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STATUTORY INSTRUMENTS

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**2019 No. 1142**

**The Burundi (Sanctions) (EU Exit) Regulations 2019**

**PART 1**

**General**

**Citation and commencement**

- 1.—(1) These Regulations may be cited as the Burundi (Sanctions) (EU Exit) Regulations 2019.  
(2) These Regulations come into force in accordance with regulations made by the Secretary of State 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);  
“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 Burundi Regulation” means Council Regulation (EU) No 2015/1755 of 1 October 2015, concerning restrictive measures in view of the situation in Burundi<sup>(1)</sup>, as it has effect in EU law;  
“the Government of Burundi” includes its public bodies, corporations or agencies, or any person acting on its behalf or at its direction;  
“serious human rights violation or abuse” means a serious violation or abuse of any of the human rights specified in regulation 4(d);  
“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) In this regulation a “relevant prohibition” means any prohibition imposed—

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(1) OJ L 257, 2.10.2015, p. 1-10.

- (a) by regulation 9(2) (confidential information),
  - (b) by Part 3 (finance), or
  - (c) by 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) In 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.

#### **Purposes**

4. The purposes of the regulations contained in this instrument that are made under section 1 of the Act are to encourage the Government of Burundi to—
- (a) respect democratic principles and institutions, the rule of law and good governance in Burundi;
  - (b) participate in negotiations with its political opponents in good faith to bring about a peaceful solution to the political situation in Burundi;
  - (c) refrain from policies or activities which repress civil society in Burundi;
  - (d) comply with international human rights law and to respect human rights, including in particular, to respect—
    - (i) the right to life of persons in Burundi;
    - (ii) the right of persons not to be subjected to torture or cruel, inhuman or degrading treatment or punishment in Burundi, including in the context of rape, other forms of sexual violence and gender based violence;
    - (iii) the right to liberty and security of persons in Burundi, including freedom from arbitrary arrest, detention or enforced disappearance;
    - (iv) the rights of journalists, human rights defenders and other persons in Burundi, to freedom of expression and peaceful assembly.