
STATUTORY INSTRUMENTS

2019 No. 573

The Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019

PART 10

Supplementary and final provision

Notices

57.—(1) This regulation applies in relation to a notice required by regulation 31 (treasury licences) to be given to a person.

(2) The notice may be given to an individual—

- (a) by delivering it to the individual,
- (b) by sending it to the individual by post addressed to the individual at his or her usual or last-known place of residence or business, or
- (c) by leaving it for the individual at that place.

(3) The notice may be given to a person other than an individual—

- (a) by sending it by post to the proper officer of the body at its principal office, or
- (b) by addressing it to the proper officer of the body and leaving it at that office.

(4) The notice may be given to the person by other means, including by electronic means, with the person's consent.

(5) In this regulation, the reference in paragraph (3) to a “principal office”—

- (a) in relation to a registered company, is to be read as a reference to the company's registered office;
- (b) in relation to a body incorporated or constituted under the law of a country other than the United Kingdom, includes a reference to the body's principal office in the United Kingdom (if any).

(6) In this regulation—

“proper officer”—

- (a) in relation to a body other than a partnership, means the secretary or other executive officer charged with the conduct of the body's general affairs; and
- (b) in relation to a partnership, means a partner or a person who has the control or management of the partnership business;

“registered company” means a company registered under the enactments relating to companies for the time being in force in the United Kingdom.

Commencement Information

- 11** Reg. 57 not in force at made date, see reg. 1(2)
12 Reg. 57 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 11\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Trade: overlapping offences

58. A person is not to be taken to commit an offence under the Export Control Order 2008 if the person would, in the absence of this regulation, commit an offence under both—

- (a) article 34 of that Order, and
 (b) any provision of Part 5 (trade).

Commencement Information

- 13** Reg. 58 not in force at made date, see reg. 1(2)
14 Reg. 58 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 11\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Revocation of the ISIL (Da'esh) and Al-Qaida (Asset-Freezing) Regulations 2011

59. The ISIL (Da'esh) and Al-Qaida (Asset-Freezing) Regulations 2011 ^{M1} are revoked.

Commencement Information

- 15** Reg. 59 not in force at made date, see reg. 1(2)
16 Reg. 59 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 11\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Marginal Citations

- M1** [S.I. 2011/2742](#) as amended by [S.I. 2018/1149](#); [S.I. 2018/682](#); [S.I. 2017/754](#); [S.I. 2017/560](#); [S.I. 2016/937](#); [S.I. 2013/472](#), and the [Wales Act 2014](#) (c.29).

Other revocations

60.—(1) Council Regulation [\(EC\) No 2580/2001](#) of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism is revoked.

(2) Council Implementing Regulation (EU) 2019/24 of 8 January 2019 implementing Article 2(3) of Regulation [\(EC\) No 2580/2001](#) on specific restrictive measures directed against certain persons and entities with a view to combating terrorism, and repealing Implementing Regulation (EU) 2018/1071 is revoked.

(3) Council Regulation (EU) 2016/1686 of 20 September 2016 imposing additional restrictive measures directed against ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them is revoked.

Commencement Information

- 17** Reg. 60 not in force at made date, see reg. 1(2)
18 Reg. 60 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 11\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)

[^{F1}Amendment of the Charities Act 2011

60A.—(1) The Charities Act 2011 is amended as set out in paragraph (2).

(2) In section 178(1), in Case J, for paragraph (b) substitute—

“(b) regulations 11 to 15 of the Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/573), or”.

F1 Regs. 60A, 60B inserted (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Consequential Provisions) (Amendment) Regulations 2020 (S.I. 2020/1289), regs. 1(2), 3(2); S.I. 2020/1514, reg. 21

Amendment of the Sanctions and Anti-Money Laundering Act 2018

60B.—(1) The Sanctions and Anti-Money Laundering Act 2018 is amended as set out in paragraph (2).

(2) In section 49(3), in the definition of “terrorist financing”, for paragraph (c) substitute—

“(c) any of regulations 11 to 16 of the Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/573), or”.]

F1 Regs. 60A, 60B inserted (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Consequential Provisions) (Amendment) Regulations 2020 (S.I. 2020/1289), regs. 1(2), 3(2); S.I. 2020/1514, reg. 21

Transitional provision: Treasury licences

61.—(1) Paragraphs (2) to (4) apply to a licence which—

(a) was granted, or deemed to be granted, by the Treasury under—

(i) section 17 of the Terrorist Asset-Freezing Act etc. 2010 ^{M2}, or

(ii) under regulation 9 ^{M3} of the 2011 Regulations in respect of persons named in Annex 1 to the EU autonomous ISIL (Da'esh) and Al-Qaida) Regulation;

(b) was in effect immediately before the relevant date, and

(c) authorises conduct which would (on and after the relevant date, and in the absence of paragraphs (2) to (4)) be prohibited under Part 3 (finance),

and such a licence is referred to in this regulation as “an existing financial sanctions licence”.

(2) An existing financial sanctions licence which authorises an act which would otherwise be prohibited has effect on and after the relevant date as if it had been issued by the Treasury under regulation 31(1) (treasury licences).

(3) Any reference in an existing financial sanctions licence to the Terrorist Asset-Freezing etc. Act 2010 or the 2011 Regulations is to be treated on or after the relevant date as a reference to these Regulations.

(4) Any reference in an existing financial sanctions licence to a prohibition in—

(a) the Terrorist Asset-Freezing etc. Act 2010,

(b) the 2011 Regulations,

(c) the EU autonomous ISIL (Da'esh) and Al-Qaida) Regulation, or

(d) EU Regulation 2580/2001,

is to be treated on and after the relevant date as a reference to the corresponding prohibition in Part 3.

- (5) Paragraph (6) applies where—
- (a) an application for a licence, or for the variation of a licence—
 - (i) under the Terrorist Asset-Freezing etc. Act 2010, or
 - (ii) under the 2011 Regulations in respect of persons named in Annex 1 to the EU autonomous ISIL (Da'esh) and Al-Qaida) Regulation, was made before the relevant date;
 - (b) the application is for the authorisation of conduct which would (on or after the relevant date) be prohibited under Part 3, and
 - (c) a decision to grant or refuse the application has not been made before that date.
- (6) The application is to be treated on or after the relevant date as an application for a licence, or for the variation of a licence (as the case may be), under regulation 31 (treasury licences).
- (7) In this regulation—
- “EU Regulation 2580/2001” means Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism, as it has effect in EU law;
- “the 2011 Regulations” means the ISIL (Da'esh) and Al-Qaida (Asset-Freezing) Regulations 2011 ^{M4};
- “the relevant date” means—
- (a) where regulations under section 56 of the Act provide that Part 3 comes into force at a specified time on a day, that time on that day;
 - (b) otherwise, the date on which Part 3 comes into force.

Commencement Information

- I9** Reg. 61 not in force at made date, see reg. 1(2)
- I10** Reg. 61 in force at 31.12.2020 by S.I. 2019/627, **reg. 11(2)**; 2020 c. 1, Sch. 5 para. 1(1)
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Marginal Citations

- M2** Section 46 of the Terrorist Asset-Freezing etc. Act 2010 provides that any licence granted under the [Terrorism \(United Nations Measures\) Order 2009 \(S.I. 2009/1747\)](#), and was in force immediately before the coming into force of section 46 has effect as a licence granted under the section 17 of the Terrorist Asset-Freezing etc. Act 2010.
- M3** Regulation 20 of [S.I. 2011/2742](#) provides that licences granted under regulation 7 of [S.I. 2010/1197](#) have effect as if they were granted under regulation 9 of [S.I. 2011/2742](#).
- M4** [S.I. 2011/2742](#).

Transitional provision: prior obligations

- 62.**—(1) Where—
- (a) a person was—
 - (i) designated by the Treasury for the purposes of Part 1 of the Terrorist Asset-Freezing etc. Act 2010 immediately before the relevant date,
 - (ii) named in Annex 1 of the EU autonomous ISIL (Da'esh) and Al-Qaida Regulation immediately before the relevant date, or
 - (iii) named on the list provided for in Article 2(3) of EU Regulation 2580/2001 ^{M5} immediately before the relevant date; and

(b) the person is a designated person immediately before the relevant date, any reference in a provision in regulation 29(5) (finance: exception from prohibitions) to the date on which a person became a designated person is to be read as a reference to the original listing date.

(2) In this regulation—

“designated person” has the same meaning as it has in Part 3 (Finance);

“original listing date” means the earliest of—

- (a) the date on which the person was designated by the Treasury for the purposes of Part 1 of the Terrorist Asset-Freezing etc. Act 2010;
- (b) the date on which the person was designated by Treasury under any Order mentioned in section 1(2) of the Terrorist Asset-Freezing (Temporary Provisions) Act 2010 ^{M6};
- (c) the date on which the person was named in Annex 1 to the EU autonomous ISIL (Da'esh) and Al-Qaida Regulation; and
- (d) the date on which the person was named on the list provided for in Article 2(3) of EU Regulation 2580/2001;

“EU Regulation 2580/2001” means Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism, as it has effect in EU law;

“the relevant date” means—

- (e) where regulations under section 56 of the Act provide that Part 3 comes into force at a specified time on a day, that time on that day;
- (f) otherwise, the date on which Part 3 comes into force.

Commencement Information

I11 Reg. 62 not in force at made date, see reg. 1(2)

I12 Reg. 62 in force at 31.12.2020 by [S.I. 2019/627](#), **reg. 11(2)**; 2020 c. 1, Sch. 5 para. 1(1)

Marginal Citations

M5 That list was most recently set out in the Annex to Council Implementing Regulation (EU) 2019/24 of 8 January 2019.

M6 2010. c 2. The Terrorist Asset-Freezing (Temporary Provisions) Act 2010 was repealed by the Terrorist Freezing etc. Act 2010, Schedule 2.

Changes to legislation:

There are currently no known outstanding effects for the The Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019, PART 10.