
STATUTORY INSTRUMENTS

2018 No. 108

The Export Control (Venezuela Sanctions) Order 2018

PART 2

Offences in relation to prohibitions in the Venezuela Sanctions Regulation

Offences related to goods and technology in the EU Common List of Military Equipment

3.—(1) A person who is knowingly concerned in an activity which is prohibited by a provision of the Venezuela Sanctions Regulation mentioned in paragraph (2) with intent to evade that prohibition commits an offence and may be arrested.

(2) The provisions are—

- (a) Article 2(1)(a) (prohibition on the provision of technical assistance, brokering services and other services related to goods and technology listed in the EU Common List of Military Equipment⁽¹⁾ and to the provision, manufacture, maintenance and use of goods and technology listed in the EU Common List of Military Equipment to any natural or legal person, entity or body in, or for use in, Venezuela);
- (b) Article 2(1)(b) (prohibition on the provision of finance or financial assistance related to goods and technology listed in the EU Common List of Military Equipment to any natural or legal person, entity or body in, or for use in, Venezuela).

(3) Paragraph (1) does not apply to a person who is concerned in an activity which is authorised under Article 4(1) of the Venezuela Sanctions Regulation.

Offences related to items listed in Annex I of the Venezuela Sanctions Regulation

4.—(1) A person who is knowingly concerned in an activity (other than the export of goods) which is prohibited by a provision of the Venezuela Sanctions Regulation mentioned in paragraph (2) with intent to evade that prohibition commits an offence and may be arrested.

(2) The provisions are—

- (a) Article 3(a) (prohibition on the sale or transfer of equipment listed in Annex I of the Venezuela Sanctions Regulation to any natural or legal person, entity or body in, or for use in, Venezuela);
- (b) Article 3(b) (prohibition on the provision of technical assistance, brokering and other services related to the equipment listed in Annex I of the Venezuela Sanctions Regulation to any natural or legal person, entity or body in, or for use in, Venezuela);
- (c) Article 3(c) (prohibition on financing or financial assistance related to the equipment listed in Annex I of the Venezuela Sanctions Regulation to any natural or legal person, entity or body or for use in, Venezuela).

(3) Paragraph (1) does not apply to a person who is concerned in an activity which is authorised under Article 4(1) of the Venezuela Sanctions Regulation.

(1) OJ No C 129, 21.4.2015, p. 1.

Offence related to items listed in Annex II of the Venezuela Sanctions Regulation

5.—(1) A person who is knowingly concerned in an activity (other than the export of goods) which is prohibited by a provision of the Venezuela Sanctions Regulation mentioned in paragraph (2) with intent to evade that prohibition commits an offence and may be arrested.

(2) The provisions are—

- (a) Article 6(1) (prohibition on sale, supply, transfer or export of items listed in Annex II of the Venezuela Sanctions Regulation to any person, entity or body in, or for use in, Venezuela, without prior authorisation);
- (b) Article 7(1)(a) (prohibition on providing technical assistance or brokering services related to the items listed in Annex II of the Venezuela Sanctions Regulation to any person, entity or body or for use in Venezuela, without prior authorisation);
- (c) Article 7(1)(b) (prohibition on financing or financial assistance related to the items listed in Annex II of the Venezuela Sanctions Regulation to any person, entity or body in Venezuela, without prior authorisation);
- (d) Article 7(1)(c) (prohibition on providing telecommunications or internet monitoring or interception services to or for the benefit of Venezuela's Government, public bodies, corporations and agencies or any person or entity acting on their behalf, without prior authorisation).