

STATUTORY INSTRUMENTS

2019 No. 855

The Russia (Sanctions) (EU Exit) Regulations 2019

PART 5

Trade

CHAPTER 5

Exports and imports, and related activities, in relation to [^{F1}non-government controlled Ukrainian territory]

Textual Amendments

- F1** Words in Pt. 5 Ch. 5 heading 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), **15(a)**

Imports from [^{F2}non-government controlled Ukrainian territory]

47.—(1) The import of goods which originate in [^{F2}non-government controlled Ukrainian territory] is prohibited.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

Textual Amendments

- F2** Words in reg. 47 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), **15(b)(i)**

Commencement Information

- I1** Reg. 47 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

Export of infrastructure-related goods to [^{F3}non-government controlled Ukrainian territory]

[^{F4}48.—(1) The export of infrastructure-related goods to, or for use in, Crimea is prohibited.

(2) The export of infrastructure-related goods to, or for use in, non-government controlled areas of the Donetsk Kherson, Luhansk and Zaporizhzhia oblasts is prohibited.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

(4) It is a defence for a person charged with the offence under section 68(1) (offences in relation to exportation of prohibited or restricted goods) of CEMA in relation to the prohibition in paragraph (2) to show that they did not know and had no reasonable cause to suspect that the export was, or would have been, to, or the goods were for use in, non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts.]

Textual Amendments

- F3** Words in [reg. 48](#) 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), **15(b)(ii)**
- F4** [Reg. 48](#) substituted (20.6.2023) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), regs. 1(2), **6**

Supply and delivery of infrastructure-related goods

49.—(1) A person must not directly or indirectly supply or deliver infrastructure-related goods from a third country to a place in [^{F5}non-government controlled Ukrainian territory].

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes the prohibition in paragraph (1) 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 goods were destined (or ultimately destined) for [^{F5}non-government controlled Ukrainian territory].

(4) In this regulation, “third country” means a country that is not the United Kingdom, the Isle of Man or [^{F5}non-government controlled Ukrainian territory].

Textual Amendments

- F5** Words in [reg. 49](#) 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), **15(b)(iii)**

Commencement Information

- I2** [Reg. 49](#) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Making infrastructure-related goods available

50.—(1) A person must not—

- (a) directly or indirectly make infrastructure-related goods available to a person connected with [^{F6}non-government controlled Ukrainian territory];
- (b) directly or indirectly make infrastructure-related goods available for use in [^{F6}non-government controlled Ukrainian territory].

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but—

- (a) it is a defence for a person charged with the offence of contravening paragraph (1)(a) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with [^{F6}non-government controlled Ukrainian territory];
- (b) it is a defence for a person charged with the offence of contravening paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the goods were for use in [^{F6}non-government controlled Ukrainian territory].

Textual Amendments

- F6** Words in [reg. 50](#) 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), **15(b)(iv)**

Commencement Information

- I3** Reg. 50 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

Technical assistance relating to infrastructure-related goods

51.—(1) A person must not directly or indirectly provide technical assistance relating to infrastructure-related goods—

- (a) to a person connected with [^{F7}non-government controlled Ukrainian territory], or
 - (b) for use in [^{F7}non-government controlled Ukrainian territory].
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (3) A person who contravenes a prohibition in paragraph (1) commits an offence, but—
- (a) it is a defence for a person charged with the offence of contravening paragraph (1)(a) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with [^{F7}non-government controlled Ukrainian territory];
 - (b) it is a defence for a person charged with the offence of contravening paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the goods were for use in [^{F7}non-government controlled Ukrainian territory].

Textual Amendments

- F7** Words in [reg. 51](#) 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), **15(b)(v)**

Commencement Information

- I4** Reg. 51 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

Financial services and funds relating to infrastructure-related goods etc.

52.—(1) A person must not directly or indirectly provide, to a person connected with [^{F8}non-government controlled Ukrainian territory], financial services in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of infrastructure-related goods,
- (b) the direct or indirect supply or delivery of infrastructure-related goods,
- (c) directly or indirectly making infrastructure-related goods available to a person, or
- (d) the direct or indirect provision of technical assistance relating to infrastructure-related goods.

(2) A person must not directly or indirectly make funds available to a person connected with [^{F8}non-government controlled Ukrainian territory] in pursuance of or in connection with an arrangement mentioned in paragraph (1).

- (3) A person must not directly or indirectly provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is—
- (a) the import of goods which originate in [F8non-government controlled Ukrainian territory];
 - (b) the export of infrastructure-related goods to, or for use in, [F8non-government controlled Ukrainian territory],
 - (c) the direct or indirect supply or delivery of infrastructure-related goods to a place in [F8non-government controlled Ukrainian territory],
 - (d) directly or indirectly making infrastructure-related goods available—
 - (i) to a person connected with [F8non-government controlled Ukrainian territory], or
 - (ii) for use in [F8non-government controlled Ukrainian territory],
 - (e) the direct or indirect provision of technical assistance relating to infrastructure-related goods—
 - (i) to a person connected with [F8non-government controlled Ukrainian territory], or
 - (ii) for use in [F8non-government controlled Ukrainian territory].
- (4) Paragraphs (1) to (3) are subject to Part 7 (Exceptions and licences).
- (5) A person who contravenes a prohibition in any of paragraphs (1) to (3) commits an offence, but—
- (a) it is a defence for a person charged with an offence of contravening paragraph (1) or (2) (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with [F8non-government controlled Ukrainian territory];
 - (b) it is a defence for a person charged with an offence of contravening a prohibition in paragraph (3) to show that the person did not know and had no reasonable cause to suspect that the financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

Textual Amendments

- F8** Words in [reg. 52](#) 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\(2\)](#), [15\(b\)\(vi\)](#)

Commencement Information

- I5** [Reg. 52](#) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Brokering services: non-UK activity relating to infrastructure-related goods and goods from [F9non-government controlled Ukrainian territory]

- 53.—**(1) A person must not directly or indirectly provide brokering services in relation to an arrangement (“arrangement A”) whose object or effect is—
- (a) the import of goods which originate in [F9non-government controlled Ukrainian territory];
 - (b) the direct or indirect supply or delivery of infrastructure-related goods from a third country to a place in [F9non-government controlled Ukrainian territory],
 - (c) directly or indirectly making infrastructure-related goods available in a third country for direct or indirect supply or delivery—
 - (i) to a person connected with [F9non-government controlled Ukrainian territory], or

- (ii) to a place in [F9 non-government controlled Ukrainian territory],
 - (d) the direct or indirect provision, in a non-UK country, of technical assistance relating to infrastructure-related goods—
 - (i) to a person connected with [F9 non-government controlled Ukrainian territory], or
 - (ii) for use in [F9 non-government controlled Ukrainian territory],
 - (e) the direct or indirect provision, in a non-UK country, of financial services—
 - (i) to a person connected with [F9 non-government controlled Ukrainian territory], where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 52(1), or
 - (ii) where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 52(3) in relation to infrastructure-related goods,
 - (f) directly or indirectly making funds available, in a non-UK country, to a person connected with [F9 non-government controlled Ukrainian territory], where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 52(1), or
 - (g) 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 52(3) in relation to infrastructure-related goods.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (3) A person who contravenes a prohibition in paragraph (1) 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.
- (4) In this regulation—
- “non-UK country” means a country that is not the United Kingdom;
 - “third country” means a country that is not the United Kingdom, the Isle of Man or [F9 non-government controlled Ukrainian territory].

Textual Amendments

- F9** Words in [reg. 53](#) 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), **15(b)(vii)**

Commencement Information

- I6** Reg. 53 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

[F10] Application of prohibitions and requirements in Chapter 2 of Part 5 to non-government controlled Ukrainian territory

53A.—[

[F11(1)] Where it is specified in Schedule 2A, 3 or 3C or in any table in those Schedules that this regulation applies in relation to an item, any prohibition or requirement in Chapter 2 of this Part which applies to Russia in relation to that item also applies to non-government controlled Ukrainian territory.

[
^{F12}(2) Paragraph (3) applies where the person is charged with the offence under section 68(1) (offences in relation to exportation of prohibited or restricted goods) of CEMA in relation to exportation of goods to, or for use in, non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts which is or would be contrary to the prohibition in regulation 22(1) (export of restricted goods), as it has effect by virtue of this regulation.

(3) It is a defence for a person charged with the offence mentioned in paragraph (2) to show that the person did not know and had no reasonable cause to suspect that the export was, or would have been, to, or the goods were for use in, non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts.]]

Textual Amendments

- F10** Reg. 53A inserted (15.7.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 11\) Regulations 2022 \(S.I. 2022/792\)](#), regs. 1(2), **9** (with reg. 13)
- F11** Reg. 53A renumbered as [reg. 53A\(1\) \(20.6.2023\)](#) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), regs. 1(2), **7(a)**
- F12** [Reg. 53A\(2\)\(3\) inserted \(20.6.2023\)](#) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2023 \(S.I. 2023/665\)](#), regs. 1(2), **7(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, CHAPTER 5.