
STATUTORY INSTRUMENTS

2020 No. 680

The Global Human Rights Sanctions Regulations 2020

PART 2

Designation of persons

Designation criteria

6.—(1) The Secretary of State may not designate a person under regulation 5 unless the Secretary of State—

- (a) has reasonable grounds to suspect that that person is an involved person, and
- (b) considers that the designation of that person is appropriate, having regard to—
 - (i) the purposes stated in regulation 4, and
 - (ii) the likely significant effects of the designation on that person (as they appear to the Secretary of State to be on the basis of the information that the Secretary of State has).

(2) In this regulation an “involved person” means a person who—

- (a) is or has been involved in an activity falling within regulation 4(2),
- (b) is owned or controlled directly or indirectly (within the meaning of regulation 7) by a person who is or has been so involved,
- (c) is acting on behalf of or at the direction of a person who is or has been so involved, or
- (d) is a member of, or associated with, a person who is or has been so involved.

(3) For the purposes of this regulation a person is “involved in an activity falling within regulation 4(2)” if—

- (a) the person is responsible for or engages in such an activity;
- (b) the person facilitates, incites, promotes or provides support for such an activity;
- (c) the person conceals evidence of such an activity;
- (d) the person provides financial services, or makes available funds, economic resources, goods or technology, knowing or having reasonable cause to suspect that those financial services, funds, economic resources, goods or technology will or may contribute to such an activity;
- (e) the person provides financial services, or makes available funds, economic resources, goods or technology to a person mentioned in sub-paragraph (a);
- (f) the person profits financially or obtains any other benefit from an activity falling within regulation 4(2);
- (g) the person is responsible for the investigation or prosecution of such an activity and intentionally or recklessly fails to fulfil that responsibility; or
- (h) the person contravenes, or assists with the contravention of, any provision of Part 3 of these Regulations.

(4) Nothing in any sub-paragraph of paragraph (3) is to be taken to limit the meaning of any of the other sub-paragraphs of that paragraph.

(5) Any reference in this regulation to being involved in an activity falling within regulation 4(2) includes being so involved wherever any actions constituting the involvement take place.