

STATUTORY INSTRUMENTS

2019 No. 577

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

PART 7

Supplementary and final provision

Notices

34.—(1) This regulation applies in relation to a notice required by regulation 19 (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. 34 in force at 31.12.2020 by [S.I. 2020/1416](#), [reg. 2\(2\)](#)

[F1] Amendment of the Charities Act 2011

34A.—(1) The Charities Act 2011 is amended as set out in paragraph (2).

(2) In section 178(1), in Case J, after paragraph (b) insert—

“(c) regulations 11 to 15 of the Counter-Terrorism (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/577).”

F1 Regs. 34A-34E 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), **4(2)**; S.I. 2020/1514, reg. 21

Amendment of the Sanctions and Anti-Money Laundering Act 2018

34B.—(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”, after paragraph (c) insert—

“(ca) any of regulations 11 to 16 of the Counter-Terrorism (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/577).”

F1 Regs. 34A-34E 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), **4(2)**; S.I. 2020/1514, reg. 21

Amendment of the Electronic Money Regulations 2011

34C.—(1) The Electronic Money Regulations 2011 are amended as set out in paragraph (2).

(2) In regulation 13(8), after paragraph (c) insert—

“(ca) an offence under Part 3, 4 or 5 of the Counter-Terrorism (Sanctions) (EU Exit) Regulations 2019;”.

F1 Regs. 34A-34E 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), **4(2)**; S.I. 2020/1514, reg. 21

Amendment of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017

34D.—(1) The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 are amended as set out in paragraph (2).

(2) In regulation 3(1), in the definition of “terrorist financing”, after paragraph (c) insert—

“(ca) any of regulations 11 to 16 of the Counter-Terrorism (Sanctions) (EU Exit) Regulations 2019;”.

F1 Regs. 34A-34E 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), **4(2)**; S.I. 2020/1514, reg. 21

Amendment of the Payment Services Regulations 2017

- 34E.**—(1) The Payment Services Regulations 2017 are amended as set out in paragraph (2).
(2) In regulation 14(5), after paragraph (c) insert—
“(ca) an offence under any of regulations 11 to 16 of the Counter-Terrorism (Sanctions) (EU Exit) Regulations 2019;”.]

F1 Regs. 34A-34E 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), **4(2)**; S.I. 2020/1514, reg. 21

Transitional provision: Treasury licences

35.—(1) Paragraphs (2) to (4) apply to a licence (whether general or granted to a category of persons or to a particular person) which—

- (a) was granted by the Treasury under section 17 of the Terrorist Asset-Freezing etc. Act 2010 ^{M1} authorising conduct in relation to a person (“P”) which would be prohibited under that Act,
(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 has effect on and after the relevant date as if it had been issued by the Treasury under regulation 19(1) (treasury licences).

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

(4) Any reference in an existing financial sanctions licence to a prohibition in the Terrorist Asset-Freezing etc. Act 2010, is to be treated on and after the relevant date as a reference to the corresponding prohibition in Part 3 (Finance).

(5) Paragraph (6) applies where—

- (a) an application for a licence, or for the variation of a licence, under the Terrorist Asset-Freezing etc. Act 2010, was made before the relevant date;
(b) the application is for the authorisation of conduct which would (on and 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 as an application for a licence, or for the variation of a licence (as the case may be), under regulation 19(1) (treasury licences).

(7) In this regulation, “the relevant date” means the date on which P is designated under regulation 5 for the purposes of regulations 11 to 15 (asset-freeze etc.).

Commencement Information

I2 Reg. 35 in force at 31.12.2020 by [S.I. 2020/1416](#), **reg. 2(2)**

Marginal Citations

M1 2010 c.38.

Transitional provision: prior obligations

36. Where a person (“P”) was designated by the Treasury for the purposes of Part 1 of the Terrorist Asset-Freezing etc. Act 2010 immediately before the date on which P is designated under regulation 5 for the purposes of regulations 11 to 15 (asset-freeze etc.), the reference in regulation 17(5) (finance: exceptions from prohibitions) to the date on which a person became a designated person is a reference to 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.

Commencement Information

I3 Reg. 36 in force at 31.12.2020 by [S.I. 2020/1416](#), **reg. 2(2)**

Changes to legislation:

There are currently no known outstanding effects for the The Counter-Terrorism (Sanctions) (EU Exit) Regulations 2019, PART 7.