STATUTORY INSTRUMENTS

2019 No. 618

The Chemical Weapons (Sanctions) (EU Exit) Regulations 2019

PART 1

General

Citation and commencement

1.—(1) These Regulations may be cited as the Chemical Weapons (Sanctions) (EU Exit) Regulations 2019.

(2) These Regulations come into force in accordance with regulations made under section 56 of the Act.

Interpretation

2. In these Regulations—

"the Act" means the Sanctions and Anti-Money Laundering Act 2018;

"arrangement" includes any agreement, understanding, scheme, transaction or series of transactions, whether or not legally enforceable (but see paragraph 12 of Schedule 1 for the meaning of that term in that Schedule);

"chemical weapons" means chemical weapons as defined in Article II of the Chemical Weapons Convention;

"the Chemical Weapons Convention" means the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, signed at Paris on 13 January 1993(**1**);

"conduct" includes acts and omissions;

"document" includes information recorded in any form and, in relation to information recorded otherwise than in legible form, references to its production include producing a copy of the information in legible form;

"the EU Chemical Weapons Regulation" means Council Regulation (EU) No 2018/1542 of 15 October 2018, concerning restrictive measures against the proliferation and use of chemical weapons(**2**), as it has effect in EU law immediately before exit day;

"prohibited activity related to chemical weapons" means any of the following—

(a) developing, producing, acquiring, possessing, transporting, stockpiling, or retaining chemical weapons,

(b) directly or indirectly transferring chemical weapons to any person,

(c) using chemical weapons, or

(d) engaging in preparations for the use of chemical weapons;

(**1**) United Nations Treaty Series, vol. 1974 (p.45) and vol. 1975 (p.3).
(**2**) OJ L 259, 16.10.2018, p.12.

"Treasury licence" means a licence under regulation 20(1);

"United Kingdom person" has the same meaning as in section 21 of the Act.

Application of prohibitions and requirements outside the United Kingdom

3.—(1) A United Kingdom person may contravene a relevant prohibition by conduct wholly or partly outside the United Kingdom.

(2) Any person may contravene a relevant prohibition by conduct in the territorial sea.

(3) For the purposes of this regulation, a "relevant prohibition" means any prohibition imposed by—

(a) regulation 9(2) (confidential information),

(b) Part 3 (Finance), or

(c) a condition of a Treasury licence.

(4) A United Kingdom person may comply, or fail to comply, with a relevant requirement by conduct wholly or partly outside the United Kingdom.

(5) Any person may comply, or fail to comply, with a relevant requirement by conduct in the territorial sea.

(6) For the purposes of this regulation, a "relevant requirement" means any requirement imposed—

(a) by or under Part 6 (Information and records), or by reason of a request made under a power conferred by that Part, or

(b) by a condition of a Treasury licence.

(7) Nothing in this regulation is to be taken to prevent a relevant prohibition or a relevant requirement from applying to conduct (by any person) in the United Kingdom.

Purpose

4. The purpose of the regulations contained in this instrument that are made under section 1 of the Act is to deter the proliferation and use of chemical weapons, including encouraging the effective implementation of the Chemical Weapons Convention.