Sanctions and Anti-Money Laundering Act 2018

2018 CHAPTER 13

PART 1

SANCTIONS REGULATIONS

CHAPTER 1

POWER TO MAKE SANCTIONS REGULATIONS

Contents of sanctions regulations: further provision

17 Enforcement

(1) In this section "regulations" means regulations under section 1.

(2) Regulations may make provision—

(a) for the enforcement of any prohibitions or requirements imposed by regulations;

(b) for the enforcement of any prohibitions or requirements imposed under regulations, including, in particular, prohibitions or requirements imposed by—

(i) conditions of a licence or direction issued by virtue of section 15, or

(ii) directions given by virtue of sections 6 and 7;

(c) for preventing any prohibitions or requirements mentioned in paragraph (a) or (b) from being circumvented.

(3) The provision that may be made by virtue of subsection (2) includes provision as to the powers and duties of any person who is to enforce the regulations.

(4) Regulations—

Status: *Point in time view as at 22/11/2018. This version of this provision has been superseded.*
Changes to legislation: *There are currently no known outstanding effects for the Sanctions and Anti-Money Laundering Act 2018, Section 17. (See end of Document for details)*

(a) may create criminal offences for the purposes of the enforcement of prohibitions or requirements mentioned in subsection (2)(a) or (b) or for the purposes of preventing such prohibitions or requirements from being circumvented, and

(b) may include provision dealing with matters relating to any offences created for such purposes by regulations (including provision that creates defences).

(5) Regulations may not provide for an offence under regulations to be punishable with imprisonment for a period exceeding—

(a) in the case of conviction on indictment, 10 years;

(b) in the case of summary conviction—

(i) in relation to England and Wales, 12 months or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 comes into force, 6 months;

(ii) in relation to Scotland, 12 months;

(iii) in relation to Northern Ireland, 6 months.

(6) Regulations may include provision applying, for the purpose of the enforcement of any relevant prohibition or requirement, any provision of the Customs and Excise Management Act 1979 specified in the regulations, with or without modifications.

(7) In subsection (6) a "relevant prohibition or requirement" means—

(a) a prohibition or requirement imposed by regulations for a purpose mentioned in—

(i) section 3(1)(b) to (g) or (2), or

(ii) Part 1 of Schedule 1, or

(b) a prohibition or requirement imposed by a condition of a licence or direction issued by virtue of section 15 in relation to a prohibition or requirement mentioned in paragraph (a).

(8) Regulations may provide that a particular offence which is—

(a) created by virtue of this section, and

(b) specified by the regulations,

is an offence to which Chapter 1 of Part 2 of the Serious Organised Crime and Police Act 2005 (investigatory powers) applies.

(9) Regulations may provide that a particular provision of the regulations which—

(a) contains a prohibition or requirement imposed for a purpose mentioned in section 3(1) or (2), and

(b) is specified by the regulations,

is to be regarded as not being financial sanctions legislation for the purposes of Part 8 of the Policing and Crime Act 2017 (financial sanctions: monetary penalties).

Commencement Information

I1 S. 17 in force at 22.11.2018 by S.I. 2018/1213, **reg. 2(a)**

Status:
Point in time view as at 22/11/2018. This version of this provision has been superseded.

Changes to legislation:
There are currently no known outstanding effects for the Sanctions and Anti-Money Laundering Act 2018, Section 17.