

2014 No. 2932

CUSTOMS

**The Export Control (Russia, Crimea and Sevastopol Sanctions)
(Amendment) Order 2014**

<i>Made</i>	- - - -	<i>5th November 2014</i>
<i>Laid before Parliament</i>		<i>7th November 2014</i>
<i>Coming into force</i>	- -	<i>29th November 2014</i>

The Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972(a) in relation to measures relating to the interruption or reduction, in part or completely, of economic relations with one or more countries which are not Member States(b).

The Secretary of State, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972 and by sections 1, 2, 3, 4, 5 and 7 of the Export Control Act 2002(c), makes the following Order.

PART I

Introductory

Citation, Commencement and Application

1. This Order may be cited as the Export Control (Russia, Crimea and Sevastopol Sanctions) (Amendment) Order 2014 and comes into force on 29th November 2014.

Interpretation

2.—(1) In these Regulations—

“the Russia Sanctions Order” means the Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014(d).

“the Russia Sanctions Regulation” means Council Regulation (EU) No 833/2014(e) as amended by Council Regulation No 960/2014(f).

(2) An expression used both in this Order and the Russia Sanctions Regulation has the meaning that it bears in that Regulation.

(a) 1972 c.68; section 2(2) was amended by section 27(1) of the Legislative and Regulatory Reform Act 2006 (c.51) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c.7).
(b) S.I. 1994/757, to which there are amendments not relevant to these Regulations.
(c) 2002 c.28.
(d) S.I. 2014/2357.
(e) OJ No L 229 31.7.2014, p1.
(f) OJ No L 271 12.9.2014, p3.

PART III

AMENDMENTS TO THE RUSSIA SANCTIONS ORDER

3. The Russia Sanctions Order is amended as follows—

(a) in article 2, for the definition of “the Russia Sanctions Regulation” substitute—

““the Russia Sanctions Regulation” means Council Regulation (EU) No 833/2014 as amended by Council Regulation (EU) No 960/2014^(a) concerning restrictive measures in view of Russia’s actions destabilising the situation in Ukraine.”

(b) in article 3—

(i) after paragraph (a) insert—

“(aa) Article 2a(1) (prohibition on sale etc. of dual-use goods and technology as included in Annex I to Regulation (EC) No 428/2009, whether or not originating in the Union, to natural or legal persons, entities or bodies in Russia as listed in Annex IV to the Russia Sanctions Regulation);

(ab) Article 2a(2)(a) (prohibition on the provision of technical assistance, brokering services etc. related to dual-use goods and technology included in Annex I to Regulation (EC) No 428/2009, directly or indirectly to any person, entity or body in Russia, as listed in Annex IV to the Russia Sanctions Regulation);

(ac) Article 2a(2)(b) (prohibition on the prohibition of financing or financial assistance related to dual-use goods and technology included in Annex I to Regulation (EC) No 428/2009, directly or indirectly to any person, entity or body in Russia, as listed in Annex IV to the Russia Sanctions Regulation);”;

(c) after article 5 insert—

“Offences related to certain associated services necessary for deep water oil exploration etc. in Russia

5A. A person who is knowingly concerned in an activity prohibited by Article 3a of the Russia Sanctions Regulation (prohibition on the provision of certain associated services necessary for deep water oil exploration and production, arctic oil exploration and production, or shale oil projects in Russia) with intent to evade a prohibition in that Article commits an offence and may be arrested.”

(d) in article 9—

(i) in paragraph 1(a), for “Articles 2(1), 3(1), 4(1)(a) or (c) or 4(3)(a) of the Russia Sanctions Regulation” substitute “Articles 2(1), 2a(1) or (2)(a), 3(1), 4(1)(a) or (c) or 4(3)(a) of the Russia Sanctions Regulation”;

(ii) in paragraph 2(a), for “Articles 4(1)(b) or (d) or 4(3)(b) of the Russia Sanctions Regulation” substitute “Articles 2a(2)(b), 3a(1), 4(1)(b) or (d) or 4(3)(b) of the Russia Sanctions Regulation”.

(e) in article 11—

(i) in paragraph (1), for “articles 3(a) or (b), 4(2)(a)(i) or (ii), 5(a), 8(a) or (b) or 9(1)” substitute “articles 3(a), (aa), (ab) or (b), 4(2)(a)(i) or (ii), 5(a), 8(a) or (b) or 9(1)”

(ii) in paragraph (3), for “articles 3(c), 4(2)(a)(iii), 5(b), 6, 7, 8(c), 9(2) or 10” substitute “articles 3(ac) or (c), 4(2)(a)(iii), 5(b), 5A, 6, 7, 8(c), 9(2) or 10”

(a) OJ No L 271, 12.9.2014, p3.

- (iii) in paragraph (4), for “Articles 2(1) or 3(1) of the Russia Sanctions Regulation” substitute “Articles 2(1), 2a(1) or 3(1) of the Russia Sanctions Regulation”.

5th November 2014

Matthew Hancock
Minister of State for Business and Enterprise and Energy
Department for Business, Innovation and Skills

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the enforcement of certain new trade restrictions against Russia specified in Council Regulation (EU) No 960/2014 (OJ No L 271, 12.9.2014, p3) (“the Amending Regulation”) which amends Council Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia’s actions destabilising the situation in Ukraine. It does so by amending the Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014 (S.I. 2014/2357) (“the Russia Sanctions Order”) which makes provision for the enforcement of all current trade restrictions against Russia.

The new measures include prohibitions on the sale, supply, transfer or export of dual-use goods and technology to certain listed persons or entities in Russia, and on the provision of technical assistance, brokering, financing or financial assistance related to those goods to those listed persons or entities.

They also include a prohibition on the provision of certain associated services necessary for deep water oil exploration and production, arctic oil exploration and production, or shale oil projects in Russia, covering drilling, well testing, logging and completion services and the supply of specialised floating vessels.

Article 3 of the Order amends the Russia Sanctions Order to create offences and provide the penalties for contravention of the prohibitions set out in Articles 2a and 3a of the Amending Regulation.

A regulatory impact assessment has not been produced for this instrument as it has no or minimal impact on business, charities or voluntary bodies. A copy of the Explanatory Memorandum is published alongside the Regulations on www.legislation.gov.uk. Further information is available from the Export Control Organisation, BIS, 1 Victoria Street, London SW1H 0ET and on the [gov.uk](http://www.gov.uk) website (www.gov.uk).

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