
STATUTORY INSTRUMENTS

2019 No. 855

The Russia (Sanctions) (EU Exit) Regulations 2019

PART 2

Designation of persons

Power to designate persons

5.—(1) The Secretary of State may designate persons by name for the purposes of any of the following—

(a) regulations 11 to 15 (asset-freeze etc.);

[^{F1}(aa) regulation 17A [^{F2}(corresponding banking relationships and processing payments)];]

[^{F3}(ab) regulation 18C (trust services);]

(b) regulation 20 [^{F4}(immigration)];]

[^{F5}(bza) regulation 46A (technical assistance relating to aircraft and ships);]

[^{F6}(bzb) regulation 54A (internet services);]

[^{F7}(ba) regulations 57A and 57C to 57E [^{F8}(ships: prohibition on port entry etc.);]]

[^{F9}(bb) regulations 57J and 57M (aircraft).]

[^{F10}(1A) The Secretary of State may provide that persons of a description specified by the Secretary of State are designated persons for the purposes of any of the following—

(a) regulations 11 to 15 (asset-freeze etc.);

(b) regulation 17A [^{F11}(corresponding banking relationships and processing payments)];

[regulation 18C (trust services);]

^{F12}(ba)

(c) regulation 20 (immigration);

(d) regulation 46A (technical assistance relating to aircraft and ships);

[regulation 54A (internet services);]

^{F13}(da)

(e) regulations 57A and 57C to 57E (ships: prohibition on port entry etc.);

(f) regulations 57J and 57M (aircraft).]

(2) The Secretary of State may designate different persons for the purposes of different provisions mentioned in paragraph (1) [^{F14}or (1A)].

[^{F15}(3) For the purposes of these Regulations, persons “designated under regulation 5” for the purpose of a particular regulation means—

(a) persons who are designated by name under paragraph (1) for the purposes of that particular regulation, and

- (b) where the Secretary of State makes provision under paragraph (1A) that persons of a specified description are designated persons for the purposes of that particular regulation, persons of that description.]

- F1** Reg. 5(1)(aa) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **3**
- F2** Words in reg. 5(1)(aa) substituted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **23(1)(2)(a)**
- F3** Reg. 5(1)(ab) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **3(a)**
- F4** Word in reg. 5(1)(b) substituted (1.3.2022 at 3.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/203), regs. 1(2), **4(a)**
- F5** Reg. 5(1)(bza) inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **5(a)**
- F6** Reg. 5(1)(bzb) inserted (29.4.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/477), regs. 1(2), **4(a)**
- F7** Reg. 5(1)(ba) inserted (1.3.2022 at 3.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/203), regs. 1(2), **4(b)**
- F8** Words in reg. 5(1)(ba) substituted (8.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/241), regs. 1(2), **4(a)**
- F9** Reg. 5(1)(bb) inserted (8.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/241), regs. 1(2), **4(b)**
- F10** Reg. 5(1A) inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **5(b)**
- F11** Words in reg. 5(1A)(b) substituted (15.12.2023) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023 (S.I. 2023/1364), regs. 1(3), **23(1)(2)(a)**
- F12** Reg. 5(1A)(ba) inserted (16.12.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022 (S.I. 2022/1331), regs. 1(2)(b), **3(b)**
- F13** Reg. 5(1A)(da) inserted (29.4.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/477), regs. 1(2), **4(b)**
- F14** Words in reg. 5(2) inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **5(c)**
- F15** Reg. 5(3) inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **5(d)**

Commencement Information

- I1** Reg. 5 in force at 11.4.2019, see reg. 1(3)(d)

Designation criteria

[^{F16}**6.**—(1) The Secretary of State may not designate a person under regulation 5 (power to designate persons) unless the Secretary of State—

- (a) has reasonable grounds to suspect that that person is an involved person, and
- (b) considers that the designation of that person is appropriate, having regard to—
 - (i) the purposes stated in regulation 4 (purposes), and
 - (ii) the likely significant effects of the designation on that person (as they appear to the Secretary of State to be on the basis of the information that the Secretary of State has).

(2) In this regulation, an “involved person” means a person who—

- (a) is or has been involved in—

- (i) destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine, or
 - (ii) obtaining a benefit from or supporting the Government of Russia,
- (b) is owned or controlled directly or indirectly (within the meaning of regulation 7) by a person who is or has been so involved,
- (c) is acting on behalf of or at the direction of a person who is or has been so involved, or
- (d) is a member of, or associated with, a person who is or has been so involved.
- (3) For the purposes of this regulation, a person is “involved in destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine” if—
- (a) the person is responsible for, engages in, provides support for, or promotes any policy or action which destabilises Ukraine or undermines or threatens the territorial integrity, sovereignty or independence of Ukraine;
 - (b) the person provides financial services, or makes available funds, economic resources, goods or technology, that could contribute to destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine;
 - (c) the person provides financial services, or makes available funds, economic resources, goods or technology, to—
 - (i) a person who is responsible for a policy or action which falls within sub-paragraph (a), or
 - (ii) a person who provides financial services, or makes available funds, economic resources, goods or technology, as mentioned in sub-paragraph (b);
 - (d) the person obstructs the work of international organisations in Ukraine;
 - (e) the person conducts business with a separatist group in the Donbas region;
 - (f) the person is a relevant person trading or operating in [^{F17}non-government controlled Ukrainian territory];
 - (g) the person assists the contravention or circumvention of a relevant provision.
- (4) For the purposes of this regulation, being “involved in obtaining a benefit from or supporting the Government of Russia” means—
- (a) carrying on business as a Government of Russia-affiliated entity;
 - (b) carrying on business of economic significance to the Government of Russia;
 - (c) carrying on business in a sector of strategic significance to the Government of Russia;
 - (d) owning or controlling directly or indirectly (within the meaning of regulation 7), or working as a director (whether executive or non-executive), trustee, [^{F18}or other manager] or equivalent, of—
 - (i) a Government of Russia-affiliated entity;
 - (ii) a person, other than an individual, which falls within sub-paragraph (b) or (c) [^{F19};
 - [^{F20}(e) holding the right, directly or indirectly, to nominate at least one director (whether executive or non-executive), trustee or equivalent of—
 - (i) a Government of Russia-affiliated entity, or
 - (ii) a person, other than an individual, which falls within sub-paragraph (b) or (c).]
- [^{F21}(4A) For the purposes of this regulation, a person is involved in “destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine” or “obtaining a benefit from or supporting the Government of Russia” if they work for, or are affiliated to, the Government of Russia, as—

- (a) an aide or adviser to the President of the Russian Federation,
 - (b) a head or deputy-head of any public body, federal agency or service subordinate to the President of the Russian Federation, including the Administration of the President of the Russian Federation,
 - (c) a member of the Security Council of the Russian Federation, its Secretary or any of its Deputy Secretaries,
 - (d) the Chairman of the Government of the Russian Federation or any deputy of the Chairman,
 - (e) a Minister or Deputy Minister of any Ministry of the Russian Federation,
 - (f) a Governor or member of the Board of Directors of the Central Bank of the Russian Federation,
 - (g) a Presidential Plenipotentiary Envoy to a Federal District, or a regional Governor or Deputy Governor or equivalent,
 - (h) a head or deputy head of any other public body or agency of the Government of the Russian Federation,
 - (i) a member of the armed forces or law-enforcement organs of the Russian Federation of the rank of colonel, or equivalent, or higher,
 - (j) a member of the Russian security and intelligence services of the rank of colonel, or equivalent, or higher,
 - (k) a vice president, or equivalent position or higher, of a Government of Russia-affiliated entity, or
 - (l) a director or manager, or equivalent position or higher, of a Government of Russia-affiliated entity.]
- (5) In paragraph (3)(f), a person (“P”) is a “relevant person” if—
- (a) P is not an individual, and
 - (b) the ownership or control of P has been transferred contrary to the law of Ukraine;
- [^{F22}(6) In paragraph (2)(d), being “associated with” a person includes—
- (a) obtaining a financial benefit or other material benefit from that person;
 - (b) being an immediate family member of that person.]
- (7) In this regulation—
- “Government of Russia” means—
- (a) the Presidency of the Russian Federation;
 - (b) public bodies and agencies subordinate to the President of the Russian Federation, including the Administration of the President of the Russian Federation;
 - (c) the Chairman of the Government of the Russian Federation and the deputies of the Chairman of the Government;
 - (d) any Ministry of the Russian Federation;
 - (e) any other public body or agency of the Government of the Russian Federation, including the armed forces and law-enforcement organs of the Russian Federation;
 - (f) the Central Bank of the Russian Federation;
- “Government of Russia-affiliated entity” means a person, other than an individual—
- (a) which is owned or controlled directly or indirectly by the Government of Russia (within the meaning of regulation 7),
 - (b) in which the Government of Russia holds directly or indirectly a minority interest,

- (c) which receives, or has received, financing, directly or indirectly, from the Russian Direct Investment Fund or the National Wealth Fund, or
- (d) which otherwise obtains a financial benefit or other material benefit from the Government of Russia;

[^{F23}“immediate family member” means—

- (a) a wife or husband;
- (b) a civil partner;
- (c) a parent or step-parent;
- (d) a child or step-child;
- (e) a sibling or step-sibling;
- (f) a niece or nephew;
- (g) an aunt or uncle;
- (h) a grandparent;
- (i) a grandchild.]

“minority interest” means any shareholding, voting right or right to appoint or remove members of the board of directors which does not meet the condition set out in regulation 7(2);

“relevant provision” means—

- (a) any provision of Part 3 (Finance) or Part 5 (Trade);
- (b) any provision of the law of a country other than the United Kingdom made for purposes corresponding to a purpose of any provision of Part 3 or Part 5;

“sector of strategic significance to the Government of Russia” means—

- (a) the Russian chemicals sector;
- (b) the Russian construction sector;
- (c) the Russian defence sector;
- (d) the Russian electronics sector;
- (e) the Russian energy sector;
- (f) the Russian extractives sector;
- (g) the Russian financial services sector.
- (h) the Russian information, communications and digital technologies sector;
- (i) the Russian transport sector.

(8) Nothing in any sub-paragraph of paragraph (3) or (4) is to be taken to limit the meaning of any of the other sub-paragraphs of that paragraph.]

F16 Reg. 6 substituted (10.2.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/123), regs. 1(2), **3**

F17 Words in reg. 6(3)(f) substituted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **6**

F18 Words in reg. 6(4)(d) inserted (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), **3(a)(i)**

F19 Reg. 6(4)(d)(ii): semicolon substituted for full stop (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), **3(a)(ii)**

F20 Reg. 6(4)(e) inserted (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), **3(a)(iii)**

- F21** Reg. 6(4A) inserted (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), **3(b)**
- F22** Reg. 6(6) substituted (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), **3(c)**
- F23** Words in reg. 6(7) inserted (18.7.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022 (S.I. 2022/814), regs. 1(2), **3(d)(i)**

[^{F24}C] Conditions for the designation of persons by description

6A.—(1) The Secretary of State may choose whether persons mentioned in regulation 5(1A) (power to designate persons by description) are designated persons under—

- (a) the standard procedure, or
- (b) the urgent procedure.

(2) Paragraph (3) applies where the Secretary of State chooses that persons mentioned in regulation 5(1A) are designated persons under the standard procedure.

(3) The Secretary of State may not provide that persons of a specified description are designated persons under regulation 5(1A) except where conditions A and C are met.

(4) Paragraphs (5) to (7) apply where the Secretary of State chooses that persons mentioned in regulation 5(1A) are designated persons under the urgent procedure.

(5) The Secretary of State may provide that persons of a specified description are designated persons where condition C is not met, but conditions A, D and E are met.

(6) The persons of the specified description cease to be designated persons at the end of the period of 56 days beginning with the day following the day on which the persons became designated persons unless, within that period, the Secretary of State certifies that—

- (a) conditions A and C are met, or
- (b) conditions A, D and E continue to be met.

(7) Where the Secretary of State makes a certification under paragraph (6)(b), the designation ceases to have effect at the end of the period of 56 days beginning with the day immediately following the period mentioned in paragraph (6), unless within that period the Secretary of State certifies that conditions A and C are met.

(8) Condition A is that the description of persons specified is such that a reasonable person would know whether that person fell within it.

(9) Condition C is that the Secretary of State has reasonable grounds to suspect—

- (a) in a case where the specified description is members of a particular organisation, that the organisation is an involved person, or
- (b) in the case of any other specified description, that any person falling within that description would necessarily be an involved person.

(10) Condition D is that the description of persons specified is of persons (or some persons) to which, or in relation to which, relevant provision (whenever made) applies under the law of—

- (a) the United States of America;
- (b) the European Union;
- (c) Australia;
- (d) Canada.

(11) Condition E is that the Secretary of State considers that it is in the public interest to provide that persons of a specified description are designated persons under the urgent procedure.

(12) For the purposes of Condition D, “relevant provision” is provision that the Secretary of State considers—

- (a) corresponds, or is similar, to the type of sanction or sanctions in these Regulations, or
- (b) is made for purposes corresponding, or similar, to any purpose of any type of sanction or sanctions in these Regulations.

(13) In this regulation—

“involved person” has the meaning given in regulation 6 (designation criteria);

“organisation” includes any body, association or combination of persons.]

F24 Reg. 6A inserted (30.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), 7

Meaning of “owned or controlled directly or indirectly”

7.—(1) A person who is not an individual (“C”) is “owned or controlled directly or indirectly” by another person (“P”) if either of the following two conditions is met (or both are met).

(2) The first condition is that P—

- (a) holds directly or indirectly more than 50% of the shares in C,
- (b) holds directly or indirectly more than 50% of the voting rights in C, or
- (c) holds the right directly or indirectly to appoint or remove a majority of the board of directors of C.

(3) Schedule 1 contains provision applying for the purpose of interpreting paragraph (2).

(4) The second condition is that it is reasonable, having regard to all the circumstances, to expect that P would (if P chose to) be able, in most cases or in significant respects, by whatever means and whether directly or indirectly, to achieve the result that affairs of C are conducted in accordance with P's wishes.

Commencement Information

I2 Reg. 7 in force at 11.4.2019, see reg. 1(3)(d)

Notification and publicity where designation power used

8.—(1) Paragraph (2) applies where the Secretary of State—

- (a) has made a designation under [^{F25}regulation 5(1)], or
- (b) has by virtue of section 22 of the Act varied or revoked a designation made under [^{F26}that paragraph of that regulation].

(2) The Secretary of State—

- (a) must without delay take such steps as are reasonably practicable to inform the designated person of the designation, variation or revocation, and
- (b) must take steps to publicise the designation, variation or revocation.

(3) The information given under paragraph (2)(a) where a designation is made must include a statement of reasons.

(4) In this regulation a “statement of reasons”, in relation to a designation, means a brief statement of the matters that the Secretary of State knows, or has reasonable grounds to suspect, in relation to the designated person which have led the Secretary of State to make the designation.

(5) Matters that would otherwise be required by paragraph (4) to be included in a statement of reasons may be excluded from it where the Secretary of State considers that they should be excluded—

- (a) in the interests of national security or international relations,
- (b) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or
- (c) in the interests of justice.

(6) The steps taken under paragraph (2)(b) must—

- (a) unless one or more of the restricted publicity conditions is met, be steps to publicise generally—
 - (i) the designation, variation or revocation, and
 - (ii) in the case of a designation, the statement of reasons;
- (b) if one or more of those conditions is met, be steps to inform only such persons as the Secretary of State considers appropriate of the designation, variation or revocation and (in the case of a designation) of the contents of the statement of reasons.

(7) The “restricted publicity conditions” are as follows—

- (a) the designation is of a person believed by the Secretary of State to be an individual under the age of 18;
- (b) the Secretary of State considers that disclosure of the designation, variation or revocation should be restricted—
 - (i) in the interests of national security or international relations,
 - (ii) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or
 - (iii) in the interests of justice.

(8) Paragraph (9) applies if—

- (a) when a designation is made one or more of the restricted publicity conditions is met, but
- (b) at any time when the designation has effect, it becomes the case that none of the restricted publicity conditions is met.

(9) The Secretary of State must—

- (a) take such steps as are reasonably practicable to inform the designated person that none of the restricted publicity conditions is now met, and
- (b) take steps to publicise generally the designation and the statement of reasons relating to it.

F25 Words in [reg. 8\(1\)\(a\)](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), [regs. 1\(2\)](#), **8(a)**

F26 Words in [reg. 8\(1\)\(b\)](#) substituted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), [regs. 1\(2\)](#), **8(b)**

Commencement Information

I3 Reg. 8 in force at 11.4.2019, see [reg. 1\(3\)\(d\)](#)

Confidential information in certain cases where designation power used

9.—(1) Where the Secretary of State in accordance with regulation 8(6)(b) informs only certain persons of a designation, variation or revocation and (in the case of a designation) of the contents of the statement of reasons, the Secretary of State may specify that any of that information is to be treated as confidential.

(2) A person (“P”) who—

(a) is provided with information that is to be treated as confidential in accordance with paragraph (1), or

(b) otherwise obtains such information,

must not, subject to paragraph (3), disclose it if P knows, or has reasonable cause to suspect, that the information is to be treated as confidential.

(3) The prohibition in paragraph (2) does not apply to any disclosure made by P with lawful authority.

(4) For this purpose information is disclosed with lawful authority only if and to the extent that—

(a) the disclosure is by, or is authorised by, the Secretary of State,

(b) the disclosure is by or with the consent of the person who is or was the subject of the designation,

(c) the disclosure is necessary to give effect to a requirement imposed under or by virtue of these Regulations or any other enactment, or

(d) the disclosure is required, under rules of court, tribunal rules or a court or tribunal order, for the purposes of legal proceedings of any description.

(5) This regulation does not prevent the disclosure of information that is already, or has previously been, available to the public from other sources.

(6) A person who contravenes the prohibition in paragraph (2) commits an offence.

(7) The High Court (in Scotland, the Court of Session) may, on the application of—

(a) the person who is the subject of the information, or

(b) the Secretary of State,

grant an injunction (in Scotland, an interdict) to prevent a breach of the prohibition in paragraph (2).

(8) In paragraph (4)(c), “enactment” has the meaning given by section 54(6) of the Act.

Commencement Information

I4 Reg. 9 in force at 11.4.2019, see [reg. 1\(3\)\(d\)](#)

[^{F27}N] Notification and publicity where power to designate by description is used

9A.—(1) Paragraph (2) applies where the Secretary of State—

(a) has provided that persons of a specified description are designated persons under regulation 5(1A) (power to designate persons by description), or

(b) has by virtue of section 22 of the Act varied or revoked a designation made under that paragraph of that regulation.

(2) The Secretary of State—

(a) must without delay take such steps as are reasonably practicable to inform persons of the specified description of the designation, variation or revocation, and

- (b) must take steps to publicise the designation, variation or revocation.
- (3) The information given under paragraph (2)(a)—
 - (a) where the Secretary of State provides that persons of a specified description are designated persons under the standard procedure, must include a statement of reasons, or
 - (b) where the Secretary of State provides that persons of a specified description are designated persons under the urgent procedure, must include a statement—
 - (i) that the provision is made under the urgent procedure,
 - (ii) identifying the relevant provision by reference to which the Secretary of State considers that condition D is met in relation to persons of the specified description, and
 - (iii) setting out why the Secretary of State considers that condition E is met.
- (4) Where the Secretary of State provides that persons of a specified description are designated persons under the urgent procedure, the Secretary of State must, after the end of the period mentioned in paragraph (6) of regulation 6A (conditions for the designation of persons by description), or if the Secretary of State has made a certification under paragraph (6)(b) of that regulation the period mentioned in paragraph (7) of that regulation, but otherwise without delay—
 - (a) in a case where the persons cease to be designated persons, take such steps as are reasonably practicable to inform persons of the specified description that they have ceased to be designated persons, or
 - (b) in any other case, take such steps as are reasonably practicable to give each person of the specified description a statement of reasons.
- (5) In this regulation, a “statement of reasons”, in relation to a provision designating persons of a specified description, means a brief statement of the matters that the Secretary of State knows, or has reasonable cause to suspect, in relation to persons of the specified description—
 - (a) in the case of a designation under the standard procedure, which have led the Secretary of State to make the provision designating persons of that description, and
 - (b) in the case of a designation under the urgent procedure, as a result of which the persons do not cease to be designated persons at the end of the period mentioned in regulation 6A(6) (b) or (7) (as the case may be).
- (6) Matters that would otherwise be required by paragraph (5) to be included in a statement of reasons may be excluded from it where the Secretary of State considers that they should be excluded—
 - (a) in the interests of national security or international relations,
 - (b) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or
 - (c) in the interests of justice.
- (7) The steps taken under paragraph (2)(b) must—
 - (a) unless one or more of the restricted publicity conditions is met, be steps to publicise generally—
 - (i) the designation, variation or revocation, and
 - (ii) in the case of—
 - (aa) a designation under the standard procedure, the statement of reasons relating to it, or
 - (bb) a designation under the urgent procedure, the contents of the statement required under paragraph (3)(b) relating to it;

- (b) if one or more of those conditions is met, be steps to inform only such persons as the Secretary of State considers appropriate of the designation, variation or revocation and—
 - (i) in the case of a designation under the standard procedure, of the contents of the statement of reasons relating to it, or
 - (ii) in the case of a designation under the urgent procedure, of the contents of the statement required under paragraph (3)(b) relating to it.
- (8) The “restricted publicity conditions” are that the Secretary of State considers that disclosure of the designation, variation or revocation should be restricted—
 - (a) in the interests of national security or international relations,
 - (b) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or
 - (c) in the interests of justice.
- (9) Paragraph (10) applies if—
 - (a) when a designation is made one or more of the restricted publicity conditions is met, but
 - (b) at any time when the designation has effect, it becomes the case that none of the restricted publicity conditions is met.
- (10) The Secretary of State must—
 - (a) take such steps as are reasonably practicable to inform persons of the specified description that none of the restricted publicity conditions is now met, and
 - (b) take steps to publicise generally the designation and—
 - (i) in the case of a designation under the standard procedure, the statement of reasons relating to it, or
 - (ii) in the case of a designation under the urgent procedure, the statement required under paragraph (3)(b) relating to it.

F27 Regs. 9A, 9B inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), 9

Confidential information in certain cases where power to designate by description is used

9B.—(1) Where the Secretary of State in accordance with regulation 9A(7)(b) informs only certain persons of a designation, variation or revocation and—

- (a) in the case of a designation under the standard procedure, of the content of the statement of reasons relating to it, or
- (b) in the case of a designation under the urgent procedure, of the content of the statement required under regulation 9A(3)(b) relating to it,

the Secretary of State may specify that any of that information is to be treated as confidential.

- (2) A person (“P”) who—
 - (a) is provided with information that is to be treated as confidential in accordance with paragraph (1), or
 - (b) otherwise obtains such information,

must not, subject to paragraph (3), disclose it if P knows, or has reasonable cause to suspect, that the information is to be treated as confidential.

(3) The prohibition in paragraph (2) does not apply to any disclosure made by P with lawful authority.

- (4) For this purpose information is disclosed with lawful authority only if and to the extent that—
- (a) the disclosure is by, or is authorised by, the Secretary of State,
 - (b) the disclosure is by or with the consent of the person who is or was the subject of the designation,
 - (c) the disclosure is necessary to give effect to a requirement imposed under or by virtue of these Regulations or any other enactment, or
 - (d) the disclosure is required under rules of court, tribunal rules or a court or tribunal order, for the purposes of legal proceedings of any description.
- (5) This regulation does not prevent the disclosure of information that is already, or has previously been, available to the public from other sources.
- (6) A person who contravenes the prohibition in paragraph (2) commits an offence.
- (7) The High Court (in Scotland, the Court of Session) may, on the application of—
- (a) the person who is the subject of the information, or
 - (b) the Secretary of State,
- grant an injunction (in Scotland, an interdict) to prevent a breach of the prohibition in paragraph (2).
- (8) In paragraph (4)(c), “enactment” has the meaning given by section 54(6) of the Act.]

F27 Regs. 9A, 9B inserted (30.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), 9

Changes to legislation:

There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, PART 2.