



Sanctions and Anti-Money Laundering Act 2018

2018 CHAPTER 13

PART 1

SANCTIONS REGULATIONS

CHAPTER 2

REVIEW BY APPROPRIATE MINISTER, AND OTHER REVIEWS

Revocation, variation and review of designations

22 Power to vary or revoke designation made under regulations

- (1) In this section and section 23—
 - “a relevant designation” means a designation made under a designation power contained in regulations under section 1;
 - “the Minister”, in relation to a relevant designation, means the appropriate Minister who made that designation.
- (2) A relevant designation may at any time be varied or revoked by the Minister.
- (3) If at any time the Minister considers that the required conditions are not met in respect of a relevant designation, the Minister must revoke the designation.
- (4) In subsection (3) “the required conditions” means—
 - (a) if the designation is of a named person, the conditions of the provision included in the regulations under section 11(2) (reading that provision, so far as made under section 11(2)(b), as if references to the designation were references to leaving the designation in place),

- (b) if the designation is of persons of a specified description, the conditions of the provision included in the regulations under section 12(2) (reading that provision, so far as made under section 12(5)(b), as if references to the designation were references to leaving the designation in place).

23 Right to request variation or revocation of designation

- (1) At any time while a relevant designation has effect, the designated person may—
 - (a) request the Minister to vary the designation, or
 - (b) request the Minister to revoke the designation.
- (2) But where a request under this section has been made in respect of a designation, no further request may be made under this section in respect of that designation unless the grounds on which the further request is made are or include that there is a significant matter which has not previously been considered by the Minister.
- (3) On a request under this section the Minister must decide whether to vary or revoke the designation or to take no action with respect to it (but see section 22(3)).
- (4) In this section —
 - “the designated person” means the person named by the designation or, where the designation is of persons of a specified description, any person of that description;
 - “the Minister” has the meaning given by section 22(1);
 - “relevant designation” has the meaning given by section 22(1).

24 Periodic review of certain designations

- (1) This section applies where—
 - (a) regulations under section 1 which contain a designation power are in force, and
 - (b) any qualifying designations have been made by an appropriate Minister under the power.
- (2) That appropriate Minister must in each review period—
 - (a) consider each qualifying designation which has effect, and
 - (b) decide in the case of each such designation whether to vary or revoke the designation or to take no action with respect to it (but see section 22(3)).
- (3) In this section a “qualifying designation” means a designation which designates a named person, or persons of a specified description, for the purposes of any provision of the regulations that—
 - (a) imposes a prohibition or requirement for a purpose mentioned in section 3(1) (a), (b)(i) or (d)(i) (asset-freezing etc), or
 - (b) provides for designated persons to be excluded persons for the purposes of section 8B of the Immigration Act 1971.
- (4) For the purposes of this section each of the following is a “review period”—
 - (a) the period of 3 years beginning with the date when the regulations are made, and
 - (b) each period of 3 years that begins with the date of completion of a review under this section of qualifying designations under the regulations.

25 Right of UN-named person to request review

- (1) This section applies where—
 - (a) the purpose, or a purpose, of a provision of regulations under section 1 is compliance with an obligation to take particular measures that the United Kingdom has by virtue of a UN Security Council Resolution (“the Resolution”),
 - (b) a person is a designated person for the purposes of that provision, and
 - (c) the person is such a designated person under provision included in the regulations by virtue of section 13 (persons named by or under UN Security Council Resolutions).
- (2) The person may request the Secretary of State to use the Secretary of State’s best endeavours to secure that the person’s name is removed from the relevant UN list.
- (3) But where a person has made a request under this section in respect of a designation, that person may make no further request under this section in respect of that designation unless the grounds on which the further request is made are or include that there is a significant matter which has not previously been considered by the Secretary of State.
- (4) On a request under this section the Secretary of State must decide whether or not to comply with the request.
- (5) For the purposes of this section a person’s name is “removed from the relevant UN list” if the person ceases to be named (by the Security Council or a subsidiary organ of the Security Council) for the purposes of the Resolution so far as it provides for the taking of the measures in question.