
STATUTORY INSTRUMENTS

2019 No. 411

The Democratic People's Republic of Korea
(Sanctions) (EU Exit) Regulations 2019

PART 6

Trade

CHAPTER 2

Other goods, technology and services

Brokering services: non-UK activity relating to gold, precious metals or diamonds

55.—(1) A person must not directly or indirectly provide brokering services to a DPRK Government person in relation to an arrangement (“arrangement A”) whose object or effect is—

- (a) the direct or indirect supply or delivery of gold, precious metals or diamonds from a non-UK country to a different non-UK country,
- (b) directly or indirectly making gold, precious metals or diamonds available in a non-UK country for supply or delivery to a different non-UK country,
- (c) the direct or indirect acquisition, in a non-UK country, of gold, precious metals or diamonds, for supply or delivery to a different non-UK country,
- (d) the direct or indirect procurement from a non-UK country of technical assistance relating to gold, precious metals or diamonds,
- (e) the direct or indirect procurement of financial services from a non-UK country, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 54(1), or
- (f) the direct or indirect provision of funds from a non-UK country, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 54(1).

(2) A person must not directly or indirectly provide brokering services in relation to an arrangement (“arrangement A”) whose object or effect is—

- (a) the direct or indirect supply or delivery of gold, precious metals or diamonds from a third country to a DPRK Government person,
- (b) the direct or indirect supply or delivery of gold, precious metals or diamonds from a DPRK Government person to a place in a third country,
- (c) directly or indirectly making gold, precious metals or diamonds available in a third country for direct or indirect supply or delivery to a DPRK Government person, or
- (d) the direct or indirect acquisition in a third country of gold, precious metals or diamonds from a DPRK Government person.

(3) Paragraphs (1) and (2) are subject to Part 9 (Exceptions and licences).

(4) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence (“P”) to show that P did not know and had no reasonable cause to suspect that the person was a DPRK Government person.

(5) A person who contravenes a prohibition in paragraph (2) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that the brokering services were provided in relation to an arrangement mentioned in that paragraph.

(6) In this regulation—

“non-UK country” means—

- (a) for the purposes of paragraph (1)(a), (b) and (c), a country that is not the United Kingdom or the Isle of Man,
- (b) for the purposes of any other provision of this regulation, a country that is not the United Kingdom;

“third country” means a country that is not the United Kingdom, the Isle of Man or the DPRK.