



Sanctions and Anti-Money Laundering Act 2018

2018 CHAPTER 13

PART 1

SANCTIONS REGULATIONS

CHAPTER 1

POWER TO MAKE SANCTIONS REGULATIONS

Contents of sanctions regulations: further provision

17 Enforcement

- (1) In this section “regulations” means regulations under section 1.
- (2) Regulations may make provision—
 - (a) for the enforcement of any prohibitions or requirements imposed by regulations;
 - (b) for the enforcement of any prohibitions or requirements imposed under regulations, including, in particular, prohibitions or requirements imposed by—
 - (i) conditions of a licence or direction issued by virtue of section 15, or
 - (ii) directions given by virtue of sections 6 and 7;
 - (c) for preventing any prohibitions or requirements mentioned in paragraph (a) or (b) from being circumvented.
- (3) The provision that may be made by virtue of subsection (2) includes provision as to the powers and duties of any person who is to enforce the regulations.
- (4) Regulations—

Changes to legislation: There are currently no known outstanding effects for the Sanctions and Anti-Money Laundering Act 2018, Section 17. (See end of Document for details)

- (a) may create criminal offences for the purposes of the enforcement of prohibitions or requirements mentioned in subsection (2)(a) or (b) or for the purposes of preventing such prohibitions or requirements from being circumvented, and
 - (b) may include provision dealing with matters relating to any offences created for such purposes by regulations (including provision that creates defences).
- (5) Regulations may not provide for an offence under regulations to be punishable with imprisonment for a period exceeding—
 - (a) in the case of conviction on indictment, 10 years;
 - (b) in the case of summary conviction—
 - (i) in relation to England and Wales, [^{F1}the general limit in a magistrates’ court] or, in relation to offences committed before [^{F2}2 May 2022], 6 months;
 - (ii) in relation to Scotland, 12 months;
 - (iii) in relation to Northern Ireland, 6 months.
- (6) Regulations may include provision applying, for the purpose of the enforcement of any relevant prohibition or requirement, any provision of the Customs and Excise Management Act 1979 specified in the regulations, with or without modifications.
- (7) In subsection (6) a “relevant prohibition or requirement” means—
 - (a) a prohibition or requirement imposed by regulations for a purpose mentioned in—
 - (i) section 3(1)(b) to (g) or (2), or
 - (ii) Part 1 of Schedule 1, or
 - (b) a prohibition or requirement imposed by a condition of a licence or direction issued by virtue of section 15 in relation to a prohibition or requirement mentioned in paragraph (a).
- (8) Regulations may provide that a particular offence which is—
 - (a) created by virtue of this section, and
 - (b) specified by the regulations,
 is an offence to which Chapter 1 of Part 2 of the Serious Organised Crime and Police Act 2005 (investigatory powers) applies.
- (9) Regulations may provide that a particular provision of the regulations which—
 - (a) contains a prohibition or requirement imposed for a purpose mentioned in section 3(1) or (2) [^{F3}or makes supplemental provision in connection with any such prohibition or requirement], and
 - (b) is specified by the regulations,
 is to be regarded as not being financial sanctions legislation for the purposes of Part 8 of the Policing and Crime Act 2017 (financial sanctions: monetary penalties).

Textual Amendments

- F1** Words in s. 17(5)(b)(i) 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(1), [Sch. Pt. 1 table](#)

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- F2** Words in s. 17(5)(b)(i) 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(1), **Sch. Pt. 1**
- F3** Words in s. 17(9)(a) inserted (26.10.2023 for specified purposes, 15.11.2023 in so far as not already in force) by [Economic Crime and Corporate Transparency Act 2023](#) (c. 56), **ss. 214(3), 219(1)(2)(b)**; S.I. 2023/1206, reg. 2

Commencement Information

- I1** S. 17 in force at 22.11.2018 by [S.I. 2018/1213](#), **reg. 2(a)**

Changes to legislation:

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