

**Changes to legislation:** *Sanctions and Anti-Money Laundering Act 2018 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## SCHEDULES

### SCHEDULE 1

Section 5

#### TRADE SANCTIONS

#### PART 1

#### TRADE SANCTIONS

- 1 The purposes referred to in section 5(1) are the purposes set out in paragraphs 2 to 16.

#### Commencement Information

**I1** Sch. 1 para. 1 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 2 Preventing the export of goods of a prescribed description—
- (a) to, or for the benefit of—
    - (i) designated persons (see section 9),
    - (ii) persons connected with a prescribed country, or
    - (iii) a prescribed description of persons connected with a prescribed country, or
  - (b) to, for the benefit of, or for use in, a prescribed country.

#### Commencement Information

**I2** Sch. 1 para. 2 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 3 Preventing the import of all goods, or of goods of a prescribed description—
- (a) which are consigned from a prescribed country,
  - (b) which originate in a prescribed country,
  - (c) which are consigned from or imported, manufactured, produced or owned by—
    - (i) designated persons,
    - (ii) persons connected with a prescribed country, or
    - (iii) a prescribed description of persons connected with a prescribed country,
  - (d) for the benefit of—
    - (i) designated persons,
    - (ii) persons connected with a prescribed country, or
    - (iii) a prescribed description of persons connected with a prescribed country, or
  - (e) for the benefit of a prescribed country.

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#### Commencement Information

**I3** Sch. 1 para. 3 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 4 Preventing the movement outside the United Kingdom of goods of a prescribed description—
- (a) to, or for the benefit of—
    - (i) designated persons,
    - (ii) persons connected with a prescribed country, or
    - (iii) a prescribed description of persons connected with a prescribed country,
  - (b) to, or for the benefit of, a prescribed country,
  - (c) from a prescribed country,
  - (d) which originate in a prescribed country, or
  - (e) in specified ships (see section 14).

#### Commencement Information

**I4** Sch. 1 para. 4 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 5 Preventing a transfer of technology of a prescribed description—
- (a) to, or for the benefit of—
    - (i) designated persons,
    - (ii) persons connected with a prescribed country, or
    - (iii) a prescribed description of persons connected with a prescribed country,
  - (b) to a place (see paragraph 36) in a prescribed country,
  - (c) to, or for the benefit of, persons outside the United Kingdom, where the transfer is from a designated person, a person connected with a prescribed country or a place in a prescribed country,
  - (d) to a place outside the United Kingdom, where the transfer is from a designated person, a person connected with a prescribed country or a place in a prescribed country,
  - (e) to persons (other than designated persons) in the United Kingdom, where the person effecting, or responsible for, the transfer has reason to believe that the technology may be used in a prescribed country, or
  - (f) to a place in the United Kingdom, where the person effecting, or responsible for, the transfer has reason to believe that the technology may be used in a prescribed country.

#### Commencement Information

**I5** Sch. 1 para. 5 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 6 Preventing goods or technology of a prescribed description from being made available—
- (a) to, or for the benefit of—
    - (i) designated persons,

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- (ii) persons connected with a prescribed country, or
- (iii) a prescribed description of persons connected with a prescribed country,
- (b) for the benefit of, or for use in, a prescribed country, or
- (c) for use in connection with specified ships.

#### Commencement Information

**I6** Sch. 1 para. 6 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 7 Preventing the acquisition of goods or technology of a prescribed description—
- (a) from, or for the benefit of—
    - (i) designated persons,
    - (ii) persons connected with a prescribed country,
    - (iii) a prescribed description of persons connected with a prescribed country, or
    - (iv) persons on board specified ships, or
  - (b) in, or which originate in, a prescribed country.

#### Commencement Information

**I7** Sch. 1 para. 7 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 8 Preventing land, or land of a prescribed description, from being made available to, or for the benefit of—
- (a) designated persons,
  - (b) persons connected with a prescribed country, or
  - (c) a prescribed description of persons connected with a prescribed country.

#### Commencement Information

**I8** Sch. 1 para. 8 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 9 Preventing the acquisition of land, or land of a prescribed description—
- (a) from, or for the benefit of—
    - (i) designated persons,
    - (ii) persons connected with a prescribed country, or
    - (iii) a prescribed description of persons connected with a prescribed country, or
  - (b) in a prescribed country.

#### Commencement Information

**I9** Sch. 1 para. 9 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 10 Preventing—
- (a) activities of a prescribed description relating (directly or indirectly) to military activities from being carried on for the benefit of—

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- (i) designated persons,
  - (ii) persons connected with a prescribed country, or
  - (iii) a prescribed description of persons connected with a prescribed country, or
- (b) activities of a prescribed description from being carried on, where the activities relate (directly or indirectly) to military activities carried on, or proposed to be carried on, in a prescribed country.

**Commencement Information**

**I10** Sch. 1 para. 10 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 11 Preventing all services, or services of a prescribed description, from being provided—
- (a) to, or for the benefit of—
    - (i) designated persons,
    - (ii) persons connected with a prescribed country, or
    - (iii) a prescribed description of persons connected with a prescribed country, or
  - (b) in the United Kingdom by a prescribed description of persons connected with a prescribed country.

**Commencement Information**

**I11** Sch. 1 para. 11 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 12 Preventing all services, or services of a prescribed description, from being procured—
- (a) from, or for the benefit of—
    - (i) designated persons,
    - (ii) persons connected with a prescribed country, or
    - (iii) a prescribed description of persons connected with a prescribed country, or
  - (b) for provision in a prescribed country.

**Commencement Information**

**I12** Sch. 1 para. 12 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 13 Preventing services, or services of a prescribed description, from being provided or procured, where the services relate to—
- (a) the export of goods of a prescribed description to, or for the benefit of, persons as mentioned in paragraph 2(a),
  - (b) the export of goods of a prescribed description to, for the benefit of, or for use in, a prescribed country,
  - (c) the import of goods, or goods of a prescribed description, which are consigned from, or originate in, a prescribed country,

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- (d) the import of goods, or goods of a prescribed description, which are consigned from or imported, manufactured, produced or owned by persons as mentioned in paragraph 3(c),
- (e) the import of goods, or goods of a prescribed description, for the benefit of persons as mentioned in paragraph 3(d),
- (f) the import of goods, or goods of a prescribed description, for the benefit of a prescribed country,
- (g) the movement of goods of a prescribed description to, or for the benefit of, persons as mentioned in paragraph 4(a),
- (h) the movement of goods of a prescribed description to, or for the benefit of, a prescribed country,
- (i) the movement of goods of a prescribed description from a prescribed country, or which originate in a prescribed country,
- (j) the movement of goods of a prescribed description in specified ships,
- (k) the transfer of technology of a prescribed description to, or for the benefit of, persons as mentioned in sub-paragraph (a), (c) or (e) of paragraph 5,
- (l) the transfer of technology of a prescribed description to a place as mentioned in sub-paragraph (b), (d) or (f) of paragraph 5,
- (m) the making available of goods or technology of a prescribed description to, or for the benefit of, persons as mentioned in paragraph 6(a),
- (n) the making available of goods or technology of a prescribed description for the benefit of, or for use in, a prescribed country,
- (o) the making available of goods or technology of a prescribed description for use in connection with specified ships,
- (p) the acquisition of goods or technology of a prescribed description from, or for the benefit of, persons as mentioned in paragraph 7(a),
- (q) the acquisition of goods or technology of a prescribed description in, or which originate in, a prescribed country,
- (r) the making available of land, or land of a prescribed description, to, or for the benefit of, persons as mentioned in paragraph 8,
- (s) the acquisition of land, or land of a prescribed description, from, or for the benefit of, persons as mentioned in paragraph 9(a),
- (t) the acquisition of land, or land of a prescribed description, in a prescribed country,
- (u) the carrying on of activities of a prescribed description as mentioned in sub-paragraph (a) of paragraph 10 for the benefit of persons as mentioned in that sub-paragraph,
- (v) the carrying on of activities of a prescribed description as mentioned in paragraph 10(b), or
- (w) the provision or procurement of other services, or services of a prescribed description, which relate to a matter mentioned in any of sub-paragraphs (a) to (v).

#### Commencement Information

**I13** Sch. 1 para. 13 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

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- (a) the provision of other services, or services of a prescribed description, to, or for the benefit of, persons as mentioned in paragraph 11(a),
- (b) the provision of other services, or services of a prescribed description, in the United Kingdom by a prescribed description of persons connected with a prescribed country,
- (c) the procurement of other services, or services of a prescribed description, from, or for the benefit of, persons as mentioned in paragraph 12(a),
- (d) the procurement of other services, or services of a prescribed description, for provision in a prescribed country,
- (e) projects, industries, sectors or infrastructure of a prescribed description in a prescribed country,
- (f) activities of a prescribed description carried on, or proposed to be carried on, in a prescribed country,
- (g) trade with a prescribed country,
- (h) aircraft registered in a prescribed country,
- (i) ships registered in a prescribed country,
- (j) specified ships, or
- (k) the provision or procurement of other services, or services of a prescribed description, which relate to a matter mentioned in any of sub-paragraphs (e) to (j).

#### Commencement Information

**I14** Sch. 1 para. 14 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 15 So far as a UN Security Council Resolution provides for the taking of measures in relation to ships designated for purposes of that resolution, and so far as the purposes set out in this paragraph are relevant to that resolution, preventing—
- (a) the movement outside the United Kingdom of goods of a prescribed description in such ships,
  - (b) goods or technology of a prescribed description from being made available for use in connection with such ships,
  - (c) the acquisition of goods or technology of a prescribed description from persons on board such ships, or
  - (d) the provision or procurement of services which relate to such ships.

#### Commencement Information

**I15** Sch. 1 para. 15 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 16 Preventing—
- (a) the export, import, movement, making available or acquisition of objects of cultural interest, or objects of cultural interest of a prescribed description, which have been removed from a prescribed country, or
  - (b) services of a prescribed description from being provided or procured, where the services relate to objects of cultural interest, or objects of cultural interest of a prescribed description, which have been removed from a prescribed country.

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**Commencement Information**

**I16** Sch. 1 para. 16 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

**PART 2**

## FURTHER PROVISION

*Further provision*

- 17 Regulations which include provision for a purpose mentioned in Part 1 may describe goods wholly or partly by reference to—
- (a) the uses to which the goods, or any information recorded on or derived from them, may be put,
  - (b) the types of users of the goods, or of any such information,
  - (c) the industries, sectors, infrastructure or projects to which the goods, or any such information, may relate, or
  - (d) the place where the goods originate.

**Commencement Information**

**I17** Sch. 1 para. 17 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 18 Regulations which include provision for a purpose mentioned in paragraph 2 or 3 may describe goods wholly or partly by reference to their being of an amount, quantity or value in excess of a prescribed amount, quantity or value.

**Commencement Information**

**I18** Sch. 1 para. 18 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 19 Regulations which include provision for a purpose mentioned in Part 1 may describe technology wholly or partly by reference to—
- (a) the uses to which the technology may be put,
  - (b) the industries, sectors, infrastructure or projects to which the technology may relate, or
  - (c) any activities carried on, or proposed to be carried on, to which the technology may relate.

**Commencement Information**

**I19** Sch. 1 para. 19 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 20 Regulations which include provision for a purpose mentioned in Part 1 may describe services wholly or partly by reference to—
- (a) the uses to which the services may be put,
  - (b) the industries, sectors, infrastructure or projects to which the services may relate,

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- (c) any goods, technology or land to which the services may relate,
- (d) any activities carried on, or proposed to be carried on, to which the services may relate (including the export, import, movement, transfer, making available, acquisition, development, manufacture, production, maintenance or use of goods, technology or land), or
- (e) any other services to which the services in question may relate.

**Commencement Information**

**I20** Sch. 1 para. 20 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 21 Regulations which include provision for a purpose mentioned in Part 1 may include provision having the effect that references to specified provisions of orders made under the Export Control Act 2002 are to operate as references to specified provisions of such orders as amended from time to time.

**Commencement Information**

**I21** Sch. 1 para. 21 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 22 Regulations which include provision for a purpose mentioned in Part 1 may include provision having the effect that references to a specified Annex of 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) are to operate as references to that Annex as amended from time to time.

**Commencement Information**

**I22** Sch. 1 para. 22 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 23 Regulations which include provision for a purpose mentioned in Part 1 may include provision having the effect that references to a technical list of goods or technology (including a list by reference to which any UN obligation operates) are to operate as references to that list as revised or re-issued from time to time.

**Commencement Information**

**I23** Sch. 1 para. 23 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 24 Regulations which include provision for a purpose mentioned in paragraph 2 may include provision in relation to the removal from the United Kingdom of vehicles, ships and aircraft (as an export of goods), whether or not they are moving under their own power or carrying goods or passengers.

**Commencement Information**

**I24** Sch. 1 para. 24 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 25 Regulations which include provision for a purpose mentioned in paragraph 3 may include provision in relation to the taking into the United Kingdom of vehicles,



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ships and aircraft (as an import of goods), whether or not they are moving under their own power or carrying goods or passengers.

**Commencement Information**

**I25** Sch. 1 para. 25 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 26 (1) This paragraph applies where regulations include provision for a purpose mentioned in paragraph 15 in relation to ships designated by the Security Council or a subsidiary organ of the Security Council for purposes of a UN Security Council Resolution.
- (2) The provision may describe the ships by reference to the instrument in which the ships are designated, including by reference to that instrument as varied or supplemented from time to time.

**Commencement Information**

**I26** Sch. 1 para. 26 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

*Enforcement*

- 27 (1) This paragraph applies in relation to any provision of CEMA which specifies a maximum period of imprisonment with which an offence is punishable on conviction on indictment.
- (2) Regulations under this paragraph may modify any such provision in the case of an offence committed in connection with a prohibition or requirement—
- (a) imposed for a purpose mentioned in Part 1, and
  - (b) specified in the regulations.
- (3) The modification may not have the effect that such an offence is punishable with imprisonment for a period exceeding 10 years.

**Commencement Information**

**I27** Sch. 1 para. 27 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 28 (1) For the purpose of the enforcement of any relevant prohibition or requirement, regulations under this paragraph may modify any provision of CEMA which—
- (a) determines whether any thing is liable to forfeiture under CEMA by virtue of a contravention of the prohibition or requirement,
  - (b) provides for the treatment of any thing which is so liable by virtue of such a contravention, or
  - (c) confers any power exercisable in relation to a ship, aircraft or vehicle.
- (2) In sub-paragraph (1) a “relevant prohibition or requirement” means a prohibition or requirement—
- (a) imposed for a purpose mentioned in Part 1, and
  - (b) specified in the regulations under this paragraph.

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#### Commencement Information

**I28** Sch. 1 para. 28 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

#### *Restriction*

- 29 Regulations may not contain prohibitions for a purpose mentioned in Part 1 which have the effect of prohibiting any of the following activities—
- (a) the communication of information in the ordinary course of scientific research,
  - (b) the making of information generally available to the public, or
  - (c) the communication of information that is generally available to the public,
- unless the interference by the regulations in the freedom to carry on the activity in question is necessary (and no more than is necessary).

#### Commencement Information

**I29** Sch. 1 para. 29 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 30 The question whether any such interference is necessary is to be determined by the appropriate Minister making the regulations—
- (a) by reference to the circumstances prevailing at the time the regulations are made, and
  - (b) having considered the purpose of the regulations as stated under section 1(3) and the need to respect the freedom to carry on that activity.

#### Commencement Information

**I30** Sch. 1 para. 30 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

#### *Interpretation*

- 31 In this Schedule, any reference to goods, technology, land or services being moved, made available, acquired, provided or procured is to their being moved, made available, acquired, provided or procured (as the case may be) directly or indirectly.

#### Commencement Information

**I31** Sch. 1 para. 31 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(e)

- 32 For the purposes of this Schedule—
- (a) “export” means export from the United Kingdom,
  - (b) goods removed to the Isle of Man from the United Kingdom are not to be regarded as exported, and
  - (c) goods transported out of the United Kingdom by aircraft or ship as stores within the meaning of CEMA (see section 1(1) and (4) of that Act) are to be regarded as exported.

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#### Modifications etc. (not altering text)

- C1** Sch. 1 paras. 32-36 applied (30.12.2020) by The Libya (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/1665), regs. 1(2)(i), **32(3)**
- C2** Sch. 1 para. 32 applied (31.12.2020) by The Somalia (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/642), regs. 1(2), **20(1)**; S.I. 2020/1514, reg. 12(2)
- C3** Sch. 1 para. 32 applied (31.12.2020) by The Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/573), regs. 1(2), **18(1)**; S.I. 2019/627, reg. 11(2)2020 c. 1, Sch. 5 para. 1(1)
- C4** Sch. 1 para. 32 applied (31.12.2020) by The ISIL (Da'esh) and Al-Qaida (United Nations Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/466), regs. 1(2), **14(1)**; S.I. 2019/627, reg. 9(2)2020 c. 1, Sch. 5 para. 1(1)
- C5** Sch. 1 paras. 32-36 applied (31.12.2020) by The Russia (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/855), regs. 1(2), **21(4)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- C6** Sch. 1 para. 32 applied (31.12.2020) by The Central African Republic (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/616), regs. 1(2), **20(1)**; S.I. 2020/1514, reg. 10(2)
- C7** Sch. 1 para. 32 applied (31.12.2020) by The Democratic Republic of the Congo (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/433), regs. 1(2), **20(1)**; S.I. 2019/627, reg. 5(2)2020 c. 1, Sch. 5 para. 1(1)
- C8** Sch. 1 paras. 32-35 applied (31.12.2020) by The Syria (United Nations Sanctions) (Cultural Property) (EU Exit) Regulations 2020 (S.I. 2020/1233), regs. 1(2), **6(1)**; S.I. 2020/1514, reg. 19
- C9** Sch. 1 para. 32 applied (31.12.2020) by The Lebanon (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/612), regs. 1(2), **6(1)**; S.I. 2020/1514, reg. 9
- C10** Sch. 1 para. 32 applied (31.12.2020) by The Democratic People's Republic of Korea (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/411), regs. 1(2), **64(5)**; S.I. 2019/627, reg. 7(2)2020 c. 1, Sch. 5 para. 1(1)
- C11** Sch. 1 paras. 32-36 applied (31.12.2020) by The Afghanistan (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/948), regs. 1(2), **14(1)**; S.I. 2020/1514, reg. 16(2)
- C12** Sch. 1 para. 32 applied (31.12.2020) by The Zimbabwe (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/604), regs. 1(2), **20(1)**; S.I. 2019/627, reg. 13(2)2020 c. 1, Sch. 5 para. 1(1)
- C13** Sch. 1 para. 32 applied (31.12.2020) by The South Sudan (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/438), regs. 1(2), **20(1)**; S.I. 2019/627, reg. 6(2)2020 c. 1, Sch. 5 para. 1(1)
- C14** Sch. 1 paras. 32-36 applied (31.12.2020) by The Syria (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/792), regs. 1(3), **27(1)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- C15** Sch. 1 para. 32 applied (29.4.2021 at 5.00 pm) by The Myanmar (Sanctions) Regulations 2021 (S.I. 2021/496), regs. 1(3), **22(1)**
- C16** Sch. 1 para. 32 applied (28.12.2022) by The Haiti (Sanctions) Regulations 2022 (S.I. 2022/1281), regs. 1(2), **14(1)**
- C17** Sch. 1 para. 32 applied (14.12.2023) by The Iran (Sanctions) Regulations 2023 (S.I. 2023/1314), regs. 1(2), **27(1)** (with regs. 98-100)

#### Commencement Information

- I32** Sch. 1 para. 32 in force at 22.11.2018 by S.I. 2018/1213, **reg. 2(e)**

- 33 For the purposes of this Schedule—
- (a) “import” means import into the United Kingdom, but
  - (b) goods removed to the United Kingdom from the Isle of Man are not to be regarded as imported.

Sub-paragraph (a) does not apply for the purposes of paragraph 34.

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- C1** Sch. 1 paras. 32-36 applied (30.12.2020) by [The Libya \(Sanctions\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1665), regs. 1(2)(i), **32(3)**
- C5** Sch. 1 paras. 32-36 applied (31.12.2020) by [The Russia \(Sanctions\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/855), regs. 1(2), **21(4)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- C8** Sch. 1 paras. 32-35 applied (31.12.2020) by [The Syria \(United Nations Sanctions\) \(Cultural Property\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1233), regs. 1(2), **6(1)**; S.I. 2020/1514, reg. 19
- C11** Sch. 1 paras. 32-36 applied (31.12.2020) by [The Afghanistan \(Sanctions\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/948), regs. 1(2), **14(1)**; S.I. 2020/1514, reg. 16(2)
- C14** Sch. 1 paras. 32-36 applied (31.12.2020) by [The Syria \(Sanctions\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/792), regs. 1(3), **27(1)**; 2020 c. 1, **Sch. 5 para. 1(1)**

#### Commencement Information

- I33** Sch. 1 para. 33 in force at 22.11.2018 by S.I. 2018/1213, **reg. 2(e)**

- 34 Paragraph 33(b) does not apply to goods imported into the Isle of Man in contravention of any prohibition or requirement and which are of a description the import of which into the United Kingdom is subject to a corresponding prohibition or requirement imposed by regulations for a purpose mentioned in paragraph 3.

#### Modifications etc. (not altering text)

- C1** Sch. 1 paras. 32-36 applied (30.12.2020) by [The Libya \(Sanctions\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1665), regs. 1(2)(i), **32(3)**
- C5** Sch. 1 paras. 32-36 applied (31.12.2020) by [The Russia \(Sanctions\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/855), regs. 1(2), **21(4)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- C8** Sch. 1 paras. 32-35 applied (31.12.2020) by [The Syria \(United Nations Sanctions\) \(Cultural Property\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1233), regs. 1(2), **6(1)**; S.I. 2020/1514, reg. 19
- C11** Sch. 1 paras. 32-36 applied (31.12.2020) by [The Afghanistan \(Sanctions\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/948), regs. 1(2), **14(1)**; S.I. 2020/1514, reg. 16(2)
- C14** Sch. 1 paras. 32-36 applied (31.12.2020) by [The Syria \(Sanctions\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/792), regs. 1(3), **27(1)**; 2020 c. 1, **Sch. 5 para. 1(1)**

#### Commencement Information

- I34** Sch. 1 para. 34 in force at 22.11.2018 by S.I. 2018/1213, **reg. 2(e)**

- 35 For the purposes of this Schedule—
- (a) goods, technology or land are “acquired” by a person if the person buys, leases, hires, borrows or accepts as a gift the goods, technology or land (as the case may be), and “acquisition” is to be construed accordingly, and
  - (b) a reference to goods which “originate” in a country includes a reference to goods which are manufactured or produced in that country.

#### Modifications etc. (not altering text)

- C1** Sch. 1 paras. 32-36 applied (30.12.2020) by [The Libya \(Sanctions\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1665), regs. 1(2)(i), **32(3)**
- C5** Sch. 1 paras. 32-36 applied (31.12.2020) by [The Russia \(Sanctions\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/855), regs. 1(2), **21(4)**; 2020 c. 1, **Sch. 5 para. 1(1)**

**Changes to legislation:** *Sanctions and Anti-Money Laundering Act 2018 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- C8** Sch. 1 paras. 32-35 applied (31.12.2020) by The Syria (United Nations Sanctions) (Cultural Property) (EU Exit) Regulations 2020 (S.I. 2020/1233), regs. 1(2), **6(1)**; S.I. 2020/1514, reg. 19
- C11** Sch. 1 paras. 32-36 applied (31.12.2020) by The Afghanistan (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/948), regs. 1(2), **14(1)**; S.I. 2020/1514, reg. 16(2)
- C14** Sch. 1 paras. 32-36 applied (31.12.2020) by The Syria (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/792), regs. 1(3), **27(1)**; 2020 c. 1, **Sch. 5 para. 1(1)**

#### Commencement Information

- I35** Sch. 1 para. 35 in force at 22.11.2018 by S.I. 2018/1213, **reg. 2(e)**

- 36 In paragraph 5 “place” includes—
- (a) any vehicle, ship or aircraft,
  - (b) any installation (including a floating installation or one resting on the seabed or its subsoil or on other land covered with water or its subsoil), or
  - (c) any tent or movable structure.

#### Modifications etc. (not altering text)

- C1** Sch. 1 paras. 32-36 applied (30.12.2020) by The Libya (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/1665), regs. 1(2)(i), **32(3)**
- C5** Sch. 1 paras. 32-36 applied (31.12.2020) by The Russia (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/855), regs. 1(2), **21(4)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- C11** Sch. 1 paras. 32-36 applied (31.12.2020) by The Afghanistan (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/948), regs. 1(2), **14(1)**; S.I. 2020/1514, reg. 16(2)
- C14** Sch. 1 paras. 32-36 applied (31.12.2020) by The Syria (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/792), regs. 1(3), **27(1)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- C18** Sch. 1 para. 36 applied (31.12.2020) by The South Sudan (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/438), regs. 1(2), **20(1)**; S.I. 2019/627, reg. 6(2)2020 c. 1, Sch. 5 para. 1(1)
- C19** Sch. 1 para. 36 applied (31.12.2020) by The ISIL (Da’esh) and Al-Qaida (United Nations Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/466), regs. 1(2), **14(1)**; S.I. 2019/627, reg. 9(2)2020 c. 1, Sch. 5 para. 1(1)
- C20** Sch. 1 para. 36 applied (31.12.2020) by The Central African Republic (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/616), regs. 1(2), **20(1)**; S.I. 2020/1514, reg. 10(2)
- C21** Sch. 1 para. 36 applied (31.12.2020) by The Zimbabwe (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/604), regs. 1(2), **20(1)**; S.I. 2019/627, reg. 13(2)2020 c. 1, Sch. 5 para. 1(1)
- C22** Sch. 1 para. 36 applied (31.12.2020) by The Democratic People’s Republic of Korea (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/411), regs. 1(2), **64(5)**; S.I. 2019/627, reg. 7(2)2020 c. 1, Sch. 5 para. 1(1)
- C23** Sch. 1 para. 36 applied (31.12.2020) by The Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/573), regs. 1(2), **18(1)**; S.I. 2019/627, reg. 11(2)2020 c. 1, Sch. 5 para. 1(1)
- C24** Sch. 1 para. 36 applied (31.12.2020) by The Lebanon (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/612), regs. 1(2), **6(1)**; S.I. 2020/1514, reg. 9
- C25** Sch. 1 para. 36 applied (31.12.2020) by The Somalia (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/642), regs. 1(2), **20(1)**; S.I. 2020/1514, reg. 12(2)
- C26** Sch. 1 para. 36 applied (29.4.2021 at 5.00 pm) by The Myanmar (Sanctions) Regulations 2021 (S.I. 2021/496), regs. 1(3), **22(1)**
- C27** Sch. 1 para. 36 applied (28.12.2022) by The Haiti (Sanctions) Regulations 2022 (S.I. 2022/1281), regs. 1(2), **14(1)**
- C28** Sch. 1 para. 36 applied (14.12.2023) by The Iran (Sanctions) Regulations 2023 (S.I. 2023/1314), regs. 1(2), **27(1)** (with regs. 98-100)

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**Commencement Information**

**I36** Sch. 1 para. 36 in force at 22.11.2018 by [S.I. 2018/1213](#), [reg. 2\(e\)](#)

37 In this Schedule—

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

“CEMA” means the Customs and Excise Management Act 1979;

“objects of cultural interest” includes objects of historical or scientific interest;

“regulations” means regulations under section 1;

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

“specified ship” has the meaning given by section 14;

“technology” means information (including information comprised in software) that is capable of use in connection with—

(a) the development, production or use of any goods or software, or

(b) the development of, or the carrying out of, an industrial or commercial activity or an activity of any other kind whatsoever;

“transfer”, in relation to any technology, means a transfer by any means (or combination of means), including oral communication and the transfer of goods on which the technology is recorded or from which it can be derived, other than the export of such goods.

**Commencement Information**

**I37** Sch. 1 para. 37 in force at 22.11.2018 by [S.I. 2018/1213](#), [reg. 2\(e\)](#)

38 Nothing in section 3 prevents any reference to services in this Schedule from including financial services.

**Commencement Information**

**I38** Sch. 1 para. 38 in force at 22.11.2018 by [S.I. 2018/1213](#), [reg. 2\(e\)](#)

SCHEDULE 2

Section 49

MONEY LAUNDERING AND TERRORIST FINANCING ETC

*Regulations under section 49*

1 Without prejudice to the generality of section 49, regulations under that section may do any thing mentioned in paragraphs 2 to 17.

**Commencement Information**

**I39** Sch. 2 para. 1 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

**Changes to legislation:** *Sanctions and Anti-Money Laundering Act 2018 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- 2 (1) Require—
- (a) the Secretary of State or the Treasury, or both of them acting jointly,
  - (b) supervisory authorities (within the meaning given by paragraph 24), and
  - (c) such persons carrying on relevant business (within the meaning given by that paragraph) as are prescribed for the purposes of this paragraph,
- to identify and assess risks relating to money laundering, terrorist financing or other threats to the integrity of the international financial system.
- (2) Make provision about factors to be taken into account in the assessment of such risks.

**Commencement Information**

**I40** Sch. 2 para. 2 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 3 Require any person carrying on relevant business who is of a description prescribed for the purposes of this paragraph (“a relevant person”) to have policies, controls and procedures which—
- (a) are policies, controls and procedures for mitigating and managing risks relating to money laundering, terrorist financing or other threats to the integrity of the international financial system,
  - (b) are of prescribed kinds, and
  - (c) are appropriate having regard to the size and nature of the business that the person carries on.

**Commencement Information**

**I41** Sch. 2 para. 3 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 4 <sup>[F1]</sup>(1) Require relevant persons to take prescribed measures in relation to their customers in prescribed circumstances.
- <sup>[F2]</sup>(2) Provide for the imposition of requirements relating to enhanced customer due diligence measures by reference to prescribed high-risk countries.
- (3) Provision made by virtue of sub-paragraph (2) may in particular refer to a list of countries published by the Financial Action Task Force as it has effect from time to time.]

**Textual Amendments**

- F1** Sch. 2 para. 4 renumbered as Sch. 2 para. 4(1) (26.10.2023 for specified purposes, 15.1.2024 in so far as not already in force) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), [ss. 187\(2\)\(a\)\(i\)](#), [219\(1\)\(2\)\(b\)](#); [S.I. 2023/1206](#), [reg. 3\(g\)](#)
- F2** [Sch. 2 para. 4\(2\)\(3\)](#) inserted (26.10.2023 for specified purposes, 15.1.2024 in so far as not already in force) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), [ss. 187\(2\)\(a\)\(ii\)](#), [219\(1\)\(2\)\(b\)](#); [S.I. 2023/1206](#), [reg. 3\(g\)](#)

**Commencement Information**

**I42** Sch. 2 para. 4 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 5 Make provision for and in connection with—

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- (a) the provision of information by prescribed persons, and
- (b) the disclosure of information, including provision about—
  - (i) the purposes for which information held in connection with anything done under the regulations may be used, and
  - (ii) the persons to whom any such information may be disclosed.

**Commencement Information**

**I43** Sch. 2 para. 5 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 6 Make provision for and in connection with the creation, production and retention of—
- (a) registers, and
  - (b) records,
- including registers of people with significant control and registers and records relating to the beneficial ownership of prescribed entities, trusts or other arrangements.

**Commencement Information**

**I44** Sch. 2 para. 6 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 7 (1) Confer supervisory functions on the Financial Conduct Authority, the Commissioners for Her Majesty's Revenue and Customs and such other bodies as may be prescribed (“supervisory authorities”) in relation to relevant persons, including powers or duties to—
- (a) collect information,
  - (b) give directions,
  - (c) issue guidance,
  - (d) approve individuals in their capacity as relevant persons or as owner of, or in positions of control over or responsibility in, relevant persons that are not individuals, and
  - (e) cooperate with other supervisory authorities or other prescribed persons.
- (2) Make provision about the exercise of functions conferred on supervisory authorities under sub-paragraph (1).

**Commencement Information**

**I45** Sch. 2 para. 7 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 8 (1) Confer supervisory functions on a prescribed body (an “oversight body”) in relation to bodies prescribed as, or seeking to be prescribed as, supervisory authorities, including powers or duties to—
- (a) collect information,
  - (b) give directions,
  - (c) issue guidance, and
  - (d) give recommendations as to whether bodies should be, or should cease to be, prescribed as supervisory authorities.



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- (2) Make provision about the exercise of functions conferred on an oversight body under sub-paragraph (1).

**Commencement Information**

**I46** Sch. 2 para. 8 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 9 Make provision for and in connection with the registration of relevant persons by supervisory authorities, including—
- (a) provision which prohibits a person from carrying on a business of a prescribed description unless registered, and
  - (b) provision about the suspension or cancellation of a person's registration.

**Commencement Information**

**I47** Sch. 2 para. 9 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 10 Make provision enabling supervisory authorities to enter into arrangements with other bodies for the purposes of the enforcement of the regulations.

**Commencement Information**

**I48** Sch. 2 para. 10 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 11 (1) Confer investigatory powers on—
- (a) supervisory authorities, and
  - (b) prescribed enforcement partners within the meaning given by paragraph 24.
- (2) Make provision about the exercise of investigatory powers.
- (3) Make provision enabling investigatory powers to be exercised by a supervisory authority in relation to persons supervised by another supervisory authority.
- (4) In this paragraph “investigatory powers” includes powers of entry, search, inspection, seizure of documents or information and retention of documents or information.

**Commencement Information**

**I49** Sch. 2 para. 11 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 12 (1) Authorise supervisory authorities to impose charges on persons supervised by them in respect of expenses incurred for the purposes of the regulations.
- (2) Make provision in connection with any charges for which provision is made under sub-paragraph (1), including provision for charges to meet expenses incurred by enforcement partners for the purposes of the regulations.
- (3) Where provision is made by virtue of paragraph 11(3), authorise supervisory authorities to impose charges on other supervisory authorities in respect of expenses incurred in relation to the exercise of powers in accordance with such provision.

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- (4) Authorise an oversight body to impose charges on supervisory authorities or persons seeking to be prescribed as supervisory authorities in respect of the exercise by the oversight body of functions conferred on it by the regulations.
- (5) Make provision in connection with any charges for which provision is made under sub-paragraph (3) or (4).

#### Commencement Information

**I50** Sch. 2 para. 12 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 13
- (1) Authorise the Financial Conduct Authority and the Commissioners for Her Majesty's Revenue and Customs to impose civil monetary penalties in relation to the contravention of prescribed requirements.
  - (2) Authorise supervisory authorities to impose civil penalties (other than monetary penalties) in relation to the contravention of prescribed requirements, including—
    - (a) the publication of statements of censure,
    - (b) the suspension or revocation of, or restrictions on, any permission or authorisation granted by a supervisory authority,
    - (c) the suspension or cancellation of, or restrictions on, a person's registration as mentioned in paragraph 9, and
    - (d) restrictions on the holding of management responsibilities.
  - (3) Authorise an oversight body to—
    - (a) impose civil monetary penalties, and
    - (b) publish statements of censure,
 in relation to the contravention of prescribed requirements by supervisory authorities.
  - (4) Make provision in connection with any civil penalties for which provision is made under sub-paragraph (1), (2) or (3), including provision for publishing details of persons who have incurred penalties.

#### Commencement Information

**I51** Sch. 2 para. 13 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 14
- Make provision for and in connection with the grant of injunctions (or, in Scotland, interdicts) and other orders by prescribed courts in relation to the contravention of prescribed requirements.

#### Commencement Information

**I52** Sch. 2 para. 14 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 15
- Make provision—
- (a) creating criminal offences for the purposes of the enforcement of requirements imposed by or under regulations under section 49, and
  - (b) dealing with matters relating to any offences created for such purposes by regulations under section 49,
- but see paragraphs 18 and 19.

**Changes to legislation:** *Sanctions and Anti-Money Laundering Act 2018 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**Commencement Information**

**I53** Sch. 2 para. 15 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 16 Make provision for and in connection with reviews of, and appeals against, decisions of—
- (a) prescribed supervisory authorities, and
  - (b) an oversight body.

**Commencement Information**

**I54** Sch. 2 para. 16 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 17 Make provision exempting prescribed persons from prescribed requirements, generally or in prescribed circumstances.

**Commencement Information**

**I55** Sch. 2 para. 17 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

*Criminal offences: restrictions and relationship with civil penalties*

- 18 Regulations under section 49 may not provide for an offence created by such regulations to be punishable with imprisonment for a period exceeding—
- (a) in the case of conviction on indictment, 2 years;
  - (b) in the case of summary conviction, 3 months.

**Commencement Information**

**I56** Sch. 2 para. 18 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 19 Regulations under section 49 may provide for the creation of a criminal offence only if the regulations also provide for either or both of the following in relation to the offence—
- (a) a mental element necessary for its commission;
  - (b) a defence to it (for example, a defence grounded on a person's knowledge or belief, or a defence that a person took all reasonable steps and exercised all due diligence).

**Commencement Information**

**I57** Sch. 2 para. 19 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

- 20 Regulations under section 49 which confer a power to impose a civil monetary penalty must provide that a person is not liable to such a penalty in respect of acts or omissions for which the person has been convicted of a criminal offence created by such regulations.

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#### Commencement Information

**I58** Sch. 2 para. 20 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

#### *Criminal offences: report in respect of offences in regulations*

- 21 (1) In this paragraph “relevant regulations” means regulations under section 49 which create any offence for the purposes of the enforcement of any requirements imposed by or under regulations under section 49.
- (2) The appropriate Minister making any relevant regulations (“the Minister”) must at the required time lay before Parliament a report which—
- (a) specifies the offences created by the regulations, indicating the requirements to which those offences relate,
  - (b) states that the Minister considers that there are good reasons for those requirements to be enforceable by criminal proceedings and explains why the Minister is of that opinion, and
  - (c) in the case of any of those offences which are punishable with imprisonment—
    - (i) states the maximum terms of imprisonment that apply to those offences,
    - (ii) states that the Minister considers that there are good reasons for those maximum terms, and
    - (iii) explains why the Minister is of that opinion.
- (3) Sub-paragraph (4) applies where an offence created by the regulations relates to particular requirements and the Minister considers that a good reason—
- (a) for those requirements to be enforceable by criminal proceedings, or
  - (b) for a particular maximum term of imprisonment to apply to that offence,
- is consistency with another enactment relating to the enforcement of similar requirements.
- (4) The report must identify that other enactment.
- (5) In sub-paragraph (3) “another enactment” means any provision of or made under an Act, other than a provision of the regulations to which the report relates.
- (6) In sub-paragraph (2) “the required time” means the same time as the draft of the statutory instrument containing the regulations is laid before Parliament.
- (7) This paragraph applies to regulations which amend other regulations under section 49 so as to create an offence as it applies to regulations which otherwise create an offence.

#### Commencement Information

**I59** Sch. 2 para. 21 in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(d\)](#)

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### *Extra-territorial application*

- 22 (1) Regulations under section 49 may impose requirements in relation to conduct outside the United Kingdom by a United Kingdom person.
- (2) In sub-paragraph (1) “United Kingdom person” means—
- (a) a United Kingdom national,
  - (b) a body incorporated or constituted under the law of any part of the United Kingdom, <sup>F3</sup> ...
  - (c) a body within paragraph (3) or (4) of regulation 9 of the Money Laundering Regulations 2017 (bodies to be regarded for the purposes of those Regulations as carrying on business in the United Kingdom), as that regulation has effect immediately before it is saved by section 2 of the European Union (Withdrawal) Act 2018 [<sup>F4</sup>, or]
- [<sup>F4</sup>(d) a person—
- (i) who does not fall within any of paragraphs (a) to (c), and
  - (ii) who is a trustee with links to the United Kingdom (see paragraph 22A).
- (3) For this purpose a United Kingdom national is an individual who is—
- (a) a British citizen, a British overseas territories citizen, a British National (Overseas) or a British Overseas citizen,
  - (b) a person who under the British Nationality Act 1981 is a British subject, or
  - (c) a British protected person within the meaning of that Act.
- (4) In this paragraph “conduct” includes acts and omissions.]

#### **Textual Amendments**

**F3** Word in Sch. 2 para. 22(2)(b) omitted (1.7.2021) by virtue of [Financial Services Act 2021 \(c. 22\)](#), **ss. 34(2)(a)**, 49(4); [S.I. 2021/739](#), **reg. 3(r)**

**F4** Sch. 2 para. 22(2)(d) and word inserted (1.7.2021) by [Financial Services Act 2021 \(c. 22\)](#), **ss. 34(2)(b)**, 49(4); [S.I. 2021/739](#), **reg. 3(r)**

#### **Commencement Information**

**I60** Sch. 2 para. 22 in force at 31.12.2020 by [S.I. 2020/1535](#), **reg. 3(d)**

[<sup>F5</sup>22A(1) Sub-paragraphs (2) and (3) have effect for the purposes of paragraph 22(2)(d).

- (2) A person who is a trustee of a trust has links to the United Kingdom if—
- (a) any property subject to the trust is situated in the United Kingdom,
  - (b) a trustee of the trust enters into a business, professional or commercial relationship with a relevant person, or
  - (c) the income of the trust includes income which, directly or indirectly, is from a source in the United Kingdom.
- (3) A person who is a trustee of a trust also has links to the United Kingdom if—
- (a) at least one other person is a trustee of the trust,
  - (b) the other trustee (or at least one of the other trustees if the trust has more than two trustees) is resident in the United Kingdom, and
  - (c) a person makes, at a time when the person is resident in the United Kingdom, a gift of property which becomes subject to the trust.

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- (4) In this paragraph “property” has the meaning given by section 436 of the Insolvency Act 1986.]

#### Textual Amendments

- F5** Sch. 2 para. 22A inserted (1.7.2021) by [Financial Services Act 2021 \(c. 22\)](#), ss. **34(3)**, 49(4); S.I. 2021/739, reg. 3(r)

#### *Money Laundering Regulations 2017*

- 23 (1) Without prejudice to anything in section 49, paragraphs 1 to 22 or section 54(2), regulations under section 49 may—
- (a) subject to any modifications the appropriate Minister making those regulations considers appropriate, make provision corresponding or similar to any provision of [<sup>F6</sup>relevant] money laundering Regulations as those Regulations have effect immediately after being saved by section 2 or 3 of the European Union (Withdrawal) Act 2018;
  - (b) amend or revoke any [<sup>F6</sup>relevant] money laundering Regulations.
- (2) In sub-paragraph (1) “[<sup>F7</sup>relevant] money laundering Regulations” means—
- (a) the Money Laundering Regulations 2017;
  - (b) [Regulation \(EU\) 2015/847](#) of the European Parliament and of the Council of 20 May 2015 on information accompanying transfers of funds;
  - (c) any provision made under [Directive \(EU\) 2015/849](#) of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing by virtue of Article 290 or 291(2) of the Treaty on the Functioning of the European Union.
- [<sup>F8</sup>(2A) In paragraph 4 (measures in relation to customers of relevant persons), the reference in sub-paragraph (2) to requirements includes requirements imposed by or under the Money Laundering Regulations 2017.]
- (3) In paragraph 15 (offences), any reference to regulations under section 49 includes the Money Laundering Regulations 2017.
- (4) In paragraph 21 (report in respect of offences)—
- (a) the reference in sub-paragraph (1) to requirements imposed by or under regulations under section 49 includes requirements imposed by or under the Money Laundering Regulations 2017, and
  - (b) the reference in sub-paragraph (7) to other regulations under section 49 includes the Money Laundering Regulations 2017.

#### Textual Amendments

- F6** Word in Sch. 2 para. 23(1) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 88(5)**
- F7** Word in Sch. 2 para. 23(2) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 88(5)**

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**F8** Sch. 2 para. 23(2A) inserted (26.10.2023 for specified purposes, 15.1.2024 in so far as not already in force) by Economic Crime and Corporate Transparency Act 2023 (c. 56), ss. 187(2)(b), 219(1)(2)(b); S.I. 2023/1206, reg. 3(g)

**Commencement Information**

**I61** Sch. 2 para. 23 in force at 31.12.2020 by S.I. 2020/1535, reg. 3(d)

*Interpretation*

24 In this Schedule—

“enforcement partners” means bodies with which supervisory authorities enter into arrangements for the purposes of the enforcement of regulations under section 49;

“money laundering” has the meaning given by section 49;

“Money Laundering Regulations 2017” means the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (S.I. 2017/692);

“oversight body” means a body on which functions are conferred under paragraph 8(1);

“relevant business” means business of a kind which entails risks relating to money laundering, terrorist financing or other threats to the integrity of the financial system;

“relevant person” means a person on whom requirements are imposed under paragraph 3;

“requirements” includes prohibitions;

“supervisory authority” means the Financial Conduct Authority, the Commissioners for Her Majesty's Revenue and Customs or any other body on which functions are conferred under paragraph 7(1);

“terrorist financing” has the meaning given by section 49.

**Commencement Information**

**I62** Sch. 2 para. 24 in force at 31.12.2020 by S.I. 2020/1535, reg. 3(d)

SCHEDULE 3

Section 59(4) and (5)

CONSEQUENTIAL AMENDMENTS

**PART 1**

AMENDMENTS CONSEQUENTIAL ON PARTS 1 AND 2

*Immigration Act 1971 (c. 77)*

1 (1) Section 8B of the Immigration Act 1971 (persons excluded from the United Kingdom under international obligations) is amended as follows.

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- (2) In the heading for “international obligations” substitute “certain instruments”.
- (3) For subsection (4) substitute—
- “(4) “Excluded person” means—
- (a) a person named by or under, or of a description specified in, an instrument falling within subsection (5), or
- (b) a person who under regulations under section 1 of the Sanctions and Anti-Money Laundering Act 2018 is an excluded person for the purposes of this section (see section 4 of that Act).”
- (4) In subsection (5A)(b), for the words from the beginning to “that subsection” substitute “the person is within subsection (4)(a) and not within subsection (4)(b) and has been exempted from the application of subsection (1), (2) or (3), as the case may be,”.
- (5) After subsection (5A) insert—
- “(5B) In relation to any person within subsection (4)(b), subsections (1) to (3) are subject to any exception created under, or direction given by virtue of, section 15(4) of the Sanctions and Anti-Money Laundering Act 2018 (power to create exceptions etc).”

#### Commencement Information

**I63** Sch. 3 para. 1 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(f)

#### *Senior Courts Act 1981 (c. 54)*

- 2 In paragraph 2 of Schedule 1 to the Senior Courts Act 1981 (business allocated to the Queen's Bench Division), after sub-paragraph (be) insert—
- “(bf) all proceedings—
- (i) on an application under section 38 of the Sanctions and Anti-Money Laundering Act 2018 (court review of decisions), or
- (ii) on a claim arising from any matter to which such an application relates;”.

#### Commencement Information

**I64** Sch. 3 para. 2 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(f)

#### *Regulation of Investigatory Powers Act 2000 (c. 23)*

- 3 (1) Section 18 of the Regulation of Investigatory Powers Act 2000 (exceptions to matters excluded from legal proceedings) is amended as follows.
- (2) In subsection (1), after paragraph (de) insert—
- “(df) any proceedings—



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- (i) on an application under section 38 of the Sanctions and Anti-Money Laundering Act 2018 (court review of decisions), or
  - (ii) on a claim arising from any matter to which such an application relates,
- or any proceedings arising out of such proceedings;”.

(3) In subsection (2), after paragraph (zd) insert—

“(ze) in the case of proceedings falling within paragraph (df), to—

- (i) a person, other than the Secretary of State or the Treasury (as the case may be), who is or was a party to the proceedings, or
- (ii) any person who for the purposes of the proceedings (but otherwise than by virtue of appointment as a special advocate) represents a person falling within sub-paragraph (i);”.

#### Commencement Information

**I65** Sch. 3 para. 3 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(f)

#### *Serious Organised Crime and Police Act 2005 (c. 15)*

- 4 In section 61(1) of the Serious Organised Crime and Police Act 2005 (offences to which investigatory powers etc apply), after paragraph (i) insert—
- “(j) any offence under regulations under section 1 of the Sanctions and Anti-Money Laundering Act 2018 (sanctions regulations) which is specified by those regulations by virtue of section 17(8) of that Act.”

#### Commencement Information

**I66** Sch. 3 para. 4 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(f)

#### *Serious Crime Act 2007 (c. 27)*

- 5 (1) Schedule 1 to the Serious Crime Act 2007 (offences in relation to which a serious crime prevention order may be made) is amended as follows.
- (2) In paragraph 13B after sub-paragraph (5) insert—
- “(5A) An offence under regulations made under section 1 of the Sanctions and Anti-Money Laundering Act 2018.”
- (3) In paragraph 16MA after sub-paragraph (5) insert—
- “(5A) An offence under regulations made under section 1 of the Sanctions and Anti-Money Laundering Act 2018.”
- (4) In paragraph 29A after sub-paragraph (5) insert—
- “(5A) An offence under regulations made under section 1 of the Sanctions and Anti-Money Laundering Act 2018.”

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- (5) In the italic headings before each of paragraphs 13B, 16MA and 29A, omit “Financial”.

**Commencement Information**

**I67** Sch. 3 para. 5 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(f)

*Crime and Courts Act 2013 (c. 22)*

- 6 (1) Part 2 of Schedule 17 to the Crime and Courts Act 2013 (offences in relation to which a deferred prosecution agreement may be entered into) is amended as follows.
- (2) In paragraph 26A, after sub-paragraph (5) insert—
- “(5A) An offence under regulations made under section 1 of the Sanctions and Anti-Money Laundering Act 2018 (sanctions regulations).”
- (3) After paragraph 27 insert—
- “27A An offence under regulations made under section 49 of the Sanctions and Anti-Money Laundering Act 2018 (money laundering and terrorist financing etc).”

**Commencement Information**

**I68** Sch. 3 para. 6 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(f)

*Investigatory Powers Act 2016 (c. 25)*

- 7 In Schedule 3 to the Investigatory Powers Act 2016 (exceptions to section 56), after paragraph 9 insert—

*“Sanctions proceedings*

- 9A (1) Section 56(1) does not apply in relation to any proceedings—
- (a) on an application under section 38 of the Sanctions and Anti-Money Laundering Act 2018 (court review of decisions), or
- (b) on a claim arising from any matter to which such an application relates,
- or any proceedings arising out of such proceedings.
- (2) But sub-paragraph (1) does not permit the disclosure of anything to—
- (a) any person, other than the Secretary of State or the Treasury (as the case may be), who is or was a party to the proceedings, or
- (b) any person who—
- (i) represents such a person for the purposes of the proceedings, and
- (ii) does so otherwise than by virtue of appointment as a special advocate.”

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#### Commencement Information

**I69** Sch. 3 para. 7 in force at 22.11.2018 by S.I. 2018/1213, reg. 2(f)

#### *Policing and Crime Act 2017 (c. 3)*

- 8 (1) Part 8 of the Policing and Crime Act 2017 (financial sanctions) is amended as follows.
- (2) In section 143(4) (meaning of “financial sanctions legislation”) after paragraph (e) insert—
- “(f) a provision of regulations made under section 1 of the Sanctions and Anti-Money Laundering Act 2018 that contains a prohibition or requirement imposed for a purpose mentioned in section 3(1) or (2) of that Act.”
- (3) After section 143(4) insert—
- “(4A) But “financial sanctions legislation” does not include any provision of regulations made under section 1 of the Sanctions and Anti-Money Laundering Act 2018 which is specified in the regulations as a provision to be regarded as not being financial sanctions legislation for the purposes of this Part.”
- (4) Omit sections 152 to 156 (avoidance of delay: temporary regulations).

#### Commencement Information

**I70** Sch. 3 para. 8(1)-(3) in force at 22.11.2018 by S.I. 2018/1213, reg. 2(f)

**I71** Sch. 3 para. 8(4) in force at 27.5.2021 by S.I. 2021/628, reg. 2(b)

## PART 2

### REPEALS ETC CONSEQUENTIAL ON REPEALS IN TERRORIST ASSET-FREEZING ETC ACT 2010

#### *Repeals and revocations*

- 9 The following provisions are repealed or revoked—

<i>Title</i>	<i>Extent of repeal or revocation</i>
Senior Courts Act 1981	In Schedule 1, paragraph 2(bc).
Regulation of Investigatory Powers Act 2000	In section 18, subsection (1)(dc) and, in subsection (2)(zb), the words “or (dc)”.
Counter-Terrorism Act 2008	Section 28(2)(d).
Charities Act 2011	In section 178(1), in Case J, paragraph (a).
Electronic Money Regulations 2011 (S.I. 2011/99)	In regulation 13(8)(d), the words “the Terrorist Asset-Freezing etc Act 2010,”.

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Legal Aid, Sentencing and Punishment of Offenders Act 2012	In Schedule 5, paragraph 71.
Financial Services Act 2012	In Schedule 18, paragraph 132.
Counter-Terrorism and Security Act 2015	Section 45(2). Section 46(1)(b). Section 49(4)(c).
Investigatory Powers Act 2016	In Schedule 3, paragraph 11. In Schedule 10, paragraph 25.
Payment Services Regulations 2017 (S.I. 2017/752)	Regulation 14(5)(e).
Sanctions and Anti-Money Laundering Act 2018	In section 49(3), in the definition of “terrorist financing”, paragraph (d).

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**Commencement Information**

**I72** [Sch. 3 para. 9](#) in force at 31.12.2020 for specified purposes by [S.I. 2020/1535](#), [reg. 3\(e\)](#)

*Consequential amendment*

- 10 In Schedule 3 to the Investigatory Powers Act 2016 (exceptions to section 56), in paragraph 12, for “neither paragraph 10 nor paragraph 11 permits” substitute “paragraph 10 does not permit”.

**Commencement Information**

**I73** [Sch. 3 para. 10](#) in force at 31.12.2020 by [S.I. 2020/1535](#), [reg. 3\(f\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 49 modified by [2023 c. 29 s. 77\(1\)\(2\)](#)