

## STATUTORY INSTRUMENTS

# 2019 No. 855

## The Russia (Sanctions) (EU Exit) Regulations 2019

### PART 9

#### Enforcement

##### Trade offences in CEMA: modification of penalty

**86.**—(1) Paragraph (2) applies where a person is guilty of an offence under section 50(2) of CEMA in connection with a prohibition mentioned in regulations 23 <sup>[<sup>F1</sup>]</sup>, 46D <sup>[<sup>F2</sup>]</sup>, 46IB <sup>[<sup>F3</sup>]</sup>, 46S <sup>[<sup>F4</sup>]</sup>, 46XB <sup>[<sup>F5</sup>]</sup>, 46Z4, 46Z11, <sup>[<sup>F6</sup>]</sup>46Z16B, <sup>[<sup>F7</sup>]</sup>46Z16C, <sup>[<sup>F8</sup>]</sup>46Z18, <sup>[<sup>F9</sup>]</sup>46Z25, 46T or 47(1) (imports).

(2) Where this paragraph applies, the reference to 7 years in section 50(4)(b) of CEMA <sup>M1</sup> is to be read as a reference to 10 years.

(3) Paragraph (4) applies where a person is guilty of an offence under section 68(2) of CEMA in connection with a prohibition mentioned in regulations 22(1), <sup>F10</sup>... <sup>[<sup>F11</sup>]</sup>30B, 40(1), 46B(1), 46N(1), <sup>[<sup>F12</sup>]</sup>46Y(1) or 48 (exports).

(4) Where this paragraph applies, the reference to 7 years in section 68(3)(b) of CEMA <sup>M2</sup> is to be read as a reference to 10 years.

(5) Paragraph (6) applies where a person is guilty of an offence under section 170(2) of CEMA in connection with a prohibition mentioned in regulation 22(1), 23, <sup>F13</sup>... <sup>[<sup>F14</sup>]</sup>30B, 40(1), 46B(1), 46D, 46N(1), 46S <sup>[<sup>F15</sup>]</sup>, 46XB, <sup>[<sup>F16</sup>]</sup>46Y(1), 46Z4, 46Z11, <sup>[<sup>F17</sup>]</sup>46Z18, <sup>[<sup>F18</sup>]</sup>47(1) or 48 (exports and imports).

(6) Where this paragraph applies, the reference to 7 years in section 170(3)(b) of CEMA <sup>M3</sup> is to be read as a reference to 10 years.

##### Textual Amendments

- F1** Word in reg. 86(1) inserted (14.4.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/452), regs. 1(2), **8(a)**
- F2** Word in reg. 86(1) inserted (30.9.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(3), **3(2)**
- F3** Word in reg. 86(1) inserted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), **11(2)** (with reg. 13)
- F4** Word in reg. 86(1) inserted (21.4.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(2), **12(a)**
- F5** Words in reg. 86(1) inserted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), **24(a)**
- F6** Words in reg. 86(1) inserted (29.10.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022 (S.I. 2022/1110), regs. 1(2)(b), **9(a)**
- F7** Word in reg. 86(1) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), reg. 1(2)(b), **Sch. 4 para. 8(a)(i)**

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**Changes to legislation:** There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, Section 86. (See end of Document for details)

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- F8** Word in reg. 86(1) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), reg. 1(2)(b), **Sch. 4 para. 8(a)(ii)**
- F9** Words in reg. 86(1) inserted (23.6.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 10) Regulations 2022 (S.I. 2022/689), regs. 1(2), **11(2)**
- F10** Word in reg. 86(3) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **8** (with reg. 11)
- F11** Words in reg. 86(3) substituted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), **11(3)** (with reg. 13)
- F12** Word in reg. 86(3) inserted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), **24(b)**
- F13** Word in reg. 86(5) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022 (S.I. 2022/195), regs. 1(2), **8** (with reg. 11)
- F14** Words in reg. 86(5) substituted (15.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022 (S.I. 2022/792), regs. 1(2), **11(4)** (with reg. 13)
- F15** Word in reg. 86(5) inserted (21.4.2023) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/440), regs. 1(2), **12(b)**
- F16** Words in reg. 86(5) inserted (21.7.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022 (S.I. 2022/850), regs. 1(2), **24(c)**
- F17** Word in reg. 86(5) substituted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), reg. 1(2)(b), **Sch. 4 para. 8(b)**

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#### Commencement Information

- I1** Reg. 86 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

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#### Marginal Citations

- M1** The words “7 years” were inserted in section 50(4)(b) of CEMA by the Finance Act 1988, section 12.
- M2** The words “7 years” were inserted in section 68(3)(b) of CEMA by the Finance Act 1988, section 12.
- M3** The words “7 years” were inserted in section 170(3)(b) of CEMA by the Finance Act 1988, section 12.

**Changes to legislation:**

There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, Section 86.