), regs. 1(2), **9**

#### Commencement Information

- I48** [Reg. 60](#) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

#### <sup>F317</sup>Exceptions relating to investments in relation to Russia

**60ZZA.**—(1) The prohibitions in regulation 18B (investments in relation to Russia) are not contravened by any act done by a person (“P”) in satisfaction of an obligation of P arising under a <sup>F318</sup>contract—

- (a) concluded before 16th December 2022, in the case of a relevant activity, or
- (b) concluded before 19th July 2022, in any other case,]

or an ancillary contract necessary for the satisfaction of such a contract, provided that P has notified the Treasury no later than the day five working days before the day on which the act is carried out.

(2) The prohibitions in regulation 18B are not contravened by a person dealing, directly or indirectly, with—

- (a) a transferable security where such dealing is prohibited by regulation 16;
- (b) a relevant security issued by a person connected with Russia; or
- (c) a relevant security issued by a relevant entity.

(3) In this regulation—

“dealing with” a relevant security issued by a person connected with Russia or by a relevant entity includes a reference to purchasing or selling the security, providing investment services relating to the security or assisting in the issuance of the security;

<sup>F319</sup>“person connected with Russia” is to be construed in accordance with regulation 19A(2);

“relevant activity” means directly or indirectly acquiring any ownership interest in or control over a person, other than an individual, which is not a person connected with Russia, for the purpose of making funds or economic resources available—

- (a) directly or indirectly to a person connected with Russia, or
- (b) for the benefit of a person connected with Russia;]

“relevant entity” shall have the same meaning as it has in regulation 18B (investments in relation to Russia);

“relevant security issued by a person connected with Russia” means a security issued by—

- (a) a person connected with Russia;
- (b) a person, other than an individual, which is owned by a person falling within sub-paragraph (a); or
- (c) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a) or sub-paragraph (b);

which—

- (d) is negotiable on the capital market;
- (e) is of any of the following kinds, but excluding instruments of payment—
  - (i) shares in companies and other securities equivalent to shares in companies, partnerships or other entities, and depositary receipts in respect of shares;
  - (ii) bonds or other forms of securitised debt, including depositary receipts in respect of such securities;
  - (iii) any other securities giving the right to purchase or sell any security of a kind mentioned in paragraph (i) or (ii); and
- (f) was admitted to trading on a regulated market or multilateral trading facility prior to [F320 19th July 2022];

[F321 “relevant security issued by a relevant entity” means a security issued by a relevant entity for the purpose of an activity not prohibited by regulation 18B which—

- (a) is negotiable on the capital market, and
- (b) is of any of the following kinds but excluding instruments of payment—
  - (i) shares in companies and other securities equivalent to shares in companies, partnerships or other entities, and depositary receipts in respect of shares;
  - (ii) bonds or other forms of securitised debt, including depositary receipts in respect of such securities;
  - (iii) any other securities giving the right to purchase or sell any security of a kind mentioned in sub-paragraph (i) or (ii);]

F322 ...

“transferable security” has the same meaning as it has in regulation 16 (dealing with transferable securities or money-market instruments).]

#### Textual Amendments

**F317** Reg. 60ZZA inserted (19.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 12) Regulations 2022 (S.I. 2022/801), regs. 1(2), 6

**F318** Reg. 60ZZA(1)(a)(b) substituted for words in reg. 60ZZA(1) (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), 12(a)

- F319** Words in reg. 60ZZA(3) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **12(b)(i)**
- F320** Words in reg. 60ZZA(3) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **12(b)(ii)**
- F321** Words in reg. 60ZZA(3) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **12(b)(iii)**
- F322** Words in reg. 60ZZA(3) omitted (16.12.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **12(b)(iv)**

### [<sup>F323</sup>Exceptions relating to trust services

**60ZZB.**—(1) The prohibitions in regulation 18C (trust services) are not contravened by any act done by a person (“P”)—

- (a) in satisfaction of an obligation in respect of the provision of trust services by P to or for the benefit of—
  - (i) a designated person, or
  - (ii) a person connected with Russia,
 where those services are provided in relation to the discharge of or compliance with UK statutory or regulatory obligations;
- (b) for the purposes of complying with the prohibitions and obligations in Chapter 1 of Part 3 (asset freeze etc.);
- (c) in connection with transferable securities or money-market instruments where dealing with such securities or instruments is not prohibited by regulation 16 or 18B.

(2) The prohibitions in regulation 18C are not contravened by the provision of the following trust services where the condition in paragraph (3) is met—

- (a) trust services provided to a community amateur sports club registered as such with His Majesty’s Revenue and Customs;
- (b) trust services provided to a trust for charitable services which—
  - (i) in Scotland or Northern Ireland, is registered as a charity, or
  - (ii) in England and Wales, is registered as a charity or is not required to register by virtue of section 30(2) of the Charities Act 2011 (charities required to be registered: general);
- (c) trust services provided to a pension scheme that is a registered pension scheme under Chapter 2 of Part 4 of the Finance Act 2004 (registration of pension schemes);
- (d) trust services for the purposes of a trust—
  - (i) created under, or for the purpose of, the default arrangements of a designated system or the default rules of a recognised body, or for the purpose of any action or proceedings taken by, or for, such a system or body under such arrangements or rules;
  - (ii) relating to the creation of a beneficial interest in securities belonging to a person whose name and address are maintained on a register of securities;
  - (iii) created by, or for, a segregating entity for the purpose of—
    - (aa) protecting funds or economic resources belonging to the segregating entity’s clients, or
    - (bb) complying with a legal obligation to safeguard and segregate funds or economic resources belonging to the segregating entity’s clients or to keep separate client records and accounts;

- (e) trust services provided by the operator or trustee of an authorised unit trust scheme in relation to that scheme;
  - (f) trust services provided in the course of, or in connection with, carrying on by way of business the activity specified in the following articles of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001—
    - (i) article 40 (safeguarding and administering investments),
    - (ii) article 51ZB (acting as trustee or depositary of a UK UCITS), or
    - (iii) article 51ZD (acting as trustee or depositary of an AIF),except in so far as the activity relates to an unauthorised unit trust scheme;
  - (g) trust services provided in the course of, or in connection with, the acting by way of business as an agent holding funds, economic resources or documents in escrow until the performance of a contractual condition agreed between two or more other persons, including the person for whom the funds, economic resources or documents are being held.
- (3) The condition in this paragraph is that the trust services are not provided primarily to, or for the benefit of, a designated person or a person connected with Russia.
- (4) Where the condition in paragraph (5) is met, the prohibitions in regulation 18C are not contravened by the provision of trust services for making funds and economic resources available to or for the benefit of—
- (a) a person under the age of 18,
  - (b) a person who lacks capacity within the meaning of section 2 of the Mental Capacity Act 2005 (people who lack capacity),
  - (c) a person who is incapable within the meaning of section 1 of the Adults with Incapacity (Scotland) Act 2000 (general principles and fundamental definitions), or
  - (d) a person who is incapable of managing and administering their property and affairs, by reason of mental disorder within the meaning of article 3(1) of the Mental Health (Northern Ireland) Order 1986 (definition of “mental disorder” and related expressions).
- (5) The condition in this paragraph is that the trust services are not provided primarily to, or for the benefit of, a designated person.
- (6) In this regulation, whether trust services are provided for the benefit of a person is to be construed in accordance with regulation 18C.
- (7) In this regulation—
- “FSMA” means the Financial Services and Markets Act 2000;
  - “the 1999 Regulations” means the Financial Markets and Insolvency (Settlement Finality) Regulations 1999;
  - “authorised unit trust scheme” has the meaning given in section 237 of FSMA (other definitions);
  - “clearing member” has the meaning given in section 190(1) of the Companies Act 1989 (minor definitions);
  - “community amateur sports club” has the meaning given in section 658 of the Corporation Tax Act 2010 (meaning of “community amateur sports club” and “registered club”);
  - “default arrangements” has the meaning given in regulation 2(1) of the 1999 Regulations (interpretation);
  - “default rules” has the meaning given in section 188 of the Companies Act 1989 (meaning of “default rules” and related expressions);
  - “designated person” has the meaning given in regulation 18C(7);

“designated system” has the meaning given in regulation 2(1) of the 1999 Regulations;

“the operator” has the meaning given in section 237 of FSMA;

“participant” has the meaning given in regulation 2(1) of the 1999 Regulations;

“person connected with Russia” is to be construed in accordance with regulation 19A(2);

“recognised body” has the meaning given in section 313 of FSMA (interpretation of Part XVIII);

“recognised central counterparty” has the meaning given in section 313 of FSMA;

“register of securities” has the meaning given in regulation 3(1) of the Uncertificated Securities Regulations 2001(interpretation);

“segregating entity” means—

- (a) a clearing member of a recognised central counterparty,
- (b) a participant in a designated system,
- (c) a designated system, or
- (d) a recognised body;

“trustee” has the meaning given in section 237 of FSMA;

“trust services” has the meaning given in regulation 18C(7);

“unauthorised unit trust scheme” means a “unit trust scheme” within section 237(1) of FSMA that is not an authorised unit trust scheme.]

---

#### Textual Amendments

**F323** Reg. 60ZZB inserted (16.12.2022) by *The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331)*, regs. 1(2)(b), **13**

#### [<sup>F324</sup>**Trade: exceptions relating to non-government controlled areas of the Donetsk and Luhansk oblasts**

**60ZA.**—(1) Paragraphs (2) to (5) only apply in the case of trade relating to non-government controlled areas of the Donetsk and Luhansk oblasts.

(2) A prohibition in regulation 47 (imports from non-government controlled Ukrainian territory) or regulation 52(3)(a) (financial services and funds in relation to imports from non-government controlled Ukrainian territory) is not contravened by any act done by a person (“P”) in satisfaction of an obligation of P arising under a contract concluded before 23rd February 2022, or an ancillary contract necessary for the satisfaction of such a contract, provided that—

- (a) the act is carried out before 24th May 2022, and
- (b) P has notified the Secretary of State no later than the day 10 working days before the day on which the act is carried out.

(3) A prohibition in [<sup>F325</sup>Chapter 2 of Part 5 in so far as it is applied to non-government controlled Ukrainian territory by regulation 53A or Chapter 2A of Part 5 (goods and technology relating to non-government controlled Ukrainian territory),] regulation 48 to 51, 52(1), (2) or (3)(b) to (e), or 53 (trade in relation to non-government controlled Ukrainian territory) is not contravened by any act done by a person (“P”) in satisfaction of an obligation of P arising under a contract concluded before 23rd February 2022, or an ancillary contract necessary for the satisfaction of such a contract, provided that—

- (a) the act is carried out before 24th August 2022, and

- (b) P has notified the Secretary of State no later than the day five working days before the day on which the act is carried out.

(4) A prohibition in [<sup>F325</sup>Chapter 2 of Part 5 in so far as it is applied to non-government controlled Ukrainian territory by regulation 53A or Chapter 2A of Part 5 (goods and technology relating to non-government controlled Ukrainian territory),] regulation 54(1)(a) (prohibition on infrastructure-related services relating to non-government controlled Ukrainian territory) is not contravened by any act done by a person in satisfaction of an obligation of that person arising under a contract concluded before 23rd February 2022, or an ancillary contract necessary for the satisfaction of such a contract, provided that the act is carried out before 24th August 2022.

(5) A prohibition in [<sup>F325</sup>Chapter 2 of Part 5 in so far as it is applied to non-government controlled Ukrainian territory by regulation 53A or Chapter 2A of Part 5 (goods and technology relating to non-government controlled Ukrainian territory),] regulation 54(1)(b) (prohibition on tourism services relating to non-government controlled Ukrainian territory) is not contravened by any act done by a person (“P”) in satisfaction of an obligation of P arising under a contract concluded before 23rd February 2022, or an ancillary contract necessary for the satisfaction of such a contract, provided that—

- (a) the act is carried out before 24th August 2022, and  
(b) P has notified the Secretary of State no later than the day five working days before the day on which the act is carried out.]

#### Textual Amendments

**F324** Reg. 60ZA inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), 24

**F325** Words in reg. 60ZA(3)-(5) inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **10(2)** (with reg. 13)

#### [<sup>F326</sup>Trade: exceptions in relation to personal effects etc.

**60A.**—(1) The prohibitions in regulations 22 (export of restricted goods), 24(1)(a) (supply and delivery of restricted goods), 25(1)(a) and (b) (making restricted goods and restricted technology available), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) are not contravened by a relevant activity in relation to any critical-industry goods [<sup>F327</sup>, critical-industry 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 Russia,  
(b) of a non-commercial nature for the personal use of a person travelling to Russia and contained in that person’s luggage, or  
(c) necessary for the official purposes of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law.

[  
<sup>F328</sup>(1A) The prohibitions in regulation 46B (luxury goods) are not contravened by a relevant activity in relation to—

- (a) any luxury goods which are necessary for the official purposes of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law, or  
(b) the personal effects of their staff.]

[

- <sup>F329</sup>(1AA) The prohibitions in regulation 46B are not contravened where—
- (a) the luxury goods are [<sup>F330</sup>jewellery coming within commodity codes 7113 00 00 and 7114 00 00];
  - (b) the relevant activity is the export of those goods to Russia by a person who is travelling to Russia (“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 <sup>F331</sup>... jewellery is owned by any of the persons referred to in sub-paragraph (c)(ii); and
  - (e) the jewellery is not intended for sale.]

[  
<sup>F332</sup>(1AAA) Paragraph 1 of Schedule 3 applies for the purpose of interpreting the commodity codes specified in paragraph (1AA)(a).]

[  
<sup>F333</sup>(1AB) The prohibitions in regulation 46XC (acquisition of Schedule 3DA revenue generating goods) are not contravened by a relevant activity in relation to any such goods necessary for the functions of a diplomatic mission or consular post of the United Kingdom in Russia.]

[  
<sup>F334</sup>(1B) The prohibitions in Chapter 4H ([<sup>F335</sup>G7 dependency and further goods]) are not contravened by a relevant activity in relation to—

- (a) any [<sup>F335</sup>G7 dependency and further goods] which are necessary for the official purposes of a diplomatic mission or consular post in Russia, or an international organisation enjoying immunities in accordance with international law, or
- (b) the personal effects of their staff.]

[<sup>F336</sup>(1C) The prohibitions in Chapters 4J (gold) and 4JA (gold jewellery and relevant processed gold) are not contravened by a relevant activity in relation to any gold, gold jewellery or relevant processed gold which is necessary for the official purposes of a diplomatic mission or consular post in Russia, or an international organisation enjoying immunities in accordance with international law.]

[  
<sup>F337</sup>(1D) The prohibitions in [<sup>F338</sup>Chapters 4JA and 4JB] are not contravened where—

- (a) the relevant activity is the import or acquisition of gold jewellery [<sup>F339</sup>or diamond jewellery] by a person who is travelling to the United Kingdom (“P”);
- (b) the gold jewellery [<sup>F339</sup>or diamond 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 [<sup>F339</sup>or diamond jewellery] is owned by any of the persons referred to in sub-paragraph (b)(ii); and
- (d) the gold jewellery [<sup>F339</sup>or diamond jewellery] is not intended for sale.



(1E) The prohibitions in Chapter 4M (Russia’s vulnerable goods) are not contravened by a relevant activity in relation to—

- (a) any Russia’s vulnerable goods which are necessary for the official purposes of a diplomatic mission or consular post in Russia, or an international organisation enjoying immunities in accordance with international law, or
- (b) the personal effects of their staff.]

(2) For the purposes of [<sup>F340</sup>this regulation]—

“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;

“critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5);

“critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);

[<sup>F341</sup>“diamond jewellery” has the meaning given in regulation 46Z16J (interpretation of Chapter 4JB);]

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

[<sup>F342</sup>“[<sup>F343</sup>G7 dependency and further goods]” has the meaning given in regulation 21 (interpretation of Part 5);

[<sup>F344</sup>“Gold” and “gold jewellery” have the meanings] in regulation 21 (interpretation of Part 5);]

[<sup>F345</sup>“immediate family member” has the meaning given in regulation 6(7);]

[<sup>F346</sup>“luxury goods” has the meaning given in regulation 21 (interpretation of Part 5);]

[<sup>F346</sup>“quantum computing and advanced materials goods” has the meaning given in regulation 21 (interpretation of Part 5);]

[<sup>F346</sup>“quantum computing and advanced materials technology” has the meaning given in regulation 21 (interpretation of Part 5);]

“relevant activity” means any activity which would, in the absence of this regulation, contravene [<sup>F347</sup>the prohibition specified in the paragraph of this regulation to which the exception applies].

[<sup>F345</sup>“relevant processed gold” has the meaning given in regulation 46Z16A;]

#### Textual Amendments

- F326** Regs. 60A-60C inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **6** (with reg. 11)
- F327** Words in reg. 60A(1) substituted (14.4.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/452), regs. 1(2), **5(a)**
- F328** Reg. 60A(1A) inserted (14.4.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/452), regs. 1(2), **5(b)**
- F329** Reg. 60A(1AA) inserted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **8(2)**
- F330** Words in reg. 60A(1AA)(a) substituted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **9(2)(a)**
- F331** Word in reg. 60A(1AA)(d) omitted (15.12.2023) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **9(2)(b)**

- F332** Reg. 60A(1AAA) inserted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **9(3)**
- F333** Reg. 60A(1AB) inserted (21.4.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(2), **9**
- F334** Reg. 60A(1B)(1C) inserted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), **16(a)**
- F335** Words in reg. 60A(1B) substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), reg. 1(2)(b), **Sch. 3 para. 10(1)(2)(f)**
- F336** Reg. 60A(1C) substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **8(3)**
- F337** Reg. 60A(1D)(1E) inserted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **8(4)**
- F338** Words in reg. 60A(1D) substituted (1.1.2024) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2023 (S.I. 2023/1367), regs. 1(2), **4(2)(a)**
- F339** Words in reg. 60A(1D) inserted (1.1.2024) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2023 (S.I. 2023/1367), regs. 1(2), **4(2)(b)**
- F340** Words in reg. 60A(2) substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **8(5)(a)**
- F341** Words in reg. 60A(2) inserted (1.1.2024) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2023 (S.I. 2023/1367), regs. 1(2), **4(3)**
- F342** Words in reg. 60A(2) inserted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), **16(b)(ii)**
- F343** Words in reg. 60A(2) substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), reg. 1(2)(b), **Sch. 3 para. 10(1)(2)(f)**
- F344** Words in reg. 60A(2) substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **8(5)(b)**
- F345** Words in reg. 60A(2) inserted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **8(5)(c)**
- F346** Words in reg. 60A(2) inserted (14.4.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/452), regs. 1(2), **5(c)(ii)**
- F347** Words in reg. 60A(2) substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **8(5)(d)**

### **Trade: exceptions in relation to consumer communication devices and software updates**

**60B.**—(1) The prohibitions in regulations 22 (export of restricted goods), 24(1)(a) (supply and delivery of restricted goods), 25(1)(a) and (b) (making restricted goods and restricted technology available), 26(1)(a) and (b) (transfer of restricted technology), <sup>F348</sup>... 27 to 29 (technical assistance, financial services etc. and brokering services) [<sup>F349</sup>, Chapter 4B (export of luxury goods etc.) and Chapter 4H (export of G7 dependency and further goods etc.)] are not contravened by a relevant activity in relation to critical-industry goods [<sup>F350</sup>, critical industry technology [<sup>F351</sup>, luxury goods or G7 dependency and further goods]] which are—

- (a) consumer communication devices for civilian use, or
  - (b) software updates for civilian use.
- (2) For the purposes of paragraph (1)—
- (a) “consumer communication devices” has the meaning given in Schedule 2B;
    - “critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5);
    - “critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);

[<sup>F352</sup>G7 dependency and further goods has the meaning given in regulation 21 (interpretation of Part 5);]

[<sup>F353</sup>“luxury goods” has the meaning given in regulation 21 (interpretation of Part 5);] “relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions specified in that paragraph;

- (b) goods are “for civilian use” if they are not—
  - (i) for use by the Russian military or any other military end-user, or
  - (ii) for any military use;
- (c) technology is “for civilian use” if it—
  - (i) does not relate to activities carried on or proposed to be carried on by the Russian military or any other military end user, and
  - (ii) is not for any military use.

#### Textual Amendments

- F326** Regs. 60A-60C inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **6** (with reg. 11)
- F348** Word in reg. 60B(1) omitted (14.4.2022 at 5.00 p.m.) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/452\)](#), regs. 1(2), **6(a)(i)**
- F349** Words in reg. 60B(1) substituted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **10(2)(a)**
- F350** Words in reg. 60B(1) substituted (14.4.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/452\)](#), regs. 1(2), **6(a)(iii)**
- F351** Words in reg. 60B(1) substituted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **10(2)(b)**
- F352** Words in reg. 60B(2)(a) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **10(3)**
- F353** Words in reg. 60B(2)(a) inserted (14.4.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/452\)](#), regs. 1(2), **6(b)**

#### Trade: exceptions in relation to aircraft and vessels

**60C.**—(1) For the purposes of regulations 22 (export of restricted goods) and 28 (financial services and funds), the removal of an aircraft or vessel from the United Kingdom to Russia is not an export of critical-industry goods [<sup>F354</sup>or aviation and space goods], provided that the following conditions are met—

- (a) the aircraft or vessel is removed under its own power,
- (b) in the case of an aircraft, it—
  - (i) is carrying goods or passengers when removed, or
  - (ii) is removed in order to undertake a journey carrying goods or passengers, and
- (c) the removal of the aircraft or vessel is not for the purpose of—
  - (i) a transfer of ownership of the aircraft or vessel or any of its component parts, or
  - (ii) a change of the operator of the aircraft or vessel.

(2) The prohibitions in regulations 24(1)(a) (supply and delivery of restricted goods), 25(1)(a) and (b) (making restricted goods and restricted technology available), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering

services) are not contravened by any of the following activities, to the extent that the activity is done in connection with a qualifying removal—

- (a) the supply or delivery of critical-industry goods [<sup>F355</sup>or aviation and space goods];
- (b) making [<sup>F356</sup>critical-industry goods, aviation and space goods, critical-industry technology or aviation and space technology] available;
- (c) the transfer of critical-industry technology [<sup>F357</sup>or aviation and space technology];
- (d) the provision of technical assistance or financial services;
- (e) the making available of funds;
- (f) the provision of any brokering service.

[<sup>F358</sup>(2AA) The prohibition in regulation 27(1)(a) is not contravened by the provision of technical assistance in relation to an aircraft owned, chartered or operated by a person connected with Russia, at a UK airport provided the assistance is not for the purposes of facilitating—

- (a) a transfer of ownership of the aircraft or any of its component parts; or
- (b) a change in the operator of the aircraft.]

[<sup>F359</sup>(2A) The prohibitions in regulation 29A (insurance and reinsurance services relating to aviation and space goods and aviation and space technology) are not contravened by the provision of insurance or reinsurance services, to the extent that such services are provided in connection with a qualifying removal.]

(3) In this regulation—

- [<sup>F360</sup>“aviation and space goods” has the meaning given in regulation 21 (interpretation of Part 5);
- “aviation and space technology” has the meaning given in regulation 21 (interpretation of Part 5);]
- “critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5);
- “critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);
- “operator”, in relation to an aircraft or vessel, means the person having the management of the aircraft;
- “qualifying removal” means a removal of an aircraft or vessel from the United Kingdom to Russia in relation to which the conditions set out in paragraph (1) are met.]

### Textual Amendments

- F326** Regs. 60A-60C inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **6** (with reg. 11)
- F354** Words in [reg. 60C\(1\)](#) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **10(a)**
- F355** Words in [reg. 60C\(2\)\(a\)](#) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **10(b)(i)**
- F356** Words in [reg. 60C\(2\)\(b\)](#) substituted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **10(b)(ii)**
- F357** Words in [reg. 60C\(2\)\(c\)](#) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **10(b)(iii)**
- F358** [Reg. 60C\(2AA\)](#) inserted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **17**

**F359** Reg. 60C(2A) inserted (8.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/241), regs. 1(2), **10(c)**

**F360** Words in reg. 60C(3) inserted (8.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/241), regs. 1(2), **10(d)**

**[<sup>F361</sup>Trade: exception relating to the safety of aircraft and ships**

**60D.**—(1) The prohibitions in regulation 46A (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 46A—

“aircraft”;

“ship”;

“technical assistance”.]

**Textual Amendments**

**F361** Reg. 60D inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **25**

**[<sup>F362</sup>Trade: exceptions relating to professional and business services**

**60DA.**—(1) The prohibitions in regulation 54C (professional and business services), in so far as they relate to accounting services, business and management consulting services, engineering services or public relations services, are not contravened by any act done by a person (“P”) in satisfaction of an obligation in respect of the provision of those services by P to a person connected with Russia where the services are provided in relation to the discharge of or compliance with UK statutory or regulatory obligations, such obligations not arising under contract.

(2) The prohibitions in regulation 54C, in so far as they relate to advertising services, architectural services, engineering services or IT consultancy and design services, are not contravened by any act done by a person (“P”) in satisfaction of an obligation arising under a contract concluded before 16th December 2022, or an ancillary contract necessary for the satisfaction of such a contract, provided that—

(a) the act is carried out before the end of 15th March 2023, and

(b) P notifies the Secretary of State of the provision of the services, before or after the act is carried out, by the end of 15th March 2023.

(3) The prohibitions in regulation 54C, in so far as they relate to auditing services, are not contravened by any act done by a person (“P”) in satisfaction of an obligation arising from the appointment of P as the auditor of a parent undertaking (“C”) provided that—

- (a) where C is a credit institution, the auditing services of P are for one or both of the purposes mentioned in paragraph (4);
  - (b) where C is not a credit institution, or is a credit institution that does not meet the condition in sub-paragraph (a)—
    - (i) P is appointed as auditor of C before 16th December 2022,
    - (ii) the act is carried out before the end of 31st May 2023, and
    - (iii) P notifies the Secretary of State of the provision of the services, before or after the act is carried out, by the end of 15th March 2023.
- (4) The purposes are—
- (a) C, in its capacity as a parent undertaking, deciding whether accounts of a subsidiary undertaking of C which is a person connected with Russia (“S”) should be included in consolidated group accounts of C, and
  - (b) the inclusion in consolidated group accounts of C of the accounts of S.
- (5) The prohibitions in regulation 54C, in so far as they relate to auditing services, are not contravened by any act done by a person (“P”)—
- (a) in satisfaction of an obligation arising from the appointment of P as the auditor of a [<sup>F363</sup>UK subsidiary undertaking] (“S”) in respect of the provision of those services to S in relation to the discharge of or compliance with UK statutory or regulatory obligations, and
  - (b) which results in the provision of those services indirectly to a person connected with Russia in that person’s capacity as a parent undertaking of S.
- [<sup>F364</sup>(5A) The prohibitions in regulation 54C, in so far as they relate to auditing services, are not contravened by any act done by a person (“P”)—
- (a) in satisfaction of an obligation arising from the appointment of P as the auditor of a UK undertaking (“U”) in respect of the provision of those services to U in relation to the discharge of or compliance with UK statutory or regulatory obligations, and
  - (b) which results in the provision of those services directly or indirectly to a person connected with Russia in that person’s capacity as a member of U.]
- (6) The prohibitions in regulation 54C, in so far as they relate to IT consultancy and design services, are not contravened by the provision of—
- (a) an “electronic communications network” or an “electronic communications service” (within the meanings given by section 32 of the Communications Act 2003) that is used for civilian purposes, or
  - (b) services that are incidental to the exchange of communications over the internet, including—
    - (i) instant messaging,
    - (ii) videoconferencing,
    - (iii) chat and email,
    - (iv) social networking,
    - (v) sharing of photos, audio, videos, films or documents,
    - (vi) web browsing,
    - (vii) blogging,
    - (viii) web hosting, and
    - (ix) domain name registration services.

(7) The prohibitions in regulation 54C are not contravened by any act done by a person that is necessary for the official purposes of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law.

[<sup>F365</sup>(7A) The prohibitions in regulation 54C are not contravened by any act done by a person as part of the provision of expert evidence provided in, or in anticipation of—

- (a) any proceedings before administrative agencies, courts or other duly constituted official tribunals, or
- (b) in any arbitral or mediation proceedings.]

(8) For the purposes of this regulation, the following terms have the meanings given in regulation 54B—

“accounting services”, “advertising services”, “architectural services”, “auditing services”, “business and management consulting services”, “engineering services”, “IT consultancy and design services” and “public relations services”.

(9) For the purposes of this regulation—

“auditor” means a statutory auditor within the meaning of section 1210 of the Companies Act 2006 (meaning of “statutory auditor” etc);

“consular post” is to be construed in accordance with paragraph A1 of Schedule 5;

“credit institution” means a body incorporated under the law of any part of the United Kingdom, the business of which is to take deposits or other repayable funds from the public and to grant credits for its own account;

“diplomatic mission” is to be construed in accordance with paragraph A1 of Schedule 5;

“financial year” is to be construed in accordance with section 390 of the Companies Act 2006 (a company’s financial year);

“included in consolidated group accounts” has the meaning given in section 474 of the Companies Act 2006 (minor definitions) and “inclusion in consolidated group accounts” is to be construed accordingly;

“parent undertaking” has the meaning given in section 1162 of the Companies Act 2006 (parent and subsidiary undertakings);

“subsidiary undertaking” has the meaning given in section 1162 of the Companies Act 2006.

[<sup>F366</sup>“UK subsidiary undertaking” means a subsidiary undertaking that is incorporated or formed under the law of the United Kingdom;

“UK undertaking” means an undertaking within the meaning given in section 1161 of the Companies Act 2006 that is incorporated or formed under the law of the United Kingdom.]]

#### Textual Amendments

**F362** Reg. 60DA substituted (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), regs. 1(2)(b), **14**

**F363** Words in reg. 60DA(5)(a) substituted (30.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2023 \(S.I. 2023/713\)](#), regs. 1(2), **4(a)**

**F364** Reg. 60DA(5A) inserted (30.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2023 \(S.I. 2023/713\)](#), regs. 1(2), **4(b)**

**F365** Reg. 60DA(7A) inserted (30.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2023 \(S.I. 2023/713\)](#), regs. 1(2), **4(c)**

**F366** Words in reg. 60DA(9) inserted (30.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2023 \(S.I. 2023/713\)](#), regs. 1(2), **4(d)**

**[<sup>F367</sup>Trade: exception relating to legal advisory services**

**60DB.**—(1) The prohibitions in regulation 54D (legal advisory services) are not contravened by any act done by a person that is necessary for the official purposes of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law.

(2) The prohibitions in regulation 54D are not contravened by any act done by a person in satisfaction of an obligation in respect of the provision of legal advisory services to any person where the services are provided in relation to the discharge of or compliance with UK statutory or regulatory obligations.

(3) The prohibitions in regulation 54D are not contravened by any act done by a person for the purpose of providing legal advice to any person as to whether an act or a proposed act complies with these Regulations.

(4) The prohibitions in regulation 54D are not contravened by any act done by a person (“P”) in satisfaction of an obligation arising under a contract concluded before 30th June 2023, or an ancillary contract necessary for the satisfaction of such a contract, provided that—

- (a) the act is carried out before the end of 29th September 2023, and
- (b) P notifies the Secretary of State of the provision of the services, before or after the act is carried out, by the end of 29th September 2023.

(5) In this regulation—

“consular post” has the same meaning as in the Vienna Convention on Consular Relations done at Vienna on 24th April 1963;

“diplomatic mission” is to be read in accordance with the Vienna Convention on Diplomatic Relations done at Vienna on 18th April 1961;

“legal advisory services” has the meaning given in regulation 54B.]

**Textual Amendments**

**F367** Reg. 60DB inserted (30.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2023 \(S.I. 2023/713\)](#), regs. 1(2), 5

**[<sup>F368</sup>Trade: exceptions in relation to maritime goods and maritime technology**

**60E.**—(1) The prohibitions in Chapter 2 of Part 5—

- (a) in so far as they relate to maritime goods, 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 necessary for a purpose specified in paragraph (2);
- (b) in so far as they relate to maritime technology, do not apply to the sale, supply, making available, transfer or export of such technology, or to the related provision of technical and financial assistance, necessary for a purpose specified in paragraph (2).

(2) The purposes are—

- (a) non-military use by a non-military end-user;
- (b) humanitarian assistance activity;
- (c) addressing a health emergency;
- (d) the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or on the environment; or
- (e) providing a response to a natural disaster.



(3) For the purposes of this regulation—

“humanitarian assistance activity” is to be construed in accordance with paragraph A1 of Schedule 5;

“maritime goods” and “maritime technology” respectively have the meanings given in regulation 21 (interpretation of Part 5).

**Textual Amendments**

**F368** Regs. 60E-60G inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **10(3)** (with reg. 13)

**Trade: exceptions in relation to banknotes**

**60F.**—(1) Subject to paragraph (2), the prohibitions in Chapter 4E of Part 5 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 Russia 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 Chapter 4E of Part 5 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 Russia enjoying immunities in accordance with international law.

(4) The prohibitions in Chapter 4E of Part 5 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 Russia; or
- (b) for use in Russia.

(5) For the purposes of this regulation, “diplomatic mission” and “consular post” are to be construed in accordance with paragraph A1 of Schedule 5.

**Textual Amendments**

**F368** Regs. 60E-60G inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **10(3)** (with reg. 13)

**Trade: exception in relation to certain <sup>F369</sup>... goods consigned from Russia**

**60G.**—<sup>F370</sup>(1) .....

[  
<sup>F371</sup>(1A) The prohibitions specified in paragraphs (1B), (1C) and (1D) do not apply to, or in relation to, any goods mentioned in any of those paragraphs which are—

- (a) consigned from Russia before 21st April 2023; and
- (b) imported into the United Kingdom before 21st May 2023.

(1B) The prohibitions specified in this paragraph are those set out in—

- (a) regulation 46D (import of iron and steel products);
- (b) regulation 46G(1)(a) (technical assistance relating to iron and steels products);

(c) regulation 46H(1)(a) (financial services and funds relating to iron and steel products);  
 (d) regulation 46I(1) (brokering services relating to iron and steel products), to the extent that prohibition applies to an arrangement described in regulation 46H(1)(a),  
 as they apply in relation to goods specified in Part 3 of Schedule 3B (iron and steel products).

(1C) The prohibitions specified in this paragraph are those set out in—

- (a) regulation 46S (import of Schedule 3D revenue generating goods);
- (b) regulation 46V(1)(a) (technical assistance relating to Schedule 3D revenue generating goods);
- (c) regulation 46W(1)(a) (financial services and funds relating to Schedule 3D revenue generating goods);
- (d) regulation 46X(1) (brokering services relating to Schedule 3D revenue generating goods), to the extent that prohibition applies to an arrangement described in regulation 46W(1)(a),

as they apply in relation to goods specified in Part 3 of Schedule 3D (Schedule 3D revenue generating goods).

(1D) The prohibitions specified in this paragraph are those set out in—

- (a) regulation 46XB (import of Schedule 3DA revenue generating goods);
- (b) regulation 46XE(1)(a) (technical assistance relating to Schedule 3DA revenue generating goods);
- (c) regulation 46XF(1)(a) (financial services and funds relating to Schedule 3DA revenue generating goods);
- (d) regulation 46XG(1) (brokering services relating to Schedule 3DA revenue generating goods), to the extent that prohibition applies to an arrangement described in regulation 46XF(1)(a),

as they apply in relation to goods specified in Part 3 of Schedule 3DA (Schedule 3DA revenue generating goods).]

[  
<sup>F372</sup>(1E) The prohibitions specified in paragraphs (1F) and (1G) do not apply to, or in relation to, any products mentioned in any of those paragraphs which are—

- (a) consigned from Russia before 15th December 2023; and
- (b) imported into the United Kingdom before 14th January 2024.

(1F) The prohibitions specified in this paragraph are those set out in—

- (a) regulation 46D (import of iron and steel products);
- (b) regulation 46G(1)(a) (technical assistance relating to iron and steel products);
- (c) regulation 46H(1)(a) (financial services and funds relating to iron and steel products);
- (d) regulation 46I(1) (brokering services relating to iron and steel products) to the extent that prohibition applies to an arrangement described in regulation 46H(1)(a),

as they apply in relation to products specified in Part 4 of Schedule 3B (iron and steel products).

(1G) The prohibitions specified in this paragraph are those set out in regulation 46IG (import of metals) except in so far as those prohibitions relate to products coming within commodity codes 7606, 7801, 8207, 8212, 8302 and 8309.

(1H) Paragraph 1 of Schedule 3 applies for the purposes of interpreting the commodity codes specified in paragraph (1G).]

(2) For the purposes of [<sup>F373</sup>paragraphs (1A)(a) and (1E)(a)], goods are deemed to have been consigned from Russia at the time when—

- (a) they have completed the applicable export formalities, and
- (b) where the goods were transported by—
  - (i) land, they have left Russia;
  - (ii) sea, the ship on which they were transported has departed a port in Russia for a destination outside Russia;
  - (iii) air, the aircraft on which they were transported has departed an airport in Russia for a destination outside Russia.]

#### Textual Amendments

- F368** Regs. 60E-60G inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **10(3)** (with reg. 13)
- F369** Words in reg. 60G heading omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **10(a)**
- F370** Reg. 60G(1) omitted (21.4.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **10(b)**
- F371** Reg. 60G(1A)-(1D) inserted (21.4.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **10(c)**
- F372** Reg. 60G(1E)-(1H) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **11(2)**
- F373** Words in reg. 60G(2) substituted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **11(3)**

#### <sup>F374</sup>Trade: exception in respect of the acquisition of iron and steel products <sup>F375</sup>and metals]

**60GA.**—<sup>F376</sup>(1) Without prejudice to regulation 60GAA, the prohibitions specified in paragraphs (2) and (2A) do not apply in relation to relevant products located in the United Kingdom or the Isle of Man having been lawfully imported there.]

- (2) The prohibitions specified in this paragraph are those in—
  - (a) regulation 46E (acquisition of iron and steel products);
  - (b) regulation <sup>F377</sup>46G(1)(b)(i) (technical assistance relating to iron and steel products);
  - (c) regulation <sup>F378</sup>46H(1)(b)(i) (financial services and funds relating to iron and steel products);
  - (d) regulation 46I (brokering services relating to iron and steel products) <sup>F379</sup>; in relation to any arrangements described in regulation 46H(1)(b)(i).

[<sup>F380</sup>(2A) The prohibition specified in this paragraph is that in regulation 46IH(1)(a) (acquisition of metals).]

<sup>F381</sup>(3) In this regulation “relevant products” means the products to which the respective prohibitions specified in paragraphs (2) and (2A) apply.]

#### Textual Amendments

- F374** Regs. 60GA, 60GB inserted (21.4.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **11**
- F375** Words in reg. 60GA heading inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **12(2)**

- F376** Reg. 60GA(1) substituted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **12(3)**
- F377** Word in reg. 60GA(2)(b) substituted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **12(4)(a)**
- F378** Word in reg. 60GA(2)(c) substituted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **12(4)(b)**
- F379** Words in reg. 60GA(2)(d) inserted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **12(4)(c)**
- F380** Reg. 60GA(2A) inserted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **12(5)**
- F381** Reg. 60GA(3) substituted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **12(6)**

**[<sup>F382</sup>Trade: exception in respect of iron and steel products, relevant processed iron or steel products and metals exported from Russia before the relevant day**

**60GAA.**—(1) The prohibitions specified in paragraphs (2), (3) and (4) do not apply in relation to anything done in relation to relevant products originating in or consigned from Russia where those goods—

- (a) were exported from Russia before the relevant day; and
  - (b) are not to be released for free circulation in the United Kingdom or the Isle of Man.
- (2) The prohibitions specified in this paragraph are those in—
- (a) regulation 46D (import of iron and steel products);
  - (b) regulation 46G(1)(a) (technical assistance relating to iron and steel products);
  - (c) regulation 46H(1)(a) (financial services and funds relating to iron and steel products);
  - (d) regulation 46I in relation to any arrangements described in regulation 46H(1)(a) (brokering services relating to iron and steel products).
- (3) The prohibitions specified in this paragraph are those in—
- (a) regulation 46IB(1) (import of relevant processed iron or steel products);
  - (b) regulation 46IC(1) (technical assistance relating to relevant processed iron or steel products);
  - (c) regulation 46ID(1) (financial services and funds relating to relevant processed iron or steel products);
  - (d) regulation 46IE(1) (brokering services relating to relevant processed iron or steel products).
- (4) The prohibitions specified in this paragraph are those in regulation 46IG (import of metals).
- (5) For the purposes of paragraph (1)—
- (a) “relevant day” means, in relation to the application of that paragraph to a prohibition specified in paragraph (2), (3) or (4), the date on which that prohibition came into force;
  - (b) “relevant products” means the products to which the prohibitions specified in paragraph (2), (3) or (4) apply.
- (6) For the purposes of paragraph (1)(a) and regulation 60GAB(1), a thing has been exported from Russia when—
- (a) it has completed the applicable export formalities; and
  - (b) where it was transported by—
    - (i) land, it has left Russian territory;

- (ii) sea, the ship on which it was transported has departed a port in Russia for a destination outside of Russia;
- (iii) air, the aircraft on which it was transported has departed an airport in Russia for a destination outside of Russia.

(7) Section 3 of the Taxation (Cross-border Trade) Act 2018 (obligation to declare goods for a Customs procedure on import) applies for determining whether paragraph (1)(b) applies.

#### Textual Amendments

**F374** Regs. 60GA, 60GB inserted (21.4.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **11**

**F382** Regs. 60GAA, 60GAB inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **13**

#### Trade: exception relating to ancillary services relating to acquisition when iron and steel products are in third countries

**60GAB.**—(1) The prohibitions specified in paragraph (2) do not apply in relation to anything done in relation to iron and steel products originating in Russia where those products were exported from Russia before the relevant day.

- (2) The prohibitions specified in this paragraph are those relating to—
- (a) regulation 46G(1)(b)(i) (technical assistance relating to iron and steel products);
  - (b) regulation 46H(1)(b)(i) (financial services and funds relating to iron and steel products);
  - (c) regulation 46I (brokering services relating to iron and steel products) in relation to any arrangements described in regulation 46H(1)(b)(i).
- (3) For the purposes of paragraph (1)—
- (a) “iron and steel products” has the meaning given in regulation 46C;
  - (b) “relevant day” means, in relation to the application of that paragraph to a prohibition specified in paragraph (2), the date on which that prohibition came into force.]

#### Textual Amendments

**F374** Regs. 60GA, 60GB inserted (21.4.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **11**

**F382** Regs. 60GAA, 60GAB inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **13**

#### Trade: exception in respect of the acquisition of Schedule 3DA revenue generating goods

- 60GB.**—(1) The prohibitions specified in paragraph (2)—
- (a) do not apply in relation to relevant goods located in the United Kingdom or the Isle of Man having been lawfully imported there;
  - (b) do not apply to a United Kingdom national in Russia engaging in any activity subject to any of those prohibitions where—
    - (i) the relevant goods are located in Russia;
    - (ii) those relevant goods are for the purposes of personal use, in Russia, by that United Kingdom national, or their immediate family members.

- (2) The prohibitions specified in this paragraph are those in—
- (a) regulation 46XC(1) (acquisition of Schedule 3DA revenue generating goods);
  - (b) regulation 46XE(1) (technical assistance relating to Schedule 3DA revenue generating goods);
  - (c) regulation 46XF(1) (financial services and funds relating to Schedule 3DA revenue generating goods);
  - (d) regulation 46XG(1) (brokering services relating to Schedule 3DA revenue generating goods).
- (3) In this regulation—
- “immediate family member” has the meaning given in regulation 6(7);
- “relevant goods” means any thing specified in Schedule 3DA (Schedule 3DA revenue generating goods).]

#### Textual Amendments

**F374** Regs. 60GA, 60GB inserted (21.4.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2023 \(S.I. 2023/440\)](#), regs. 1(2), **11**

#### [<sup>F383</sup>Trade: exception in respect of the acquisition of diamonds and diamond jewellery

**60GC.**—(1) The prohibitions specified in paragraph (2) do not apply in relation to diamonds and diamond jewellery located in the United Kingdom or the Isle of Man having been lawfully imported there.

- (2) The prohibitions specified in this paragraph are those in—
- (a) regulation 46Z16L(1) (acquisition of diamonds and diamond jewellery);
  - (b) regulation 46Z16N(1)(b) (technical assistance relating to diamonds and diamond jewellery);
  - (c) regulation 46Z16O(1)(b) (financial services and funds relating to diamonds and diamond jewellery);
  - (d) regulation 46Z16P(1) (brokering services relating to diamonds and diamond jewellery) insofar as it relates to the prohibition at regulation 46Z16O(1)(b).
- (3) In this regulation, “diamonds” and “diamond jewellery” have the meanings given in regulation 46Z16J (interpretation of Chapter 4JB).]

#### Textual Amendments

**F383** Reg. 60GC inserted (1.1.2024) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 5\) Regulations 2023 \(S.I. 2023/1367\)](#), regs. 1(2), **5**

#### [<sup>F384</sup>Trade: exception in relation to oil and oil products

**60H.**—(1) The prohibitions in Chapter 4I (Oil and Oil Products) are not contravened by a relevant activity in relation to any oil and oil products which—

- (a) originate in a country that is not Russia,
- (b) are not owned by a person connected with Russia, and
- (c) are only being loaded in, departing from or transiting through Russia.

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

“oil and oil products” has the meaning given in regulation 21(1) (interpretation of Part 5);

“relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions specified in paragraph (1).

#### Textual Amendments

**F384** Regs. 60H, 60I inserted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), 19

#### [<sup>F385</sup>Trade: exception in relation to maritime transportation of certain oil and oil products

**60HA.**—(1) The prohibitions in regulations 46Z9B(1), 46Z9C(1) and 46Z9D(1) (maritime transportation of certain oil and oil products) are not contravened by a relevant activity in relation to any 2709 oil and oil products which—

- (a) originate in a country that is not Russia,
- (b) are not owned by a person connected with Russia, and
- (c) are only being loaded in, departing from or transiting through Russia.

(2) The prohibitions in regulations 46Z9B(2), 46Z9C(2) and 46Z9D(2) are not contravened by a relevant activity in relation to any 2710 oil and oil products which—

- (a) originate in a country that is not Russia,
- (b) are not owned by a person connected with Russia, and
- (c) are only being loaded in, departing from or transiting through Russia.

(3) For the purposes of paragraphs (1) and (2)—

“2709 oil and oil products” and “2710 oil and oil products” have the meanings given in regulation 46Z9A;

“relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions specified in paragraph (1) or, as the case may be (2).]

#### Textual Amendments

**F384** Regs. 60H, 60I inserted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), 19

**F385** Reg. 60HA inserted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), 5

#### Trade: exceptions in relation to Energy-related Goods

**60I.**—(1) The prohibitions in regulations 44 (financial services relating to energy-related goods) and 45 (brokering services: non-UK activity relating to energy-related goods) are not contravened in relation to the provision of insurance or reinsurance to a relevant person with regard to that person’s activities outside the energy sector in Russia.

(2) The prohibitions in Chapter 4 (energy-related goods and related activities) are not contravened by a relevant activity that is necessary for the purposes of a UK petroleum project.

(3) In this regulation—

“energy related goods” has the meaning given in regulation 21(1) (interpretation of Part 5);

“relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions specified in paragraphs (1) and (2);

“relevant person” means a person who is not a person connected with Russia;

“UK petroleum project” means an oil or gas exploration or production project that is wholly or partially located within—

- (a) the United Kingdom;
- (b) waters adjacent to the United Kingdom up to the seaward limits of the territorial sea, or the seabed and subsoil below them;
- (c) areas from time to time designated under section 1(7) of the Continental Shelf Act 1964 (designation of areas of continental shelf), and any waters within the limits of such areas.]

#### Textual Amendments

**F384** Regs. 60H, 60I inserted (21.7.2022) by *The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850)*, regs. 1(2), **19**

#### Trade: exception for emergencies in certain cases

**61.**—<sup>F386</sup>(1) The prohibitions specified in paragraph (1A) 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.

(1A) Paragraph (1) applies to the prohibitions—

- (a) in regulations 40 to 46 (prohibitions relating to energy-related goods etc.) and <sup>F387</sup>regulations 48 to 54 (prohibitions relating to infrastructure in non-government controlled Ukrainian territory etc.);
- (b) in regulations 22 (export of restricted goods), 24(1)(a), (supply and delivery of restricted goods), 25(1)(a) and (b) (making available of restricted goods and restricted technology), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) so far as they apply to <sup>F388</sup>critical-industry goods, aviation and space goods, <sup>F389</sup>oil refining goods,] critical-industry technology <sup>F390</sup>, aviation and space technology or oil refining technology];]

<sup>F391</sup>(c) in regulation 29A (insurance and reinsurance services relating to aviation and space goods and aviation and space technology).]

<sup>F392</sup>(d) in <sup>F393</sup>Chapter 4H] (<sup>F394</sup>G7 dependency and further goods)];

(e) <sup>F395</sup>in] regulation 54C (Professional and business services)]

<sup>F396</sup>(f) in regulation 54D (legal advisory services).]]

<sup>F396</sup>[

<sup>F397</sup>(1B) The prohibitions specified in regulations 46Z9B to 46Z9D (maritime transportation of certain oil and oil products) are not contravened by any act done by a person (“P”), where P provides justification to the Treasury within the relevant period that the act is an act dealing with an emergency.]

(2) 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;



[<sup>F398</sup>“aviation and space goods” has the meaning given in regulation 21 (interpretation of Part 5);

“aviation and space technology” has the meaning given in regulation 21 (interpretation of Part 5);]

[<sup>F399</sup>“critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5);

“critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);]

[<sup>F400</sup>“oil refining goods” has the meaning given in regulation 21 (interpretation of Part 5);]

[<sup>F400</sup>“oil refining technology” has the meaning given in regulation 21 (interpretation of Part 5);]

“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

- F386** Reg. 61(1)(1A) substituted for reg. 61(1) (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **7(1)** (with reg. 11)
- F387** Words in reg. 61(1A)(a) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **26**
- F388** Words in reg. 61(1A)(b) substituted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **11(a)**
- F389** Words in reg. 61(1A)(b) inserted (14.4.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/452\)](#), regs. 1(2), **7(a)(i)**
- F390** Words in reg. 61(1A)(b) substituted (14.4.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/452\)](#), regs. 1(2), **7(a)(ii)**
- F391** Reg. 61(1A)(c) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **11(b)**
- F392** Reg. 61(1A)(d)(e) inserted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **20**
- F393** Words in reg. 61(1A)(d) substituted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **14**
- F394** Words in reg. 61(1A)(d) substituted (29.10.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 15\) Regulations 2022 \(S.I. 2022/1110\)](#), reg. 1(2)(b), **Sch. 3 para. 10(1)(2)(g)**
- F395** Word in reg. 61(1A)(e) inserted (30.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2023 \(S.I. 2023/713\)](#), regs. 1(2), **6(a)**
- F396** Reg. 61(1A)(f) inserted (30.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2023 \(S.I. 2023/713\)](#), regs. 1(2), **6(b)**
- F397** Reg. 61(1B) inserted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **6**
- F398** Words in reg. 61(2) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **11(c)**
- F399** Words in reg. 61(2) inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **7(2)** (with reg. 11)
- F400** Words in reg. 61(2) inserted (14.4.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/452\)](#), regs. 1(2), **7(b)**

### Commencement Information

- I49** Reg. 61 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

**[<sup>F401</sup>Trade: exception for humanitarian assistance activity in non-government controlled areas of the [<sup>F402</sup>Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts]**

**61ZA.**—(1) A relevant prohibition is not contravened by a person (“P”) carrying out a relevant activity which is necessary to ensure the timely delivery of humanitarian assistance activity in non-government controlled areas of the [<sup>F403</sup>Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts] provided that P believes that carrying out the relevant activity is so necessary and there is no reasonable cause for P to suspect otherwise.

(2) For the purposes of this regulation—

“humanitarian assistance activity” includes the work of international and non-governmental organisations carrying out relief activities for the benefit of the civilian population of the non-government controlled areas of the [<sup>F404</sup>Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts];

“relevant activity” means any activity which would, in the absence of this regulation, contravene a relevant prohibition;

“relevant prohibition” means—

- (a) any prohibition in regulations 48 to 51, 52(1), (2) or (3)(b) to (e) (trade in relation to non-government controlled Ukrainian territory), or 54(1)(a) (prohibition on infrastructure-related services relating to non-government controlled Ukrainian territory), or
- (b) any prohibition in regulation 53(1)(b) to (g) (brokering services: non-UK activity relating to infrastructure-related goods and goods from non-government controlled Ukrainian territory), except for any such prohibition which relates to an arrangement whose object or effect is the import of goods which originate in non-government controlled Ukrainian territory.]

**Textual Amendments**

**F401** Reg. 61ZA inserted (18.7.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 13\) Regulations 2022 \(S.I. 2022/814\)](#), regs. 1(2), **4**

**F402** Words in reg. 61ZA heading substituted (20.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), regs. 1(2), **10(a)**

**F403** Words in reg. 61ZA(1) substituted (20.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), regs. 1(2), **10(b)**

**F404** Words in reg. 61ZA(2) substituted (20.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), regs. 1(2), **10(c)**

**[<sup>F405</sup>Ships: exceptions from prohibition on port entry**

**61A.**—(1) The prohibition in regulation 57A(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 57C (movement of ships), or
- (b) the access is needed by the ship in a case of emergency.

(2) The prohibition in regulation 57A(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 57C, or
- (b) the entry is needed by the ship in a case of emergency.]

**Textual Amendments**

**F405** Reg. 61A inserted (1.3.2022 at 3.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/203), regs. 1(2), 7

**[<sup>F406</sup>Aircraft: exceptions from prohibitions**

**61B.**—(1) The prohibition in regulation 57J(1)(b) (movement of aircraft) is not contravened by the landing of a Russian 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 57J(1)(a) is not contravened by the flight of a Russian aircraft in the airspace over the United Kingdom preparatory to a landing as mentioned in paragraph (1).

(3) The directions in regulation 57J(3) to (9) 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.

<sup>F407</sup>(4) .....

[  
<sup>F408</sup>(4A) The prohibition in regulation 57J(1) is not contravened by the movement of a Russian aircraft if—

- (a) a direction has been given in relation to that aircraft under regulation 57J(3)(b), (5)(b) or (6)(c), and
- (b) the movement of the aircraft is in accordance with that direction.]

(5) In this regulation, “Russian aircraft” has the same meaning as in regulation 57J.]

**Textual Amendments**

**F406** Reg. 61B inserted (8.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/241), regs. 1(2), 12

**F407** Reg. 61B(4) omitted (30.3.2022 at 5.00 p.m.) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), 27(a)

**F408** Reg. 61B(4A) inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), 27(b)

**Exception relating to trade restrictions in relation to [<sup>F409</sup>non-government controlled Ukrainian territory]**

**62.**—(1) A prohibition in [<sup>F410</sup>Chapter 2 of Part 5 in so far as it is applied to non-government controlled Ukrainian territory by regulation 53A or Chapter 2A of Part 5 (goods and technology relating to non-government controlled Ukrainian territory), [<sup>F411</sup>regulation 47 (imports from non-government controlled Ukrainian territory) or regulation 52(3)(a) (financial services and funds in relation to imports from non-government controlled Ukrainian territory)] is not contravened by any action in relation to goods which—

- (a) originate in [<sup>F412</sup>non-government controlled Ukrainian territory], and
- (b) are the subject of a certificate of origin.

(2) In this regulation a “certificate of origin” means a document issued by the Government of Ukraine or a person acting on behalf of the Government of Ukraine confirming that the goods originate in Ukraine.

#### Textual Amendments

- F409** Words in reg. 62 heading substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **28(a)**
- F410** Words in reg. 62(1) inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **10(4)** (with reg. 13)
- F411** Words in reg. 62(1) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **28(b)(i)**
- F412** Words in reg. 62(1)(a) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **28(b)(ii)**

#### Commencement Information

- I50** Reg. 62 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### [<sup>F413</sup>Exception for authorised conduct in a relevant country

**62A.**—(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.) [<sup>F414</sup>, 16 (securities and money market instruments), 17 (loans and credit arrangements), 17A [<sup>F415</sup>(corresponding banking relationships and processing payments)] [<sup>F416</sup>, 18 (investments in relation to non-government controlled Ukrainian territory)] [<sup>F417</sup>, 18A (provision of foreign reserve and asset management services) [<sup>F418</sup>, 18B (investments in relation to Russia) and 18C (trust services)] or [<sup>F419</sup>Chapters 2 to 6 and Chapter 6B] 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

- F413** Reg. 62A 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), **10(2)**; S.I. 2020/1514, reg. 18
- F414** Words in reg. 62A(1) inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **11**
- F415** Words in reg. 62A(1) substituted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **23(1)(2)(c)**
- F416** Words in reg. 62A(1) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **29**

- F417** Words in reg. 62A(1) substituted (19.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 12\) Regulations 2022 \(S.I. 2022/801\)](#), regs. 1(2), **7**
- F418** Words in reg. 62A(1) substituted (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), regs. 1(2)(b), **15**
- F419** Words in reg. 62A(1) substituted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **21**

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

**63.**—(1) Where an act would, in the absence of this paragraph, be prohibited by regulation 9(2) [<sup>F420</sup>or 9B(2)] (confidentiality) or any prohibition in Part 3 (Finance) or 5 (Trade), or under or by virtue of Part 6 (Ships) [<sup>F421</sup>or Part 6A (Aircraft)] 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 Part 8 (Information and records) or Part 10 (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

- F420** Words in reg. 63(1) inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **30(a)**
- F421** Words in reg. 63(1) inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **30(b)**

#### Commencement Information

- I51** Reg. 63 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### Treasury licences

**64.**—(1) The prohibitions in regulations 11 to 15 (asset-freeze etc.) [<sup>F422</sup>, 16 (securities and money market instruments), 17 (loans and credit arrangements), 17A [<sup>F423</sup>(corresponding banking relationships and processing payments)] [<sup>F424</sup>, [<sup>F425</sup>18 (investments in relation to non-government controlled Ukrainian territory)] [<sup>F426</sup>, 18A (provision of foreign reserve and asset management services) [<sup>F427</sup>, 18B] (investments in relation to Russia)] [<sup>F428</sup>, 18C (trust services)] [<sup>F429</sup>and 46Z9B to 46Z9D (maritime transportation of certain oil and oil products)] do not apply to anything done under the authority of a licence issued by the Treasury under this paragraph.

[<sup>F430</sup>(1A) Without prejudice to the generality of the powers conferred by paragraph (1), a licence issued by the Treasury under paragraph (1) may, in particular, authorise acts which would otherwise be prohibited by any of [<sup>F431</sup>regulations 11 to [<sup>F432</sup>18C]] [<sup>F433</sup>or regulations 46Z9B to 46Z9D] 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, [<sup>F434</sup>regulation 17A or regulation 18C], the date on which the person was designated.]
- (2) The Treasury may issue a licence which authorises acts by a particular person only—
  - (a) in the case of acts which would otherwise be prohibited by regulations 11 to 15, where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1 of Schedule 5, <sup>F435</sup> ...
  - [<sup>F436</sup>(aza) in the case of acts which would otherwise be prohibited by regulations 11 to 15, 16, 17, 17A, 18A and 18C, where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1ZA of Schedule 5;]
  - [<sup>F437</sup>(aa) in the case of acts which would otherwise be prohibited by regulation 17, where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1A of Schedule 5,
    - (ab) in the case of acts which would otherwise be prohibited by regulation 17A, where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1B of Schedule 5,
    - (ac) in the case of acts which would otherwise be prohibited by regulation 17A(2) (processing <sup>F438</sup> ... payments), where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1C of Schedule 5, <sup>F439</sup> ...]
    - (b) in the case of acts which would otherwise be prohibited by regulation 18, where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 2 of Schedule 5 [<sup>F440</sup>, <sup>F441</sup> ...]
  - [<sup>F442</sup>(c) in the case of acts which would otherwise be prohibited by regulation 18A (provision of foreign exchange reserve and asset management services), where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1D of [<sup>F443</sup>Schedule 5, <sup>F444</sup> ...]]
  - [<sup>F445</sup>(d) in the case of acts which would otherwise be prohibited by regulation 18B (investments in relation to Russia), where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 3 of Schedule 5, <sup>F446</sup> ...]
  - [<sup>F447</sup>(da) in the case of acts which would otherwise be prohibited by regulation 18C (trust services), where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 3A of Schedule 5, and]
  - [<sup>F448</sup>(e) in the case of acts which would otherwise be prohibited by regulations 46Z9B to 46Z9D, where the Treasury consider that it is appropriate to issue the licence for the purpose set out in Part 4 of Schedule 5.]
- [<sup>F449</sup>(3) Part A1 of Schedule 5 has effect for the interpretation of terms in that Schedule.]

### Textual Amendments

- F422** Words in reg. 64(1) inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **12(a)**
- F423** Words in reg. 64(1) substituted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **23(1)(2)(d)**
- F424** Words in reg. 64(1) substituted (1.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/205\)](#), regs. 1(2), **5(a)**
- F425** Words in reg. 64(1) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **31(a)**

- F426** Words in reg. 64(1) substituted (19.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 12) Regulations 2022 (S.I. 2022/801), regs. 1(2), **8(a)**
- F427** Word in reg. 64(1) substituted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **7(2)(a)**
- F428** Words in reg. 64(1) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **16(a)**
- F429** Words in reg. 64(1) inserted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **7(2)(b)**
- F430** Reg. 64(1A) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **12(b)**
- F431** Words in reg. 64(1A) substituted (19.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 12) Regulations 2022 (S.I. 2022/801), regs. 1(2), **8(b)**
- F432** Word in reg. 64(1A) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **16(b)(i)**
- F433** Words in reg. 64(1A) inserted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **7(3)**
- F434** Words in reg. 64(1A)(b) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **16(b)(ii)**
- F435** Word in reg. 64(2) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **12(c)(i)**
- F436** Reg. 64(2)(aza) inserted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **15(2)**
- F437** Reg. 64(2)(aa)-(ac) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **12(c)(ii)**
- F438** Word in reg. 64(2)(ac) omitted (15.12.2023) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **15(3)**
- F439** Word in reg. 64(2) omitted (1.3.2022 at 5.00 p.m.) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2022 (S.I. 2022/205), regs. 1(2), **5(b)**
- F440** Word in reg. 64(2)(b) substituted (1.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2022 (S.I. 2022/205), regs. 1(2), **5(c)**
- F441** Word in reg. 64(2) omitted (19.7.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 12) Regulations 2022 (S.I. 2022/801), regs. 1(2), **8(c)**
- F442** Reg. 64(2)(c) inserted (1.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2022 (S.I. 2022/205), regs. 1(2), **5(d)**
- F443** Words in reg. 64(2)(c) substituted (19.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 12) Regulations 2022 (S.I. 2022/801), regs. 1(2), **8(d)**
- F444** Word in reg. 64(2)(c) omitted (5.12.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **7(4)(a)**
- F445** Reg. 64(2)(d) inserted (19.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 12) Regulations 2022 (S.I. 2022/801), regs. 1(2), **8(e)**
- F446** Word in reg. 64(2) omitted (16.12.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **16(c)(i)**
- F447** Reg. 64(2)(da) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **16(c)(ii)**
- F448** Reg. 64(2)(e) inserted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **7(4)(c)**
- F449** Reg. 64(3) inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **31(b)**

---

**Commencement Information**

- I52** Reg. 64 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

## Trade licences

**65.** The prohibitions in [<sup>F450</sup>Chapters 2 to 6 and Chapter 6B] of Part 5 (Trade) [<sup>F451</sup>(other than the prohibitions in Chapter 41A of that Part)] do not apply to anything done under the authority of a licence issued by the Secretary of State under this regulation.

### Textual Amendments

**F450** Words in reg. 65 substituted (21.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 14\) Regulations 2022 \(S.I. 2022/850\)](#), regs. 1(2), **22**

**F451** Words in reg. 65 inserted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **8**

### Commencement Information

**I53** Reg. 65 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

## [<sup>F452</sup> Aircraft licences

**65A.** The prohibition in regulation 57J(1) (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

**F452** [Reg. 65A](#) inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **32**

## Licences: general provisions

**66.**—(1) This regulation applies in relation to Treasury licences [<sup>F453</sup>, 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**

**F453** Words in [reg. 66\(1\)](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), [regs. 1\(2\)](#), **33**

**Commencement Information**

**I54** Reg. 66 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

**Finance: licensing offences**

**67.—(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**

**I55** Reg. 67 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

**Trade: licensing offences**

**68.—(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**

**I56** Reg. 68 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

**[<sup>F454</sup>Aircraft: licensing offences**

**68A.—(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

**F454** Reg. 68A inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), 34

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

**69.**—(1) The Secretary of State may direct that, in relation to any person within regulation 20 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 under this regulation—

(a) may contain conditions.

(b) 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).

(3) The Secretary of State may vary, revoke or suspend a direction under this regulation at any time.

(4) On the issue, variation, revocation or suspension of a direction under this regulation, 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.

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

#### Commencement Information

**I57** Reg. 69 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## PART 8

### Information and records

#### Finance: reporting obligations

**70.**—(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) [<sup>F455</sup>, regulations 46Z9B to 46Z9D (maritime transportation of certain oil and oil products)] or regulation 67 (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.

<sup>F456</sup>(1ZA) A relevant firm must also inform the Treasury as soon as practicable if—

- (a) it knows, or has reasonable cause to suspect, that it holds funds or economic resources for a prohibited person; 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.

(1ZB) Where the relevant firm knows, or has reasonable cause to suspect, that it holds funds or economic resources for a prohibited person, it must by no later than 31st October in each calendar year, provide a report to the Treasury as to the nature and amount or quantity of those funds or economic resources held by that firm as of 30th September in that calendar year.]

<sup>F457</sup>(1A) An involved person must inform the Treasury as soon as practicable if—

- (a) they know or have reasonable cause to suspect that a person has committed an offence under any provision of —
  - (i) regulations 46Z9B to 46Z9D; or
  - (ii) regulation 67 in so far as the suspected offence under that regulation relates to a prohibition referred to in paragraph (i); and
- (b) the information or other matter on which the knowledge or cause for suspicion is based came to them in the course of carrying on their business.]

(2) Where a relevant firm informs the Treasury under paragraph (1) <sup>F458</sup>or an involved person informs the Treasury under paragraph (1A)], it must state—

- (a) the information or other matter on which the knowledge or suspicion is based, <sup>F459</sup>...
- (b) any information it holds about the person by which the person can be identified <sup>F460</sup>and],
- <sup>F461</sup>(c) any related information it holds about the supply or delivery by ship, financial services or funds or brokering services provided with regard to the provisions referred to in paragraph (1A)(a)]

<sup>F462</sup>(2A) An involved person must also state, where they inform the Treasury under paragraph (1A), the nature, amount, value, or quantity of any goods or services related to the suspected offence at the time when they first had the knowledge or suspicion.]

(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 <sup>F463</sup>or under paragraph (1ZA) that it knows, or has reasonable cause to suspect, that a person for whom it holds funds or economic resources is a prohibited 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 58(4) (finance: exceptions from prohibitions), or
- (b) transfers funds from a frozen account in accordance with regulation 58(6).

(6) A person who fails to comply with a requirement in paragraph (1), <sup>F464</sup>(1ZA), (1ZB), <sup>F465</sup>[(1A), (2), (2A)] or (4) commits an offence.

(7) In this regulation—

“designated person” has the same meaning as it has in Chapter 1 of Part 3 (Finance);

“frozen account” has the same meaning as it has in regulation 58;

[<sup>F466</sup>“involved person” means a person who is involved in—

- (a) the supply or delivery of oil and oil products; or
- (b) the provision of financial services or funds or brokering services relating to the supply or delivery of oil and oil products;

“oil and oil products” has the meaning given in regulation 21(1) (interpretation of Part 5);]

[<sup>F467</sup>“prohibited person” means a person to whom financial services must not be provided by virtue of regulation 18A(1);]

“relevant firm” is to be read in accordance with regulation 71;

“relevant institution” has the same meaning as it has in regulation 58.

### Textual Amendments

- F455** Words in reg. 70(1)(a)(ii) inserted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **9(2)**
- F456** Reg. 70(1ZA)(1ZB) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **16(2)**
- F457** Reg. 70(1A) inserted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **9(3)**
- F458** Words in reg. 70(2) inserted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **9(4)(a)**
- F459** Word in reg. 70(2)(a) omitted (5.12.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **9(4)(b)**
- F460** Word in reg. 70(2)(b) inserted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **9(4)(c)**
- F461** Reg. 70(2)(c) inserted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **9(4)(d)**
- F462** Reg. 70(2A) inserted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **9(5)**
- F463** Words in reg. 70(3)(a) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **16(3)**
- F464** Words in reg. 70(6) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **16(4)**
- F465** Words in reg. 70(6) substituted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **9(6)**
- F466** Words in reg. 70(7) inserted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **9(7)**
- F467** Words in reg. 70(7) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **16(5)**

### Commencement Information

- I58** Reg. 70 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### [<sup>F468</sup>Designated persons: reporting obligations

**70A.—(1)** A designated person who is a United Kingdom person must, by the end of the period specified in paragraph (3) or (4) (as the case may be) inform the Treasury of—

- (a) the nature and value of any funds or economic resources which that person owns, holds or controls in any jurisdiction; and

- (b) the location of those funds or economic resources.
- (2) A designated person who is not a United Kingdom person must, by the end of the period specified in paragraph (3) or (4) (as the case may be) inform the Treasury of—
  - (a) the nature and value of any funds or economic resources which that person owns, holds or controls in the United Kingdom; and
  - (b) the location of those funds or economic resources.
- (3) Where a person is a designated person immediately before the day on which this regulation comes into force (“the relevant day”), the designated person must give the information in paragraph (1) or (2) (as the case may be) to the Treasury by the end of the period of 10 weeks starting on the relevant day.
- (4) Where a person is not a designated person immediately before the relevant day but becomes a designated person on or after that day, the designated person must give the information in paragraph (1) or (2) (as the case may be) to the Treasury by the end of the period of 10 weeks starting on the day on which the person becomes a designated person.
- (5) Where a designated person has provided information to the Treasury under paragraph (1) or (2), that person must inform the Treasury as soon as practicable of any change to the nature, value or location of the funds or economic resources.
- (6) A person who—
  - (a) without reasonable excuse, refuses or fails to comply with the requirement in paragraph (1), (2) or (5) (as the case may be); or
  - (b) knowingly or recklessly, gives information under paragraph (1), (2) or (5) (as the case may be) which is false in a material particular,commits an offence.
- (7) In this regulation, “designated person” has the same meaning as it has in Chapter 1 of Part 3 (Finance).]

#### Textual Amendments

**F468** Reg. 70A inserted (26.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(2), 17

#### “Relevant firm”

- 71.—**(1) The following are relevant firms for the purposes of regulation 70—
- (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)<sup>M16</sup>, or
    - (ii) a local auditor within the meaning of section 4(1) of the Local Audit and Accountability Act 2014 (general requirements for audit)<sup>M17</sup>;

- (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, <sup>F469</sup>...
  - (iv) <sup>F470</sup>... company services within the meaning of paragraph (2); [<sup>F471</sup>or
  - (v) trust services;]
- (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) <sup>M18</sup>;
- (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.

[<sup>F472</sup>(h) a cryptoasset exchange provider;

- (i) a custodian wallet provider.]
- (2) In paragraph (1) “<sup>F473</sup>... 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—
    - <sup>F474</sup>(i) .....
    - (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 <sup>M19</sup>, 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.

[<sup>F475</sup>“trust services” has the meaning given in regulation 18C(7) (trust services).]

[<sup>F476</sup>(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 70(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) <sup>M20</sup>;
  - (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

- F469** Word in reg. 71(1)(d) omitted (16.12.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), regs. 1(2)(b), **17(a)(i)**
- F470** Words in reg. 71(1)(d)(iv) omitted (16.12.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), regs. 1(2)(b), **17(a)(ii)**
- F471** Reg. 71(1)(d)(v) and word inserted (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), regs. 1(2)(b), **17(a)(iii)**
- F472** Reg. 71(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)(h), **9(2)(a)**

- F473** Words in reg. 71(2) omitted (16.12.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **17(b)(i)**
- F474** Reg. 71(2)(d)(i) omitted (16.12.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **17(b)(ii)**
- F475** Words in reg. 71(3) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **17(c)**
- F476** Reg. 71(3A)-(3C) inserted (30.8.2022) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2022 (S.I. 2022/818), regs. 1(3)(h), **9(2)(b)**

#### Commencement Information

- I59** Reg. 71 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### Marginal Citations

- M16** 2006 c.46. Section 1210 was amended by; S.I. 2017/516; S.I. 2017/1164; S.I. 2013/3115; S.I. 2012/1809; S.I. 2008/1950; S.I. 2008/567; and S.I. 2008/565.
- M17** 2014 c.2.
- M18** 2005 c.19.
- M19** 1979 c.38, amended by paragraph 40 of Schedule 1 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73); paragraph 42 of Schedule 2 to the Planning (Consequential Provisions) Act 1990 (c.11); paragraph 28 of Schedule 2 to the Planning (Consequential Provisions) (Scotland) Act 1997 (c.11); section 70 of the Enterprise and Regulatory Reform Act 2013 (c.24); S.I. 2001/1283; S.I. 2000/121; and S.I. 1991/2684.
- M20** Section 1210 has been amended by S.I. 2017/516, S.I. 2017/1164, S.I. 2008/565 and S.I. 2008/1950.

#### Finance: powers to request information

- 72.—(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,
  - (b) funds, economic resources or financial services made available under the licence, or
  - (c) any matter to which a licence relates, where that licence authorises an act that would otherwise be prohibited under regulation [<sup>F477</sup>, 16 (securities and money market instruments), 17 (loans and credit arrangements), 17A [<sup>F478</sup>(corresponding banking



relationships and processing payments)]]<sup>F479</sup>, <sup>F480</sup>18 (investments in relation to non-government controlled Ukrainian territory)]]<sup>F481</sup>, 18A (provision of foreign reserve and asset management services) <sup>F482</sup>, 18B] (investments in relation to Russia)]]<sup>F483</sup>, 18C (trust services)]]<sup>F484</sup> or 46Z9B to 46Z9D (maritime transportation of certain oil and oil products)].

(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 Chapter 1 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, financial services 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 <sup>F485</sup> or regulations 46Z9B to 46Z9D],
  - (ii) regulation 70 (finance: reporting obligations), or
  - (iii) any condition of a Treasury licence;
- (c) detecting or obtaining evidence of the commission of an offence under <sup>F486</sup>Part 3, regulations 46Z9B to 46Z9D (maritime transportation of certain oil and oil products),] regulation 67 (finance: licensing offences) or 70 (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 <sup>F487</sup>Chapter 1 of] Part 3.

#### Textual Amendments

- F477** Words in reg. 72(5)(c) inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **13(a)**
- F478** Words in reg. 72(5)(c) substituted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **23(1)(2)(e)**
- F479** Words in reg. 72(5)(c) substituted (1.3.2022 at 5.00 p.m.) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/205\)](#), regs. 1(2), **6**
- F480** Words in reg. 72(5)(c) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **35**

- F481** Words in reg. 72(5)(c) substituted (19.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 12) Regulations 2022 (S.I. 2022/801), regs. 1(2), **9**
- F482** Word in reg. 72(5)(c) substituted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **10(2)(a)**
- F483** Words in reg. 72(5)(c) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **18**
- F484** Words in reg. 72(5)(c) inserted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **10(2)(b)**
- F485** Words in reg. 72(7)(b)(i) inserted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **10(3)(a)**
- F486** Words in reg. 72(7)(c) substituted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **10(3)(b)**
- F487** Words in reg. 72(13) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **13(b)**

#### Commencement Information

- I60** Reg. 72 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### Finance: production of documents

**73.**—(1) A request under regulation 72 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 Chapter 1 of Part 3 (Finance).

#### Commencement Information

- I61** Reg. 73 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

## Finance: information offences

74.—(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 72 (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 72 or 73 (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 72 or 73.

(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

**I62** Reg. 74 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## Trade: application of information powers in CEMA

75.—(1) Section 77A of CEMA <sup>M21</sup> 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 an entry is required by regulation 5 of the Customs Controls on Importation of Goods Regulations 1991 <sup>M22</sup> or an entry or specification is required by or 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—

- (a) which would, unless done under the authority of a trade licence, constitute a contravention of any prohibition in Chapters 2 to [F488 6B] of Part 5 (Trade), except any prohibition on imports or exports, or
- (b) which would constitute a contravention of the prohibition in regulation 55(1) (circumventing etc. prohibitions).

### Textual Amendments

**F488** Word in reg. 75(2)(a) substituted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), 23

### Commencement Information

**I63** Reg. 75 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### Marginal Citations

- M21** Section 77A was inserted by the [Finance Act 1987 \(c.16\)](#), [section 10](#) and amended by [S.I. 1992/3095](#).  
**M22** [S.I. 1991/2724](#) as amended by [S.I. 1992/3095](#), [S.I. 1993/3014](#) and [S.I. 2011/1043](#) and is prospectively revoked by [S.I. 2018/1247](#).

### General trade licences: records

**76.**—(1) This regulation applies in relation to a person (“P”) who does any act authorised by a general licence issued under regulation 65 (trade licences) (“the licence”).

(2) P must keep a register or record containing such details as may be necessary to allow the following information [<sup>F489</sup>, where appropriate,] 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.

### Textual Amendments

- F489** Words in reg. 76(2) inserted (18.7.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 13\) Regulations 2022 \(S.I. 2022/814\)](#), regs. 1(2), 7

### Commencement Information

- I64** Reg. 76 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### General trade licences: inspection of records

77.—(1) A person authorised by the Secretary of State or the Commissioners (an “official”) may at any reasonable hour enter premises notified under regulation 76(4) for the purposes of monitoring compliance with or detecting evasion of regulation 76(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 76, 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

**I65** Reg. 77 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### <sup>F490</sup>Internet services: power to request information and produce documents

77A.—(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 54A (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

**F490** Regs. 77A, 77B inserted (29.4.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/477\)](#), regs. 1(2), 7

### Internet services: information offences

**77B.**—(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 77A;
- (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 77A, destroys, mutilates, defaces, conceals or removes any document;
- (d) otherwise intentionally obstructs OFCOM in the exercise of their powers under regulation 77A.

(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

**F490** Regs. 77A, 77B inserted (29.4.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/477\)](#), regs. 1(2), 7

### Disclosure of information

**78.**—(1) The Secretary of State, the Treasury [<sup>F491</sup>, OFCOM] or the Commissioners may, in accordance with this regulation, disclose—

- (a) any information obtained under or by virtue of Part 7 (Exceptions and licences), this Part or Part 10 (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), Part 6 (Ships) [<sup>F492</sup> or Part 6A (Aircraft)], or
  - (ii) any exception or licence under Part 7 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) any purpose stated in regulation 4;
- (b) the exercise of functions under these Regulations;
- (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 any prohibition in Part 5 on imports or exports,<sup>F493</sup> ...
  - (iii) in relation to a monetary penalty under section 146 of the Policing and Crime Act 2017 (breach of financial sanctions legislation)<sup>F494</sup>, ]
  - <sup>F495</sup>(iv) in relation to a monetary penalty under regulation 88A (OFCOM: power to impose monetary penalties) [<sup>F496</sup>, or]]
  - <sup>F497</sup>(v) in relation to a monetary penalty under regulation 88C(1) or (3) (Treasury: 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<sup>M23</sup>;
  - (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) consider 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 7 includes—
    - (i) a licence or authorisation which has effect or 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

- F491** Word in reg. 78(1) inserted (29.4.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/477\)](#), regs. 1(2), **8(a)**
- F492** Words in reg. 78(1)(b)(i) inserted (18.7.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 13\) Regulations 2022 \(S.I. 2022/814\)](#), regs. 1(2), **8**
- F493** Word in reg. 78(2)(d)(ii) omitted (29.4.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/477\)](#), regs. 1(2), **8(b)(i)**
- F494** Comma in reg. 78(2)(d)(iii) substituted (5.12.2022) for word and semi-colon by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **11(a)**
- F495** Reg. 78(2)(d)(iv) inserted (29.4.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/477\)](#), regs. 1(2), **8(b)(iii)**
- F496** Word in reg. 78(2)(d)(iv) inserted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **11(b)**
- F497** Reg. 78(2)(d)(v) inserted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **11(c)**

#### Commencement Information

- I66** Reg. 78 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Marginal Citations

- M23** Section 1(8) of the Act defines an “international obligation” as an obligation of the United Kingdom created or arising by or under any international agreement.

### <sup>F498</sup> Finance: disclosure to the Treasury

**78A.**—(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

**F498** Reg. 78A inserted (9.8.2022) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2022 \(S.I. 2022/818\)](#), regs. 1(2), **9(3)**

#### Part <sup>F499</sup>8]: supplementary

**79.**—(1) A disclosure of information under regulation 78 <sup>F500</sup>or 78A] does not breach any restriction on such disclosure imposed by statute or otherwise.

- (2) But nothing in <sup>F501</sup>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 <sup>M24</sup>.

(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) <sup>F502</sup>Regulations 78 and 78A do] not limit the circumstances in which information may be disclosed apart from <sup>F503</sup>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) <sup>M25</sup>;
- “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

- F499** Word in reg. 79 heading 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), **10(8)**; S.I. 2020/1514, reg. 4
- F500** Words in reg. 79(1) inserted (9.8.2022) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2022 \(S.I. 2022/818\)](#), regs. 1(2), **9(4)(a)**
- F501** Words in reg. 79(2) substituted (9.8.2022) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2022 \(S.I. 2022/818\)](#), regs. 1(2), **9(4)(b)**
- F502** Words in reg. 79(4) substituted (9.8.2022) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2022 \(S.I. 2022/818\)](#), regs. 1(2), **9(4)(c)(i)**
- F503** Words in reg. 79(4) substituted (9.8.2022) by [The Sanctions \(EU Exit\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2022 \(S.I. 2022/818\)](#), regs. 1(2), **9(4)(c)(ii)**

### Commencement Information

- I67** Reg. 79 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### Marginal Citations

- M24** [2016 c.25](#). Parts 2 and 5 have been amended by the [Policing and Crime Act 2017 \(c.3\)](#), [Schedule 9\(3\)](#), [para 74](#) and Part 7 has been amended by the [Data Protection Act 2018 \(c. 12\)](#), [Schedule 19\(1\)](#), [para 202](#). Chapter 1 of Part 9 has been amended by regulation 6 of the [Investigatory Powers Act 2016 \(Commencement No. 3 and Transitory, Transitional and Savings Provisions\) Regulations 2017 \(S.I. 2017/859\)](#).
- M25** [2018 c.12](#). There are amendments to this Act that are not relevant to these Regulations.

## PART 9

### Enforcement

#### Penalties for offences

**80.**—(1) A person who commits an offence under any provision of Part 3 (Finance), regulation 67 (finance: licensing offences), <sup>[F504]</sup><sup>[F505]</sup>57 (Crimean ports direction, Donetsk ports direction or Kherson and Zaporizhzhia ports direction), 57A (prohibition on port entry), 57B(4) (directions prohibiting port entry), 57C(3) (movement of ships) or 57N(1) to (4) (aircraft offences)] is liable—

- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding <sup>[F506]</sup>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 <sup>[F507]</sup>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) [<sup>F508</sup>or 9B(6)] (confidentiality), 68 (trade: licensing offences), [<sup>F509</sup>68A (aircraft: licensing offences),] 76(6) (general trade licences: records) or 77(5) (general trade licences: inspection of records) is liable—
- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding [<sup>F510</sup>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 [<sup>F511</sup>57B(6) (directions prohibiting port entry: confidentiality), 57C(5) (movement of ships: confidentiality), 57N(5) (aircraft: confidentiality),] 70(6) [<sup>F512</sup>, 70A(6)] or 74 (information offences in connection with Part 3) [<sup>F513</sup>, or 77B (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 [<sup>F514</sup>2nd May 2022] the reference in each of paragraphs (1)(a), (2)(a) and (3)(a) to [<sup>F515</sup>the general limit in a magistrates' court] is to be read as a reference to 6 months.

#### Textual Amendments

- F504** Words in reg. 80(1) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **36(a)**
- F505** Words in reg. 80(1) substituted (20.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), regs. 1(2), **11**
- F506** Words in reg. 80(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**
- F507** Words in reg. 80(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**
- F508** Words in reg. 80(3) inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **36(b)(i)**
- F509** Words in reg. 80(3) inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **36(b)(ii)**

- F510** Words in reg. 80(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**
- F511** Words in reg. 80(4) inserted (8.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/241\)](#), regs. 1(2), **13(b)**
- F512** Word in reg. 80(4) inserted (26.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(2), **18**
- F513** Words in reg. 80(4) inserted (29.4.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/477\)](#), regs. 1(2), **9**
- F514** Words in reg. 80(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**
- F515** Words in reg. 80(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

- I68** Reg. 80 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Liability of officers of bodies corporate etc.

- 81.**—(1) Where an offence under these Regulations, committed by a body corporate—
- 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
  - 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—

- in the case of a partnership, to a partner;
- in the case of an unincorporated body other than a partnership—
  - where the body's affairs are managed by its members, to a member of the body;
  - 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

- I69** Reg. 81 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

## Jurisdiction to try offences

**82.**—(1) Where an offence under regulation 9(6) [<sup>F516</sup>or 9B(6)] (confidentiality), Part 3 (Finance), [<sup>F517</sup>regulation 46Z9B, 46Z9C or 46Z9D (maritime transportation of certain oil and oil products),]<sup>F518</sup>regulation 54D (legal advisory services),] regulation 67 (finance: licensing offences) [<sup>F519</sup>, 68A (aircraft: licensing offences)]<sup>F520</sup>,] regulation 70(6) or 74 (information offences in connection with Part 3) [<sup>F521</sup>, or 77B (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)<sup>M26</sup>.

### Textual Amendments

- F516** Words in reg. 82(1) inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **37(a)**
- F517** Words in reg. 82(1) inserted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **12**
- F518** Words in reg. 82(1) inserted (30.6.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2023 (S.I. 2023/713), regs. 1(2), **7**
- F519** Words in reg. 82(1) inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **37(b)**
- F520** Reg. 82(1): comma substituted for word (29.4.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/477), regs. 1(2), **10(a)**
- F521** Words in reg. 82(1) inserted (29.4.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/477), regs. 1(2), **10(b)**

### Commencement Information

- I70** Reg. 82 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

### Marginal Citations

- M26** 1995 c.46.

## Procedure for offences by unincorporated bodies

**83.**—(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 <sup>M27</sup> and Schedule 3 to the Magistrates' Courts Act 1980 <sup>M28</sup>;
  - (ii) section 18 of the Criminal Justice Act (Northern Ireland) 1945 <sup>M29</sup> and Article 166 of, and Schedule 4 to, the Magistrates' Courts (Northern Ireland) Order 1981 <sup>M30</sup>.

(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

**I71** Reg. 83 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Marginal Citations

- M27** 1925 c.8, as amended by Statute Law (Repeals) Act 2004 (c.14), section 1(1) and (3) and Schedule 1(17)(11), para. 1. Other amendments have been made to section 33 that are not relevant to these Regulations.
- M28** 1980 c.43. Amendments have been made to Schedule 3 that are not relevant to these Regulations.
- M29** 1945 c.15 (N.I.).
- M30** S.I. 1981/1675 (N.I. 26).

#### Time limit for proceedings for summary offences

**84.**—(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) <sup>M31</sup> 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**

**I72** Reg. 84 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

**Marginal Citations**

**M31** There have been no amendments to section 136(3).

**Trade enforcement: application of CEMA**

**85.**—(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 <sup>M32</sup>.

(3) In this regulation a “relevant offence” means an offence under—

- (a) Part 5 (Trade), [<sup>F522</sup>except regulation 54D (legal advisory services), but only insofar as the offence under that regulation relates to legal advisory services concerning relevant activity which would be prohibited under any of regulations 11 to 19],

[<sup>F523</sup>(aa) regulation 67 (finance: licensing offences) but only insofar as the offence under that regulation relates to offences under regulations 46Z9B to 46Z9D (maritime transportation of certain oil and oil products),]

- (b) regulation 68 (trade: licensing offences),
- (c) regulation 76(6) (general trade licences: records), or
- (d) regulation 77(5) (general trade licences: inspection of records).

[<sup>F524</sup>(3A) The Commissioners may not investigate the suspected commission of a relevant offence listed in paragraph (3B), 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 54A(4);
- (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 a relevant offence under any of the following provisions—

[ regulation 24(3) insofar as it relates to the prohibition at regulation 24(1)(c);

<sup>F525</sup>(za)

(zb) regulation 29A(3);]

<sup>F526</sup>(a) .....

<sup>F527</sup>(b) .....

- (c) regulation 41(3);
- (d) regulation 45(3);

- [ regulation 46A(4);]
- F528 (da)
  - (e) regulation 46B(4) insofar as it relates to the prohibition at regulation 46B(2)(a);
  - [ regulation 46BA(3) (technical assistance relating to luxury goods) insofar as the technical
  - F529 (ea) assistance provided relates to the supply or delivery of luxury goods from a third country to a place in Russia;
  - (eb) regulation 46BB(3) (financial services and funds relating to luxury goods) insofar as it relates to the prohibition at—
    - (i) regulation 46BB(1)(b) and insofar as the financial services or funds provided relate to the supply or delivery of luxury goods from a third country to a place in Russia;
    - (ii) regulation 46BB(1)(c) and insofar as the financial services or funds provided relate to the supply or delivery of luxury goods from a third country to a place in Russia;
    - (iii) regulation 46BB(1)(d) and insofar as the financial services or funds provided relate to the provision of technical assistance for the supply or delivery of luxury goods from a third country to a place in Russia;
  - (ec) regulation 46BC(4) (brokering services relating to luxury goods) insofar as it relates to the prohibition at—
    - (i) regulation 46BC(2)(b) and insofar as the brokering services provided relate to the supply or delivery of luxury goods from a third country to a place in Russia;
    - (ii) regulation 46BC(2)(c) and insofar as the brokering services provided relate to the supply or delivery of luxury goods from a third country to a place in Russia;
    - (iii) regulation 46BC(2)(d) and insofar as the brokering services provided relate to the provision of technical assistance for the supply or delivery of luxury goods from a third country to a place in Russia;]
  - (f) regulation 46F(3);
  - (g) regulation 46G(3) insofar as it relates to the prohibition at regulation 46G(1)(c);
  - (h) regulation 46H(3) insofar as it relates to the prohibition at regulation 46H(1)(c);
  - [ regulation 46II(3);]
  - F530 (ha)
    - (i) regulation 46K(3);
    - (j) regulation 46N(4) insofar as it relates to the prohibition at regulation 46N(2)(a);
    - [ regulation 46XD(3);
    - F531 (ja)
      - (jb) regulation 46XE(3) insofar as it relates to the prohibition at 46XE(1)(c);
      - (jc) regulation 46XF(3) insofar as it relates to the prohibition at 46XF(1)(c);]
      - (k) regulation 46Y(4) insofar as it relates to the prohibition at regulation 46Y(2)(a);
      - (l) regulation 46Z2(3) insofar as it relates to the prohibitions at regulation 46Z2(1)(e), (f) and (g);
      - (m) regulation 46Z9B(8);
      - (n) regulation 46Z9B(9);
      - (o) regulation 46Z9C(4);
      - (p) regulation 46Z9C(5);
      - (q) regulation 46Z9D(4);



- (r) regulation 46Z9D(5);
- [ regulation 46Z16L(3) insofar as the acquisition does not relate to the import of diamonds<sup>F532</sup>(ra) or diamond jewellery;
- (rb) regulation 46Z16M(3);
- (rc) regulation 46Z16N(3) insofar as it relates to the prohibitions at regulation 46Z16N(1)(b) and (c);
- (rd) regulation 46Z16O(3) insofar as it relates to the prohibitions at regulation 46Z16O(1)(b) and (c);
- (re) regulation 46Z16P(3) insofar as the brokering services provided relate to any arrangements described in regulation 46Z16O(1)(b) or (c);]
- (s) regulation 46Z30(4) insofar as it relates to the prohibition at regulation 46Z30(2)(a);
- (t) regulation 46Z33(3) insofar as it relates to the prohibitions at regulation 46Z33(1)(e), (f) and (g);
- (u) regulation 49(3);
- (v) regulation 53(3);
- (w) regulation 54(3);
- (x) regulation 54A(4);
- (y) regulation 54C(3);
- (z) regulation 54D(4);
- (z1) regulation 67(1);
- (z2) regulation 67(2).

[<sup>F533</sup>(3BA) In paragraph (3B)(ea) to (ec), “third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

(3BB) Paragraph (3A) also applies to the suspected commission of a relevant offence under regulation 55(2), insofar as the activity to which the suspected offence relates is the circumvention of, or enabling or facilitation of a contravention of, a prohibition in relation to an offence specified in paragraph (3B).]

(3C) [<sup>F534</sup>Paragraph (3A)] also applies to the suspected commission of a relevant offence under any of regulations 68(1), [<sup>F535</sup>68(2),] 76(6) and 77(5) insofar as—

- (a) the suspected offence relates to a licence issued under regulation 65, 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 (z).]

(4) Section 138 of CEMA<sup>M33</sup> (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, 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<sup>M34</sup> (legal proceedings).

#### Textual Amendments

- F522** Words in reg. 85(3)(a) inserted (30.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2023 \(S.I. 2023/713\)](#), regs. 1(2), **8(a)**
- F523** Reg. 85(3)(aa) inserted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **13**
- F524** Reg. 85(3A)-(3C) inserted (30.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2023 \(S.I. 2023/713\)](#), regs. 1(2), **8(b)**
- F525** Reg. 85(3B)(za)(zb) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **19(2)(a)**
- F526** Reg. 85(3B)(a) omitted (15.12.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **19(2)(b)**
- F527** Reg. 85(3B)(b) omitted (15.12.2023) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **19(2)(b)**
- F528** Reg. 85(3B)(da) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **19(2)(c)**
- F529** Reg. 85(3B)(ea)-(ec) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **19(2)(d)**
- F530** Reg. 85(3B)(ha) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **19(2)(e)**
- F531** Reg. 85(3B)(ja)-(jc) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **19(2)(f)**
- F532** Reg. 85(3B)(ra)-(re) inserted (1.1.2024) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 5\) Regulations 2023 \(S.I. 2023/1367\)](#), regs. 1(2), **6**
- F533** Reg. 85(3BA)(3BB) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **19(3)**
- F534** Words in reg. 85(3C) substituted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **19(4)(a)**
- F535** Word in reg. 85(3C) inserted (15.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(3), **19(4)(b)**

#### Commencement Information

- I73** Reg. 85 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### Marginal Citations

- M32** 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)**, the Wales Act 2014 (c.29), **section 7(1)**.
- M33** Section 138 of CEMA was amended by; the Police and Criminal Evidence Act 1984 (c. 60), section 114(1), **Schedule 6**, paragraph 37, and Part 1 of Schedule 7;, the Finance Act 1988 (c. 39), **section 11**; the Serious and Organised Crime Act 2005 (c. 15), **Part 4** of Schedule 7, paragraph 54; S.I 1989/1341; and S.I. 2007/288.
- M34** 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, Part 2 of 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

**86.**—(1) Paragraph (2) applies where a person is guilty of an offence under section 50(2) of CEMA in connection with a prohibition mentioned in regulations 23 <sup>F536</sup>, 46D<sup>F537</sup>, 46B<sup>F538</sup>, 46S<sup>F539</sup>, 46XB<sup>F540</sup>, 46Z4, 46Z11, <sup>F541</sup>46Z16B, <sup>F542</sup>46Z16C, 46Z18<sup>F543</sup>, 46Z25<sup>F544</sup> 46T<sup>F544</sup> or 47(1) (imports).

(2) Where this paragraph applies, the reference to 7 years in section 50(4)(b) of CEMA <sup>M35</sup> is to be read as a reference to 10 years.

(3) Paragraph (4) applies where a person is guilty of an offence under section 68(2) of CEMA in connection with a prohibition mentioned in regulations 22(1), <sup>F545</sup> ... <sup>F546</sup>30B, 40(1), 46B(1), 46N(1), <sup>F547</sup>46Y(1) or 48 (exports).

(4) Where this paragraph applies, the reference to 7 years in section 68(3)(b) of CEMA <sup>M36</sup> is to be read as a reference to 10 years.

(5) Paragraph (6) applies where a person is guilty of an offence under section 170(2) of CEMA in connection with a prohibition mentioned in regulation 22(1), 23, <sup>F548</sup> ... <sup>F549</sup>30B, 40(1), 46B(1), 46D, 46N(1), 46S<sup>F550</sup>, 46XB], <sup>F551</sup>46Y(1), 46Z4, 46Z11, <sup>F552</sup>46Z18, 47(1) or 48 (exports and imports).

(6) Where this paragraph applies, the reference to 7 years in section 170(3)(b) of CEMA <sup>M37</sup> is to be read as a reference to 10 years.

### Textual Amendments

- F536** Word in reg. 86(1) inserted (14.4.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/452), regs. 1(2), **8(a)**
- F537** Word in reg. 86(1) inserted (30.9.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(3), **3(2)**
- F538** Word in reg. 86(1) inserted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), **11(2)** (with reg. 13)
- F539** Word in reg. 86(1) inserted (21.4.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(2), **12(a)**
- F540** Words in reg. 86(1) inserted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), **24(a)**
- F541** Words in reg. 86(1) inserted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **9(a)**

- F542** Word in reg. 86(1) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), reg. 1(2)(b), **Sch. 4 para. 8(a)(i)**
- F543** Word in reg. 86(1) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), reg. 1(2)(b), **Sch. 4 para. 8(a)(ii)**
- F544** Words in reg. 86(1) inserted (23.6.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 10) Regulations 2022 (S.I. 2022/689), regs. 1(2), **11(2)**
- F545** Word in reg. 86(3) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **8** (with reg. 11)
- F546** Words in reg. 86(3) substituted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), **11(3)** (with reg. 13)
- F547** Word in reg. 86(3) inserted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), **24(b)**
- F548** Word in reg. 86(5) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **8** (with reg. 11)
- F549** Words in reg. 86(5) substituted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), **11(4)** (with reg. 13)
- F550** Word in reg. 86(5) inserted (21.4.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(2), **12(b)**
- F551** Words in reg. 86(5) inserted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), **24(c)**
- F552** Word in reg. 86(5) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), reg. 1(2)(b), **Sch. 4 para. 8(b)**

#### Commencement Information

- I74** Reg. 86 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### Marginal Citations

- M35** The words “7 years” were inserted in section 50(4)(b) of CEMA by the Finance Act 1988, section 12.
- M36** The words “7 years” were inserted in section 68(3)(b) of CEMA by the Finance Act 1988, section 12.
- M37** 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

**87.** Chapter 1 of Part 2 of the Serious Organised Crime and Police Act 2005 (investigatory powers) <sup>M38</sup> applies to any offence under Part 3 (Finance) [<sup>F553</sup>, regulations 46Z9B to 46Z9D (maritime transportation of certain oil and oil products)] [<sup>F554</sup>, regulation 54D (legal advisory services)] or regulation 67 (finance: licensing offences).

#### Textual Amendments

- F553** Words in reg. 87 inserted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **14**
- F554** Words in reg. 87 inserted (30.6.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2023 (S.I. 2023/713), regs. 1(2), **9**

#### Commencement Information

- I75** Reg. 87 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

#### Marginal Citations

**M38** 2005 c.15, as amended by Schedule 3, para. 4 of the Act.

#### Monetary penalties

**88.** Each provision in Part 5 (Trade) which contains a prohibition imposed for a purpose mentioned in section 3(1) or (2) of the Act [<sup>F555</sup>and regulation 70A (designated persons: reporting obligations) are] to be regarded as not being financial sanctions legislation for the purposes of Part 8 of the Policing and Crime Act 2017 <sup>M39</sup>.

#### Textual Amendments

**F555** Words in reg. 88 substituted (26.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(2), 20

#### Commencement Information

**I76** Reg. 88 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Marginal Citations

**M39** 2017 c.3; see section 143(4)(f) and (4A).

#### [<sup>F556</sup>OFCOM: power to impose monetary penalties

**88A.**—(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 54A (internet services), or
- (b) the person has failed to comply with an obligation that is imposed by or under regulation 77A (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

**F556** Regs. 88A, 88B inserted (29.4.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/477), regs. 1(2), 11

#### OFCOM: monetary penalties: procedural rights

**88B.**—(1) Before imposing a monetary penalty on a person under regulation 88A, 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
  - (b) uphold that decision but substitute a different amount for the amount determined by OFCOM.]

#### Textual Amendments

**F556** Regs. 88A, 88B inserted (29.4.2022) by *The Russia (Sanctions) (EU Exit) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/477)*, regs. 1(2), **11**

#### [<sup>F557</sup>Treasury: power to impose monetary penalties

**88C.**—(1) The Treasury may impose a monetary penalty on a person if they are satisfied, on the balance of probabilities, that the person has committed an offence under regulation 46Z9B, 46Z9C or 46Z9D (maritime transportation of certain oil and oil products).

[<sup>F558</sup>(1A) The Treasury may impose a monetary penalty on a person if they are satisfied, on the balance of probabilities, that the person has committed an offence under regulation 70A (designated persons: reporting obligations).]

(2) For the purposes of paragraph (1), any defence that the person did not know and had no reasonable cause to suspect that an offence referred to in that paragraph had been committed is to be ignored.

[<sup>F559</sup>(2A) For the purposes of paragraph (1A), any requirement for the person to have acted without reasonable excuse, or with knowledge or recklessness, is to be ignored.]

(3) The Treasury may impose a monetary penalty on a person if they are satisfied, on the balance of probabilities, that the person has committed an offence under—

- (a) regulation 55 (circumventing etc. prohibitions);
- (b) regulation 67 (licensing offences);
- (c) regulation 70(6) (reporting obligations); or
- (d) regulation 74 (information offences),

in so far as the relevant activity relates to an offence referred to in paragraph (1).

(4) In paragraph (3), “relevant activity” means an activity which contravenes a prohibition specified in sub-paragraph (a), (b), (c) or (d) of that paragraph.

(5) The amount of the penalty under paragraph (1) [<sup>F560</sup>, (1A)] or (3) is to be such amount as the Treasury may determine but it may not exceed the permitted maximum.

(6) Where it is possible to estimate the value of the breach of the prohibition specified in paragraph (1) or (3), the permitted maximum is the greater of—

- (a) £1,000,000, and
- (b) 50% of the estimated value of the breach.

[<sup>F561</sup>(6A) Where it is possible to estimate the value of the funds or economic resources which the Treasury have not been informed of under regulation 70A(1), (2) or (5) (as the case may be), the permitted maximum is the greater of—

- (a) £1,000,000, and
- (b) 50% of the value of the funds or economic resources which the Treasury have not been informed of.]

(7) In any other case, the permitted maximum is £1,000,000.

(8) Any monetary penalty payable under this regulation is recoverable by the Treasury as a civil debt.

(9) Any monetary penalty received by the Treasury by virtue of this regulation must be paid into the Consolidated Fund.

(10) The Treasury may publish reports at such intervals as it considers appropriate in cases where—

- (a) a monetary penalty has not been imposed under this regulation; but
- (b) the Treasury [<sup>F562</sup>are satisfied], on the balance of probabilities, that a person has committed an offence under a provision referred to in paragraph (1) [<sup>F563</sup>, (1A)] or (3).

#### Textual Amendments

**F557** Regs. 88C, 88D inserted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **15**

**F558** Reg. 88C(1A) inserted (26.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(2), **21(2)**

**F559** Reg. 88C(2A) inserted (26.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(2), **21(3)**

**F560** Word in reg. 88C(5) inserted (26.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(2), **21(4)**

**F561** Reg. 88C(6A) inserted (26.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(2), **21(5)**

**F562** Words in reg. 88C(10)(b) substituted (26.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(2), **21(6)(a)**

**F563** Word in reg. 88C(10)(b) inserted (26.12.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 4\) Regulations 2023 \(S.I. 2023/1364\)](#), regs. 1(2), **21(6)(b)**

#### Treasury monetary penalties: procedural rights

**88D.**—(1) Before imposing a monetary penalty on a person under regulation 88C, the Treasury must inform the person of its intention to do so.

(2) The Treasury 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), the Treasury decides to impose the penalty, the Treasury must—
  - (a) inform the person of its decision;
  - (b) explain that the person is entitled to seek a review by a Minister of the Crown; and
  - (c) specify the period within which the person must inform the Treasury that the person wishes to seek such a review.
- (4) If the person seeks a review, the Minister may—
  - (a) uphold the decision to impose the penalty and its amount;
  - (b) uphold the decision to impose the penalty but substitute a different amount; or
  - (c) cancel the decision to impose the penalty.
- (5) If on a review under paragraph (4) the Minister decides to uphold the Treasury’s decision to impose the penalty and its amount, or to uphold the Treasury’s decision to impose the penalty but to substitute a different amount, the person may appeal (on any ground) to the Upper Tribunal.
- (6) On an appeal under paragraph (5), the Upper Tribunal may quash the Minister’s decision and if it does so may—
  - (a) quash the Treasury’s decision to impose the penalty;
  - (b) uphold that decision but substitute a different amount for the amount determined by the Treasury (or, in a case where the Minister substituted a different amount, by the Minister).
- (7) In this regulation, “Minister of the Crown” means the holder of an office in His Majesty’s Government in the United Kingdom.]

**Textual Amendments**  
**F557** Regs. 88C, 88D inserted (5.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 16\) Regulations 2022 \(S.I. 2022/1122\)](#), regs. 1(2), **15**

## PART 10

### Maritime enforcement

#### Exercise of maritime enforcement powers

**89.**—(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”.

(2) The maritime enforcement powers may be exercised for the purpose of enforcing any of the following—

- (a) a prohibition in any of regulations 22 to 26 (trade sanctions relating to <sup>F564</sup>restricted goods and restricted technology);

<sup>F565</sup>(b) .....



- [<sup>F566</sup>(ba) a prohibition in any of regulations 30B to 30D (trade sanctions in respect of goods and technology relating to [<sup>F567</sup>non-government controlled Ukrainian territory]);]
- (c) a prohibition in any of regulations 40 to 42 (trade sanctions relating to energy-related goods);
- [<sup>F568</sup>(ca) a prohibition in regulation 46B (trade sanctions relating to luxury goods);
- (cb) [<sup>F569</sup>a prohibition in any of regulations 46D to 46F] (trade sanctions relating to iron and steel products);]
- [<sup>F570</sup>(cbza) a prohibition in regulation 46IB (trade sanctions in relation to relevant processed iron or steel products);]
- [<sup>F571</sup>(cba) a prohibition in regulation 46L (trade sanctions in relation to banknotes);
- (cbb) a prohibition in regulation 46N (trade sanctions in relation to jet fuel and fuel additives);
- (cbc) a prohibition in regulation 46S or 46T (trade sanctions in relation to Schedule 3D revenue generating goods);
- (cbd) a prohibition in any of regulations 46XB to 46XD (trade sanctions in relation to Schedule 3DA revenue generating goods);]
- [<sup>F572</sup>(cc) a prohibition in regulation 46Y (trade sanctions relating to [<sup>F573</sup>G7 dependency and further goods]);
- (cd) a prohibition in <sup>F574</sup>... regulation 46Z4 or 46Z5 (trade sanctions relating to oil and oil products);
- [ a prohibition in regulation 46Z9B (trade sanctions relating to maritime transportation of
- <sup>F575</sup>(cda) certain oil and oil products to and between third countries);]
- (ce) a prohibition in [<sup>F576</sup>regulation 46Z11 or] 46Z12 (trade sanctions relating to gold);
- [ a prohibition in regulation 46Z16B or 46Z16C (trade sanctions relating to gold jewellery
- <sup>F577</sup>(cea) and relevant processed gold);]
- (cf) a prohibition in [<sup>F578</sup>regulation 46Z18 or] 46Z19 (trade sanctions relating to coal and coal products);]
- [<sup>F579</sup>(cg) a prohibition in regulation 46Z25 or 46Z26 (trade sanctions relating to liquefied natural gas);]
- [<sup>F580</sup>(ch) a prohibition in regulation 46Z30 (trade sanctions in relation to Russia's vulnerable goods);]
- (d) a prohibition in any of [<sup>F581</sup>regulations][<sup>F582</sup>47 to 50 (exports and imports etc. in relation to non-government controlled Ukrainian territory)];
- (e) a prohibition imposed by a condition of a trade licence in relation to a prohibition mentioned in sub-paragraph (a) to (d).
- (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 91 and 92.
- (5) This regulation is subject to regulation 93 (restrictions on exercise of maritime enforcement powers).

### Textual Amendments

- F564** Words in reg. 89(2)(a) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **9(a)** (with reg. 11)
- F565** Reg. 89(2)(b) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **9(b)** (with reg. 11)
- F566** Reg. 89(2)(ba) inserted (21.4.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(2), **13(a)**
- F567** Words in reg. 89(2)(ba) substituted (20.6.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2023 (S.I. 2023/665), regs. 1(2), **12**
- F568** Reg. 89(2)(ca)(cb) inserted (14.4.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/452), regs. 1(2), **9**
- F569** Words in reg. 89(2)(cb) substituted (21.4.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(2), **13(b)**
- F570** Reg. 89(2)(cbza) inserted (30.9.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(3), **3(3)**
- F571** Reg. 89(2)(cba)-(cbd) inserted (21.4.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(2), **13(c)**
- F572** Reg. 89(2)(cc)-(cf) inserted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), **25**
- F573** Words in reg. 89(2)(cc) substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), reg. 1(2)(b), **Sch. 3 para. 10(1)(2)(h)**
- F574** Words in reg. 89(2)(cd) omitted (29.10.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), reg. 1(2)(b), **Sch. 3 para. 6(b)**
- F575** Reg. 89(2)(cda) inserted (5.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022 (S.I. 2022/1122), regs. 1(2), **16**
- F576** Words in reg. 89(2)(ce) substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), reg. 1(2)(b), **Sch. 3 para. 6(c)**
- F577** Reg. 89(2)(cea) inserted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **10(2)**
- F578** Words in reg. 89(2)(cf) substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), reg. 1(2)(b), **Sch. 3 para. 6(d)**
- F579** Reg. 89(2)(cg) inserted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **10(3)**
- F580** Reg. 89(2)(ch) inserted (21.4.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(2), **13(d)**
- F581** Word in reg. 89(2)(d) substituted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), reg. 1(2)(b), **Sch. 3 para. 6(e)**
- F582** Words in reg. 89(2)(d) substituted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **38**

### Commencement Information

- I77** Reg. 89 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

### Maritime enforcement officers

**90.**—(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<sup>M40</sup>);
  - (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<sup>M41</sup>, 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<sup>M42</sup>,
    - (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<sup>M43</sup>;
  - (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<sup>M44</sup>, or a person appointed to act as a constable under provision made by virtue of section 16 of the Harbours Act 1964<sup>M45</sup>;
  - (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)<sup>M46</sup>;
  - (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<sup>M47</sup> 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

**I78** Reg. 90 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### Marginal Citations

**M40** 1987 c.4. Section 1 was amended by; paragraph 41 of Schedule 7 to the Police Act 1996 (c.16); paragraph 16 of Schedule 4 to the Police (Northern Ireland) Act 1998 (c.32); section 78(2) of the Police (Northern Ireland) Act 2000 (c.32); section 79(3) of the Police Reform Act 2002 (c.30); and by S.I. 2013/602.

**M41** 2012 asp.8 (Scottish Act).

**M42** 1996 c.16. Section 27 was amended by paragraphs 22 and 26 of Schedule 16(1) to the Police Reform and Social Responsibility Act 2011 (c.13).

**M43** 1847 c.27. Section 79 was amended by S.I. 2006/2167.

**M44** 2013 c.23.

**M45** 1964 c.40. Section 16 was amended by; section 29(2) of the Wales Act 2017 (c.4); S.I. 1999/672; and S.I. 1970/1681.

- M46** 2009 c.11. Designated customs officials are designated, as either a general customs official or a customs revenue official, under sections 8 and 11 of this Act respectively.
- M47** 2013 c.22.

### Power to stop, board, search etc.

**91.**—(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 92, 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

- I79** Reg. 91 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### Seizure power

**92.**—(1) This regulation applies if a maritime enforcement officer is lawfully on a relevant ship (whether in exercise of the powers conferred by regulation 91 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 91(3)(a)(ii).

(3) The officer may use reasonable force, if necessary, in the exercise of any power conferred by this regulation.

**Commencement Information**

**180** Reg. 92 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

**Restrictions on exercise of maritime enforcement powers**

**93.**—(1) The authority of the Secretary of State is required before any maritime enforcement power is exercised in reliance on regulation 89 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) 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 89(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 or a UN Security Council Resolution otherwise permits the exercise of the power in relation to the ship.

**Commencement Information**

**181** Reg. 93 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

**Interpretation of [F583]Part 10]**

**94.**—(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 [F584]regulation 89(2)(a) to (e)].

**Textual Amendments**

**F583** Words in reg. 94 heading substituted (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), 9

**F584** Words in reg. 94(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), 10(9); S.I. 2020/1514, reg. 4

**Commencement Information**

**182** Reg. 94 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

## PART 11

### Supplementary and final provision

#### Notices

**95.**—(1) This regulation applies in relation to a notice required by regulation 66 (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**

**183** Reg. 95 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

## Article 20 of the Export Control Order 2008

96. 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

**I84** Reg. 96 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

## Trade: overlapping offences

97. 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, 35, 37 or 38 of that Order, and
- (b) any provision of Part 5 (Trade) or regulation 68 (trade: licensing offences), 76(6) (general trade licences: records) or 77(5) (general trade licences: inspection of records).

### Commencement Information

**I85** Reg. 97 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

## [<sup>F585</sup>Disapplication of Banking Act 2009 requirement to recognise third-country resolution actions

97A.—(1) The duty of the Bank of England to make a decision under section 89H(2) of the Banking Act 2009 (recognition of third-country resolution actions) does not apply in relation to the notification of third-country resolution action in respect of—

- (a) a designated person, or
  - (b) a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by a designated person.
- (2) In paragraph (1)—
- “designated person” has the same meaning as it has in Chapter 1 of Part 3 (asset-freeze etc.);
- “third-country resolution action” has the meaning given in section 89H(7) of the Banking Act 2009.]

### Textual Amendments

**F585** Reg. 97A inserted (16.12.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 17\) Regulations 2022 \(S.I. 2022/1331\)](#), regs. 1(2)(b), [19](#)

## Revocations of relevant retained EU law

98. The following are revoked—

- (a) Council Regulation (EU) No 269/2014 of 17 March 2014 (concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine) <sup>M48</sup>;

- (b) Council Regulation (EU) No 692/2014 of 23 June 2014 (concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol) <sup>M49</sup>;
- (c) Council Regulation (EU) No 833/2014 of 31 July 2014 (concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine) <sup>M50</sup>.

#### Commencement Information

**I86** Reg. 98 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Marginal Citations

**M48** OJ L 78, 17.3.2014, p. 6–15  
**M49** OJ L 183 24.6.2014, p. 9  
**M50** OJ L 229, 31.7.2014, p. 1–11

#### Other revocations and amendments

- 99.—(1) The Ukraine Financial Sanctions Regulations are revoked.
- (2) The Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014 <sup>M51</sup> is revoked.

#### Commencement Information

**I87** Reg. 99 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Marginal Citations

**M51** [S.I. 2014/2357](#), as amended by [S.I. 2014/2932](#), [S.I. 2015/97](#) and [SI 2015/1933](#).

#### Transitional provision: Treasury licences

100.—(1) Paragraphs (2) to (4) apply to a licence which—

- (a) was granted, or deemed to be granted, by the Treasury under the Ukraine Financial Sanctions Regulations,
- (b) was in effect immediately before [<sup>F586</sup>IP completion day], and
- (c) authorises an act which would (on and after [<sup>F586</sup>IP completion day], and in the absence of paragraphs (2) to (4)) be prohibited by 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 has effect on and after [<sup>F586</sup>IP completion day] as if it had been issued by the Treasury under regulation 64(1) (Treasury licences).

(3) Any reference in an existing financial sanctions licence to the Ukraine Financial Sanctions Regulations is to be treated on and after [<sup>F586</sup>IP completion day] as a reference to these Regulations.

(4) Any reference in an existing financial sanctions licence to a prohibition in—

- (a) the Ukraine Financial Sanctions Regulations, or
- (b) the EU Russia Regulations,

is to be treated on and after [<sup>F586</sup>IP completion day] 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 Ukraine Financial Sanctions Regulations was made before [<sup>F586</sup>IP completion day],
- (b) the application is for authorisation of acts which would (on and after [<sup>F586</sup>IP completion day]) be prohibited by 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 [<sup>F586</sup>IP completion day] as an application for a licence, or for the variation of a licence (as the case may be), under regulation 64(1) (Treasury licences).

#### Textual Amendments

**F586** Words in reg. 100 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), **10(10)**; S.I. 2020/1514, reg. 4

#### Commencement Information

**I88** Reg. 100 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### Transitional provision: trade licences

**101.**—(1) Paragraph (2) applies in relation to each licence or authorisation granted by the Secretary of State which—

- (a) was in effect immediately before [<sup>F587</sup>IP completion day], 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), or which requires an authorisation under or pursuant to the Dual-Use Regulation, and
  - (ii) which would (on and after [<sup>F587</sup>IP completion day]), 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 on [<sup>F587</sup>IP completion day] under regulation 65 (trade licences)—

- (a) disapplying every provision of Part 5 (Trade) 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 [<sup>F587</sup>IP completion day], <sup>F588</sup> ...

[<sup>F589</sup>(aa) is not an existing trade licence, and]

- (b) authorises an act—
  - (i) which would otherwise be prohibited by the EU Russia Regulations, and

(ii) which would (on or after [F587IP completion day]), 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 [F587IP completion day] as if it were a licence which had been issued by the Secretary of State under regulation 65 (trade licences).

(5) Any reference in an existing trade sanctions licence to a provision of the Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014 or the Export Control Order 2008 is to be treated on and after [F587IP completion day] 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 Russia Regulations is to be treated on and after [F587IP completion day] as a reference to the corresponding prohibition in Part 5 (Trade).

#### Textual Amendments

**F587** Words in reg. 101 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), **10(11)(a)**; S.I. 2020/1514, reg. 4

**F588** Word in reg. 101(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), **10(11)(b)(i)**; S.I. 2020/1514, reg. 4

**F589** Reg. 101(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), **10(11)(b)(ii)**; S.I. 2020/1514, reg. 4

#### Commencement Information

**I89** Reg. 101 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

#### Transitional provision: pending applications for trade licences

**102.**—(1) Paragraph (2) applies where—

- (a) an application was made before [F590IP completion day] for a licence or authorisation under or pursuant to the Export Control Order 2008 or the Dual-Use 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 [F590IP completion day].

(2) The application is to be treated on and after [F590IP completion day] as including an application for a licence under regulation 65 (trade licences).

(3) Paragraph (4) applies where—

- (a) an application was made before [F590IP completion day] for a licence or authorisation under the Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014 or the EU Russia Regulations,
- (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 [<sup>F590</sup>IP completion day].

(4) The application is to be treated on and after [<sup>F590</sup>IP completion day] as an application for a licence under regulation 65 (trade licences).

#### Textual Amendments

**F590** Words in reg. 102 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), **10(12)**; S.I. 2020/1514, reg. 4

#### Commencement Information

**I90** Reg. 102 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

### Transitional provision: prior obligations

**103.**—(1) Where—

- (a) a person was named in an Annex to the EU Russia Regulations immediately before [<sup>F591</sup>IP completion day], and
- (b) the person is a designated person immediately before [<sup>F591</sup>IP completion day],

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 an Annex to the EU Russia Regulations.

(2) The provisions referred to in paragraph (1) are—

- (a) regulation 58(5) (finance: exceptions from prohibitions),
- (b) paragraph 6 of Schedule 5 (pre-existing judicial decisions), and
- (c) paragraph 8 of Schedule 5 (prior obligations).

(3) In this regulation, “designated person” has the same meaning as it has in Chapter 1 of Part 3 (finance restrictions in relation to designated persons).

#### Textual Amendments

**F591** Words in reg. 103 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), **10(13)**; S.I. 2020/1514, reg. 4

#### Commencement Information

**I91** Reg. 103 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

**Changes to legislation:**

There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019.