STATUTORY INSTRUMENTS

2019 No. 411

EXITING THE EUROPEAN UNION SANCTIONS

The Democratic People's Republic of Korea (Sanctions) (EU Exit) Regulations 2019

Made - - - 5th March 2019

Laid before Parliament 8th March 2019 Coming into force in accordance with regulation 1(2)

THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA (SANCTIONS) (EU EXIT) REGULATIONS 2019

PART 1

General

- 1. Citation and commencement
- 2. Interpretation
- 3. Application of prohibitions and requirements outside the United Kingdom
- 4. Purposes

PART 2

Designation of persons

- 5. Power to designate persons
- 6. Criteria for designating a person
- 7. Meaning of "owned or controlled directly or indirectly"
- 8. Notification and publicity where designation power used
- 9. Confidential information in certain cases where designation power used
- 10. Designation of persons named by or under UN Security Council Resolutions

PART 3

Specification of ships

11. Specification of ships

12. Notification and publicity where specification power used

PART 4

Finance

CHAPTER 1

Asset-freeze etc.

- 13. Asset-freeze in relation to designated persons
- 14. Making funds available to designated person
- 15. Making funds available for benefit of designated person
- 16. Making economic resources available to designated person
- 17. Making economic resources available for benefit of designated person

CHAPTER 2

Investment, financial services and financial markets

- 18. UK credit or financial institutions: accounts and correspondent banking relationships etc.
- 19. UK credit or financial institutions: severance of existing financial relationships
- 20. Opening of or taking up of business by a representative office, branch or subsidiary of DPRK credit or financial institution
- 21. DPRK credit or financial institutions: branches, subsidiaries, and representative offices
- 22. Acquisition or extension of ownership interest by a DPRK credit or financial institution
- 23. Designated persons: closure of representative offices
- 24. Business arrangements with designated persons
- 25. Bank accounts for diplomatic missions etc.
- 26. Investment and commercial activities
- 27. Land
- 28. Transfers of funds etc.
- 29. Insurance and reinsurance services in relation to ships
- 30. Sale or purchase of bonds

CHAPTER 3

Interpretation and further provision

- 31. Circumventing etc. prohibitions
- 32. Meaning of "designated person" in Part 4
- 33. Interpretation of Part 4

PART 5

Immigration

34. Immigration

PART 6

Trade

CHAPTER 1

Military, dual-use and other arms- and WMD-related goods and military, dual-use and other arms- and WMD-related technology

- 35. Exports of restricted goods
- 36. Imports of restricted goods
- 37. Supply and delivery of restricted goods
- 38. Sale and purchase etc. of restricted goods and restricted technology
- 39. Transfer of restricted technology
- 40. Technical assistance relating to restricted goods and restricted technology
- 41. Financial services and funds relating to restricted goods and restricted technology
- 42. Brokering services: non-UK activity relating to restricted goods and restricted technology

CHAPTER 2

Other goods, technology and services

- 43. Goods and technology for armed forces of the DPRK
- 44. Armed forces goods and technology
- 45. Exports of certain goods
- 46. Supply and delivery of certain goods to the DPRK
- 47. Sale etc. of certain goods
- 48. Imports of certain goods
- 49. Supply and delivery of certain goods from the DPRK
- 50. Purchase etc. of certain goods and rights
- 51. Bank notes and coinage
- 52. Gold, precious metals or diamonds
- 53. Technical assistance relating to gold, precious metals or diamonds
- 54. Financial services and funds relating to gold, precious metals or diamonds
- 55. Brokering services: non-UK activity relating to gold, precious metals or diamonds
- 56. Mining, manufacturing and computer services
- 57. Financial support for trade

CHAPTER 3

Services relating to ships and aircraft

- 58. Leasing or chartering of ships and aircraft
- 59. Crew services for ships and aircraft
- 60. Ship classification services
- 61. Bunkering or ship supply services

CHAPTER 4

Interpretation and further provision

()	C:	
62.	Circumventing 6	ere propinitions
02.	Circuit voil till	cc. promotions

- 63. Defences
- 64. Interpretation of Part 6

PART 7

Aircraft

- 65. Movement of aircraft
- 66. Directions under regulation 65: supplementary
- 67. Offences
- 68. Interpretation of Part 7

PART 8

Ships

- 69. Ownership etc. of DPRK ships
- 70. Dealing with UN-designated ships subject to asset-freeze
- 71. Prohibition on port entry
- 72. Directions prohibiting port entry
- 73. Movement of ships
- 74. DPRK ships: transfers of goods
- 75. Detention of ships
- 76. Registration etc. of ships in the DPRK
- 77. Registration of ships in the United Kingdom
- 78. Circumventing etc. prohibitions
- 79. Defences
- 80. Interpretation of Part 8

PART 9

Exceptions and licences

- 81. Asset-freeze etc.: exceptions from prohibitions
- 81A Finance: humanitarian exception
- 82. Land: exceptions from prohibitions
- 83. Transfers of funds: exceptions from prohibitions
- 84. Trade: exceptions from prohibitions
- 85. Aircraft: exceptions from prohibition
- 86. Ships: exceptions from prohibitions on port entry
- 86A Exception for authorised conduct in a relevant country
- 87. Exception for acts done for purposes of national security or prevention of serious crime
- 88. Treasury licences
- 89. Treasury directions
- 90. Trade licences
- 91. Aircraft licences
- 92. Ship licences
- 93. Licences: general provisions
- 94. Treasury directions: general provisions
- 95. Finance: licensing offences

- 96. Trade: licensing offences
- 97. Ships and aircraft: licensing offences
- 98. Section 8B(1) to (3) of Immigration Act 1971: directions

PART 10

Information and records

- 99. Finance: reporting obligations
- 100. "Relevant firm"
- 101. Proliferation financing
- 102. Finance: powers to request information
- 103. Finance: production of documents
- 104. Finance: information offences
- 105. Trade: application of information powers in CEMA
- 106. General trade licences: records
- 107. General trade licences: inspection of records
- 108. Disclosure of information
- 108A Finance: disclosure to the Treasury
- 109. Part 10: supplementary

PART 11

Enforcement

- 110. Penalties for offences
- 111. Liability of officers of bodies corporate etc.
- 112. Jurisdiction to try offences
- 113. Procedure for offences by unincorporated bodies
- 114. Time limit for proceedings for summary offences
- 115. Trade enforcement: application of CEMA
- 116. Trade offences in CEMA: modification of penalty
- 117. Application of Chapter 1 of Part 2 of Serious Organised Crime and Police Act 2005
- 118. Monetary penalties

PART 12

Maritime enforcement

- 119. Exercise of maritime enforcement powers
- 120. Maritime enforcement officers
- 121. Power to stop, board, search etc.
- 122. Seizure power
- 123. Restrictions on exercise of maritime enforcement powers
- 124. Interpretation of Part 12

PART 13

Supplementary and final provision

- 125. Directions under Parts 7 and 8
- 126. Notices
- 127. Article 20 of the Export Control Order 2008
- 128. Trade: overlapping offences
- 129. Amendment of the United Nations and European Union Financial Sanctions (Linking) Regulations 2017

- 130. Revocations
- 131. Transitional provision: Treasury licences
- 132. Transitional provision: trade licences
- 133. Transitional provision: pending applications for trade licences
- 134. Transitional provision: prior obligations etc. Signature

SCHEDULES

SCHEDULE 1 — Rules for interpretation of regulation 7(2)

- 1. Application of Schedule
- 2. Joint interests
- 3. Joint arrangements
- 4. Calculating shareholdings
- 5. Voting rights
- 6. In applying regulation 7(2) and this Schedule, the voting rights...
- 7. Rights to appoint or remove members of the board
- 8. A reference to a board of directors, in the case...
- 9. Shares or rights held "indirectly"
- 10. Shares held by nominees
- 11. Rights treated as held by person who controls their exercise
- 12. "Arrangement" includes— (a) any scheme, agreement or understanding, whether or...
- 13. Rights exercisable only in certain circumstances etc.
- 14. Rights attached to shares held by way of security

SCHEDULE 2 — Other arms- and WMD-related goods and technology

- 1. Interpretation
- 2. Principal element
- 3. Nuclear materials, facilities, and equipment
- 4. Faraday isolators in the wavelength range 500 nm-650 nm.
- 5. Optical gratings in the wavelength range 500 nm-650 nm.
- 6. Optical fibres in the wavelength range 500 nm-650 nm coated...
- 7. Nuclear reactor vessel components and testing equipment, other than those...
- 8. (1) Nuclear detection systems, other than those specified in Dual-Use...
- 9. Bellows-sealed valves other than those specified in Dual-Use codes 0B001.c.6.,...
- 10. (1) Laser mirrors, other than those specified in Dual-Use code...
- 11. Laser lenses, other than those specified in Dual-Use code 6A005.e.2,...
- 12. Pipes, piping, flanges, fittings made of, or lined with nickel,...
- 13. Vacuum pumps other than those specified in Dual-Use code 0B002.f.2....
- 14. Shielded enclosures for the manipulation, storage and handling of radioactive...
- 15. (1) Natural uranium, depleted uranium or thorium in the form...
- 16. Detonation chambers having a capacity of explosion absorption of more...
- 17. Special materials and related equipment
- 18. Fluorine gas (CAS No 7782-41-4), with a purity of at...
- 19. Ring-shaped seals and gaskets, having an inner diameter of 400...
- 20. Personal equipment for detecting radiation of nuclear origin, other than...
- 21. Electrolytic cells for fluorine production, other than those specified in...
- 22. Catalysts, other than those specified in Dual-Use codes 1A225 or...

Changes to legislation: There are currently no known outstanding effects for the The Democratic People's Republic of Korea (Sanctions) (EU Exit) Regulations 2019. (See end of Document for details)

- 23. (1) Aluminium and its alloys, other than those specified in...
- 24. (1) Magnetic metals, of all types and of whatever form,...
- 25. (1) Fibrous or filamentary materials or prepregs, other than those...
- 26. (1) Resin-impregnated or pitch-impregnated fibres (prepregs), metal or carbon-coated fibres...
- 27. (1) Reinforced silicon carbide ceramic composites usable for nose tips,...
- 28. Tantalum, tantalum carbide, tungsten, tungsten carbide and alloys thereof, other...
- 29. (1) Elemental powders of cobalt, neodymium or samarium or alloys...
- 30. Pure tributyl phosphate (TBP) (CAS No 126-73-8) or any mixture...
- 31. (1) Maraging steel, other than those specified by Dual-Use codes...
- 32. Metals, metal powders and material as follows—
- 33. Soft magnetic alloys, other than those specified in Dual-Use code...
- 34. Graphite, other than that specified in Dual-Use code 0C004 or...
- 35. (1) Steel alloys in sheet or plate form, having any...
- 36. Carbon-Carbon Composite material.
- 37. Nickel alloys in crude or semi-fabricated form, containing 60 %...
- 38. (1) Titanium alloys in sheet or plate form capable of...
- 39. Titanium alloys, other than those specified in Dual-Use codes 1C002...
- 40. Zirconium and zirconium alloys, other than those specified in Dual-Use...
- 41. Explosive materials other than those specified in Dual-Use code 1C239,...
- 42. Materials processing
- 43. Machine tools, other than those specified in Dual-Use codes 2B001...
- 44. Components and numerical controls, specially designed for machine tools specified...
- 45. Balancing machines and related equipment as follows—
- 46. (1) Remote manipulators that can be used to provide remote...
- 47. Controlled atmosphere heat treatment furnaces or oxidation furnaces capable of...
- 48. (1) Pressure transducers, other than those defined in Dual-Use codes...
- 49. (1) Liquid-liquid contacting equipment (mixer-settlers, pulsed columns, plate columns, centrifugal...
- 50. (1) Industrial equipment and components, other than those specified in...
- 51. (1) Multiple-seal, and seal-less pumps, other than those specified in...
- 52. (1) Centrifugal separators, other than those specified in Dual-Use code...
- 53. Sintered metal filters, other than those specified in Dual-Use code...
- 54. (1) Spin-forming machines and flow-forming machines, other than those specified...
- 55. (1) Equipment and reagents, other than those specified in Dual-Use...
- 56. Equipment, other than that specified in Dual-Use code 2B005, 2B105...
- 57. Open tanks or containers, with or without agitators, with a...
- 58. Electronics
- 59. (1) Mass spectrometers, other than those specified in Dual-Use code...
- 60. (1) Frequency changers or generators, other than those specified by...
- 61. Spectrometers and diffractometers, designed for the indicative test or quantitative...
- 62. Sensors and lasers
- 63. Yttrium aluminium garnet (YAG) rods.
- 64. Optical equipment and components, other than those specified in Dual-Use...
- 65. (1) Wave front corrector systems, other than mirrors specified in...
- 66. Argon ion lasers, other than those specified in Dual-Use codes...
- 67. (1) Subject to sub-paragraph (2), semiconductor lasers, other than those...

- 68. Tunable semiconductor lasers and tunable semiconductor laser arrays, other than
- 69. (1) Solid state tunable lasers, other than those specified in...
- 70. Neodymium-doped (other than glass) lasers, other than those specified in...
- 71. Components of acousto-optics, as follows— (a) framing tubes and solid-state...
- 72. (1) Radiation-hardened cameras, or lenses thereof, other than those specified...
- 73. Tunable pulsed dye laser amplifiers and oscillators, other than those...
- 74. Pulsed carbon dioxide lasers, other than those specified in, Dual-Use...
- 75. Lasers, other than those specified in Dual-Use code 6A005 or...
- 76. Navigation and avionics
- 77. Aerospace and propulsion
- 78. (1) Internal combustion engines ... designed or modified for propelling...
- 79. Trucks, other than those specified in Dual-Use code 9A115, having...
- 80. Software and Technology
- 81. Certain key components for the ballistic-missile sector.

SCHEDULE 3 — Treasury licences: purposes

PART 1 — Designated Persons

- 1. Basic needs
- 2. Legal services
- 3. Maintenance of frozen funds and economic resources
- 4. Extraordinary expenses
- 5. Pre-existing judicial decisions etc.
- 6. Humanitarian assistance activities etc.
- 7. Diplomatic missions etc.

PART 2 — Non-UN designated persons

- 8. Prior obligations
- 9. Extraordinary situation

PART 3 — Interpretation

10. In this Schedule—(a) "armed forces goods" and "armed forces...

Explanatory Note

Changes to legislation:
There are currently no known outstanding effects for the The Democratic People's Republic of Korea (Sanctions) (EU Exit) Regulations 2019.