
STATUTORY INSTRUMENTS

2019 No. 855

The Russia (Sanctions) (EU Exit) Regulations 2019

PART 7

Exceptions and licences

Asset-freeze etc.: exceptions from prohibitions

58.—(1) The prohibition in regulation 11 (asset-freeze in relation to designated persons) is not contravened by an independent person (“P”) transferring to another person a legal or equitable interest in funds or economic resources where, immediately before the transfer, the interest—

- (a) is held by P, and
- (b) is not held jointly with the designated person.

(2) In paragraph (1) “independent person” means a person who—

- (a) is not the designated person, and
- (b) is not owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.

(3) The prohibitions in regulations 11 to 13 (asset-freeze in relation to, and making funds available to or for the benefit of, designated persons) are not contravened by a relevant institution crediting a frozen account with interest or other earnings due on the account.

(4) The prohibitions in regulations 12 and 13 (making funds available to, or for the benefit of, designated persons) are not contravened by a relevant institution crediting a frozen account where it receives funds transferred to that institution for crediting to that account.

(5) The prohibitions in regulations 12 and 13 are not contravened by the transfer of funds to a relevant institution for crediting to an account held or controlled (directly or indirectly) by a designated person, where those funds are transferred in discharge (or partial discharge) of an obligation which arose before the date on which the person became a designated person.

(6) The prohibitions in regulations 11 to 13 are not contravened in relation to a designated person (“P”) by a transfer of funds from account A to account B, where—

- (a) account A is with a relevant institution which carries on an excluded activity within the meaning of section 142D of the Financial Services and Markets Act 2000 ^{M1},
- (b) account B is with a ring-fenced body within the meaning of section 142A of the Financial Services and Markets Act 2000 ^{M2}, and
- (c) accounts A and B are held or controlled (directly or indirectly) by P.

(7) In this regulation—

“designated person” has the same meaning as it has in Chapter 1 Part 3 (Finance);

“frozen account” means an account with a relevant institution which is held or controlled (directly or indirectly) by a designated person;

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Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, PART 7. (See end of Document for details)

“relevant institution” means a person that has permission under Part 4A of the Financial Services and Markets Act 2000^{M3} (permission to carry on regulated activity).

(8) The definition of “relevant institution” in paragraph (7) is to be read with section 22 of the Financial Services and Markets Act 2000^{M4}, any relevant order under that section^{M5} and Schedule 2 to that Act^{M6}.

Commencement Information

I1 Reg. 58 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)

Marginal Citations

M1 2000 c.8. Section 142D was inserted by section 4(1) of the **Financial Services (Banking Reform) Act 2013 (c.33)**.

M2 Section 142A was inserted by section 4(1) of the **Financial Services (Banking Reform) Act 2013 (c.33)**.

M3 Part 4A was inserted by the **Financial Services Act 2012 (c.21)**, **section 11(2)** and amended by S.I. 2018/135.

M4 Section 22 was amended by; the **Financial Guidance and Claims Act 2018 (c.10)**, **Part 2**, s.27(4); the **Financial Services Act 2012**, section 7(1); and S.I. 2018/135.

M5 S.I. 2001/544, as amended by S.I. 2017/500.

M6 Schedule 2 was amended by; the **Dormant Bank and Building Society Accounts Act 2008 (c.31)**, **section 15**, **Schedule 2**, para. 1; the **Regulation of Financial Services (Land Transactions) Act 2003 (c.24)**, **section 1**; the **Financial Services Act 2012**, section 7(2) to (5) and section 8; S.I. 2013/1881; and it is prospectively amended by S.I. 2018/135.

Exceptions relating to loans and credit arrangements

59.—(1) The prohibitions in regulation 17 (loans and credit arrangements) are not contravened by the grant of—

^{F1}(a)

(b) a relevant loan that has a specific and documented objective of making emergency funds available to meet applicable solvency or liquidity criteria for a relevant subsidiary;

^{F2}(c) a relevant loan consisting of a drawdown or disbursement made under an arrangement entered into before—

(i) in the case of a category 1 loan, 15th September 2014;

(ii) in the case of a category 2 loan, a category 3 loan or a category 4 loan, 1st March 2022;

where the conditions in paragraph (2) are met.]

(2) The conditions referred to in paragraph (1)(c) are that—

(a) all the terms and conditions of such drawdowns or disbursements—

^{F3}(i) were agreed before—

(aa) in the case of a category 1 loan, 15th September 2014;

(bb) in the case of a category 2 loan, a category 3 loan or a category 4 loan, 1st March 2022;]

(ii) have not been modified on or after that date; and

(b) a contractual maturity date has been fixed for the repayment in full of all funds made available and for the cancellation of all the rights and obligations under the arrangement.

(3) In this regulation—

[^{F4}“category 1 loan” has the meaning given to it in regulation 17;

“category 2 loan” has the meaning given to it in regulation 17;

“category 3 loan” has the meaning given to it in regulation 17;

“category 4 loan” has the meaning given to it in regulation 17;]

^{F5}

...

^{F6}

...

“relevant loan” has the meaning given to it in regulation 17;

“relevant subsidiary” means a person, other than an individual, which is—

(a) incorporated or constituted under the law of any part of the United Kingdom, and

(b) [^{F7}owned (within the meaning of regulation 16(7)) by a person, other than an individual, that is connected with Russia.]

Textual Amendments

F1 Reg. 59(1)(a) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(a)(i)**

F2 Reg. 59(1)(c) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(a)(ii)**

F3 Reg. 59(2)(a)(i) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(b)**

F4 Words in reg. 59(3) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(c)(i)**

F5 Words in reg. 59(3) omitted (1.3.2022) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(c)(ii)**

F6 Words in reg. 59(3) omitted (30.3.2022 at 5.00 p.m.) by virtue of The Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022 (S.I. 2022/395), regs. 1(2), **22**

F7 Words in reg. 59(3) substituted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **9(c)(iii)**

Commencement Information

I2 Reg. 59 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)

[^{F8}Exception relating to correspondent banking relationships etc.

59A. The prohibition in regulation 17A(2) (processing sterling payments) does not apply to the processing of a sterling payment for any fee or charge required to permit an aircraft to overfly, land in or take off from Russia.]

Textual Amendments

F8 Reg. 59A inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **10**

Status: Point in time view as at 30/03/2022.

Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, PART 7. (See end of Document for details)

Exceptions relating to investments in relation to ^{F9}non-government controlled Ukrainian territory]

60.—(1) The prohibitions in ^{F10}regulation 18 (investments in relation to non-government controlled Ukrainian territory)] are not contravened by any act done by a person (“P”) in satisfaction of an obligation of P arising under a contract concluded before ^{F11}the relevant date], or an ancillary contract necessary for the satisfaction of such a contract, provided that P has notified the Treasury no later than the day five working days before the day on which the act is carried out.

(2) The prohibitions in regulation 18 are not contravened by activities carried on by a person with entities outside ^{F12}non-government controlled Ukrainian territory] where the related investment is not destined for an entity in ^{F12}non-government controlled Ukrainian territory].

^{F13}(3) In this regulation, “the relevant date” means—

- (a) in the case of investments in relation to Crimea, 20th December 2014;
- (b) in the case of investments in relation to non-government controlled areas of the Donetsk and Luhansk oblasts, 23rd February 2022.]

Textual Amendments

- F9** Words in reg. 60 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), **23(a)**
- F10** Words in reg. 60(1) 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), **23(b)(i)**
- F11** Words in reg. 60(1) 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), **23(b)(ii)**
- F12** Words in reg. 60(2) 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), **23(c)**
- F13** Reg. 60(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), **23(d)**

Commencement Information

- I3** Reg. 60 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)

^{F14}Trade: exceptions relating to non-government controlled areas of the Donetsk and Luhansk oblasts

60ZA.—(1) Paragraphs (2) to (5) only apply in the case of trade relating to non-government controlled areas of the Donetsk and Luhansk oblasts.

(2) A prohibition in regulation 47 (imports from non-government controlled Ukrainian territory) or regulation 52(3)(a) (financial services and funds in relation to imports from non-government controlled Ukrainian territory) is not contravened by any act done by a person (“P”) in satisfaction of an obligation of P arising under a contract concluded before 23rd February 2022, or an ancillary contract necessary for the satisfaction of such a contract, provided that—

- (a) the act is carried out before 24th May 2022, and
- (b) P has notified the Secretary of State no later than the day 10 working days before the day on which the act is carried out.

(3) A prohibition in regulation 48 to 51, 52(1), (2) or (3)(b) to (e), or 53 (trade in relation to non-government controlled Ukrainian territory) is not contravened by any act done by a person (“P”) in

satisfaction of an obligation of P arising under a contract concluded before 23rd February 2022, or an ancillary contract necessary for the satisfaction of such a contract, provided that—

- (a) the act is carried out before 24th August 2022, and
- (b) P has notified the Secretary of State no later than the day five working days before the day on which the act is carried out.

(4) A prohibition in regulation 54(1)(a) (prohibition on infrastructure-related services relating to non-government controlled Ukrainian territory) is not contravened by any act done by a person in satisfaction of an obligation of that person arising under a contract concluded before 23rd February 2022, or an ancillary contract necessary for the satisfaction of such a contract, provided that the act is carried out before 24th August 2022.

(5) A prohibition in regulation 54(1)(b) (prohibition on tourism services relating to non-government controlled Ukrainian territory) is not contravened by any act done by a person (“P”) in satisfaction of an obligation of P arising under a contract concluded before 23rd February 2022, or an ancillary contract necessary for the satisfaction of such a contract, provided that—

- (a) the act is carried out before 24th August 2022, and
- (b) P has notified the Secretary of State no later than the day five working days before the day on which the act is carried out.]

Textual Amendments

F14 Reg. 60ZA 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), 24

[^{F15}Trade: exceptions in relation to personal effects etc.

60A.—(1) The prohibitions in regulations 22 (export of restricted goods), 24(1)(a) (supply and delivery of restricted goods), 25(1)(a) and (b) (making restricted goods and restricted technology available), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) are not contravened by a relevant activity in relation to any critical-industry goods or critical-industry technology which are—

- (a) the personal effects of a person travelling to Russia,
- (b) of a non-commercial nature for the personal use of a person travelling to Russia and contained in that person’s luggage, or
- (c) necessary for the official purposes of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law.

(2) For the purposes of paragraph (1)—

“consular post” has the same meaning as in the Vienna Convention on Consular Relations done at Vienna on 24 April 1963^{F16}, and any reference to the functions of a consular post is to be read in accordance with that Convention;

“critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5);

“critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);

“diplomatic mission”, and any reference to the functions of a diplomatic mission, is to be read in accordance with the Vienna Convention on Diplomatic Relations done at Vienna on 18 April 1961^{F17};

“relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions specified in paragraph (1).

Status: Point in time view as at 30/03/2022.

Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, PART 7. (See end of Document for details)

Textual Amendments

- F15** Regs. 60A-60C inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), 6 (with reg. 11)
- F16** United Nations Treaty Series, vol. 596, p.261.
- F17** United Nations Treaty Series, vol. 500, p.95.

Trade: exceptions in relation to consumer communication devices and software updates

60B.—(1) The prohibitions in regulations 22 (export of restricted goods), 24(1)(a) (supply and delivery of restricted goods), 25(1)(a) and (b) (making restricted goods and restricted technology available), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) are not contravened by a relevant activity in relation to critical-industry goods or critical-industry technology which are—

- (a) consumer communication devices for civilian use, or
 - (b) software updates for civilian use.
- (2) For the purposes of paragraph (1)—
- (a) “consumer communication devices” has the meaning given in Schedule 2B;
 - “critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5);
 - “critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);
 - “relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions specified in that paragraph;
 - (b) goods are “for civilian use” if they are not—
 - (i) for use by the Russian military or any other military end-user, or
 - (ii) for any military use;
 - (c) technology is “for civilian use” if it—
 - (i) does not relate to activities carried on or proposed to be carried on by the Russian military or any other military end user, and
 - (ii) is not for any military use.

Textual Amendments

- F15** Regs. 60A-60C inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), 6 (with reg. 11)

Trade: exceptions in relation to aircraft and vessels

60C.—(1) For the purposes of regulations 22 (export of restricted goods) and 28 (financial services and funds), the removal of an aircraft or vessel from the United Kingdom to Russia is not an export of critical-industry goods [^{F18}or aviation and space goods], provided that the following conditions are met—

- (a) the aircraft or vessel is removed under its own power,
- (b) in the case of an aircraft, it—
 - (i) is carrying goods or passengers when removed, or

- (ii) is removed in order to undertake a journey carrying goods or passengers, and
- (c) the removal of the aircraft or vessel is not for the purpose of—
 - (i) a transfer of ownership of the aircraft or vessel or any of its component parts, or
 - (ii) a change of the operator of the aircraft or vessel.

(2) The prohibitions in regulations 24(1)(a) (supply and delivery of restricted goods), 25(1)(a) and (b) (making restricted goods and restricted technology available), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) are not contravened by any of the following activities, to the extent that the activity is done in connection with a qualifying removal—

- (a) the supply or delivery of critical-industry goods [^{F19}or aviation and space goods];
- (b) making [^{F20}critical-industry goods, aviation and space goods, critical-industry technology or aviation and space technology] available;
- (c) the transfer of critical-industry technology [^{F21}or aviation and space technology];
- (d) the provision of technical assistance or financial services;
- (e) the making available of funds;
- (f) the provision of any brokering service.

[^{F22}(2A) The prohibitions in regulation 29A (insurance and reinsurance services relating to aviation and space goods and aviation and space technology) are not contravened by the provision of insurance or reinsurance services, to the extent that such services are provided in connection with a qualifying removal.]

(3) In this regulation—

- [^{F23}“aviation and space goods” has the meaning given in regulation 21 (interpretation of Part 5);
- “aviation and space technology” has the meaning given in regulation 21 (interpretation of Part 5);]
- “critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5);
- “critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);
- “operator”, in relation to an aircraft or vessel, means the person having the management of the aircraft;
- “qualifying removal” means a removal of an aircraft or vessel from the United Kingdom to Russia in relation to which the conditions set out in paragraph (1) are met.]

Textual Amendments

- F15** Regs. 60A-60C inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **6** (with reg. 11)
- F18** Words in reg. 60C(1) 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), **10(a)**
- F19** Words in reg. 60C(2)(a) 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), **10(b)(i)**
- F20** Words in reg. 60C(2)(b) 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), **10(b)(ii)**
- F21** Words in reg. 60C(2)(c) 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), **10(b)(iii)**

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Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, PART 7. (See end of Document for details)

- F22** Reg. 60C(2A) 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), **10(c)**
- F23** Words in reg. 60C(3) 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), **10(d)**

[^{F24}Trade: exception relating to the safety of aircraft and ships

60D.—(1) The prohibitions in regulation 46A (technical assistance relating to aircraft and ships) are not contravened by the provision of any technical assistance where a failure to provide that assistance would endanger—

- (a) the lives of persons on board—
 - (i) an aircraft, or
 - (ii) a ship;
- (b) the safety of—
 - (i) an aircraft in flight, or
 - (ii) a ship at sea.

(2) In this regulation, the following terms have the same meaning as they have in regulation 46A—

- “aircraft”;
- “ship”;
- “technical assistance”.]

Textual Amendments

- F24** Reg. 60D 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), **25**

Trade: exception for emergencies in certain cases

61.—[^{F25}(1) The prohibitions specified in paragraph (1A) are not contravened by any act done by a person (“P”), where P provides justification to the Secretary of State within the relevant period that the act is an act dealing with an emergency.

(1A) Paragraph (1) applies to the prohibitions—

- (a) in regulations 40 to 46 (prohibitions relating to energy-related goods etc.) and [^{F26}regulations 48 to 54 (prohibitions relating to infrastructure in non-government controlled Ukrainian territory etc.)];
- (b) in regulations 22 (export of restricted goods), 24(1)(a), (supply and delivery of restricted goods), 25(1)(a) and (b) (making available of restricted goods and restricted technology), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) so far as they apply to [^{F27}critical-industry goods, aviation and space goods, critical-industry technology or aviation and space technology];

[^{F28}(c) in regulation 29A (insurance and reinsurance services relating to aviation and space goods and aviation and space technology).]

(2) In this regulation—

“an act dealing with an emergency” means an act assisting with the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health or safety, infrastructure or the environment;

[^{F29}“aviation and space goods” has the meaning given in regulation 21 (interpretation of Part 5); “aviation and space technology” has the meaning given in regulation 21 (interpretation of Part 5);]

[^{F30}“critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5); “critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);]

“relevant period”, in relation to an act, means the period of 5 working days beginning with the day on which the act is done.

Textual Amendments

- F25** Reg. 61(1)(1A) substituted for reg. 61(1) (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **7(1)** (with reg. 11)
- F26** Words in reg. 61(1A)(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), **26**
- F27** Words in reg. 61(1A)(b) 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), **11(a)**
- F28** Reg. 61(1A)(c) 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), **11(b)**
- F29** Words in reg. 61(2) 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), **11(c)**
- F30** Words in reg. 61(2) inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 3\) Regulations 2022 \(S.I. 2022/195\)](#), regs. 1(2), **7(2)** (with reg. 11)

Commencement Information

- I4** Reg. 61 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)

[^{F31}Ships: exceptions from prohibition on port entry

61A.—(1) The prohibition in regulation 57A(1) (prohibition on port entry) is not contravened by providing a ship with access to a port if—

- (a) a port entry direction has been given in relation to the ship under regulation 57C (movement of ships), or
 - (b) the access is needed by the ship in a case of emergency.
- (2) The prohibition in regulation 57A(2) is not contravened by the entry into port of a ship if—
- (a) a port entry direction has been given in relation to the ship under regulation 57C, or
 - (b) the entry is needed by the ship in a case of emergency.]

Textual Amendments

- F31** [Reg. 61A](#) 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), **7**

Status: Point in time view as at 30/03/2022.

Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, PART 7. (See end of Document for details)

[^{F32}Aircraft: exceptions from prohibitions

61B.—(1) The prohibition in regulation 57J(1)(b) (movement of aircraft) is not contravened by the landing of a Russian aircraft in the United Kingdom if failing to land would endanger the lives of persons on board or the safety of the aircraft.

(2) The prohibition in regulation 57J(1)(a) is not contravened by the flight of a Russian aircraft in the airspace over the United Kingdom preparatory to a landing as mentioned in paragraph (1).

(3) The directions in regulation 57J(3) to (9) are not contravened by conduct necessary to—

- (a) avoid endangering the lives of persons on board or the safety of the aircraft,
- (b) protect the safety of another aircraft, or
- (c) protect the safety of persons on the ground.

^{F33}(4)

[
^{F34}(4A) The prohibition in regulation 57J(1) is not contravened by the movement of a Russian aircraft if—

- (a) a direction has been given in relation to that aircraft under regulation 57J(3)(b), (5)(b) or (6)(c), and
- (b) the movement of the aircraft is in accordance with that direction.]

(5) In this regulation, “Russian aircraft” has the same meaning as in regulation 57J.]

Textual Amendments

F32 Reg. 61B 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), **12**

F33 Reg. 61B(4) omitted (30.3.2022 at 5.00 p.m.) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 7\) Regulations 2022 \(S.I. 2022/395\)](#), regs. 1(2), **27(a)**

F34 Reg. 61B(4A) 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), **27(b)**

Exception relating to trade restrictions in relation to [^{F35}non-government controlled Ukrainian territory]

62.—(1) A prohibition in [^{F36}regulation 47 (imports from non-government controlled Ukrainian territory) or regulation 52(3)(a) (financial services and funds in relation to imports from non-government controlled Ukrainian territory)] is not contravened by any action in relation to goods which—

- (a) originate in [^{F37}non-government controlled Ukrainian territory], and
- (b) are the subject of a certificate of origin.

(2) In this regulation a “certificate of origin” means a document issued by the Government of Ukraine or a person acting on behalf of the Government of Ukraine confirming that the goods originate in Ukraine.

Textual Amendments

F35 Words in [reg. 62](#) 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), **28(a)**

- F36** Words in reg. 62(1) 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), **28(b)(i)**
- F37** Words in reg. 62(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), **28(b)(ii)**

Commencement Information

- I5** Reg. 62 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)

[^{F38}Exception for authorised conduct in a relevant country

62A.—(1) Where a person's conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.) [^{F39}, 16 (securities and money market instruments), 17 (loans and credit arrangements), 17A (correspondent banking relationships etc.)][^{F40}[^{F41}, 18 (investments in relation to non-government controlled Ukrainian territory)] and 18A (provision of foreign reserve and asset management services)] or Chapters 2 to 6 of Part 5 (Trade) (“the relevant prohibition”), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—

- (a) under the law of the relevant country, and
- (b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(2) In this regulation—
“relevant country” means—

- (a) any of the Channel Islands,
- (b) the Isle of Man, or
- (c) any British overseas territory.]

Textual Amendments

- F38** Reg. 62A inserted (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 4) Regulations 2020 (S.I. 2020/951), regs. 1(2), **10(2)**; S.I. 2020/1514, reg. 18
- F39** Words in reg. 62A(1) inserted (1.3.2022) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/194), regs. 1(2), **11**
- F40** Words in reg. 62A(1) substituted (1.3.2022 at 5.00 p.m.) by The Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2022 (S.I. 2022/205), regs. 1(2), **4**
- F41** Words in reg. 62A(1) 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), **29**

Exception for acts done for purposes of national security or prevention of serious crime

63.—(1) Where an act would, in the absence of this paragraph, be prohibited by regulation 9(2) [^{F42}or 9B(2)] (confidentiality) or any prohibition in Part 3 (Finance) or 5 (Trade), or under or by virtue of Part 6 (Ships) [^{F43}or Part 6A (Aircraft)] that prohibition does not apply to the act if the act is one which a responsible officer has determined would be in the interests of—

- (a) national security, or
- (b) the prevention or detection of serious crime in the United Kingdom or elsewhere.

Status: Point in time view as at 30/03/2022.

Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, PART 7. (See end of Document for details)

(2) Where, in the absence of this paragraph, a thing would be required to be done under or by virtue of a provision of Part 8 (Information and records) or Part 10 (Maritime enforcement), that requirement does not apply if a responsible officer has determined that not doing the thing in question would be in the interests of—

- (a) national security, or
- (b) the prevention or detection of serious crime in the United Kingdom or elsewhere.

(3) In this regulation “responsible officer” means a person in the service of the Crown or holding office under the Crown, acting in the course of that person's duty.

Textual Amendments

- F42** Words in [reg. 63\(1\)](#) 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\(2\)](#), [30\(a\)](#)
- F43** Words in [reg. 63\(1\)](#) 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\(2\)](#), [30\(b\)](#)

Commencement Information

- I6** Reg. 63 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Treasury licences

64.—(1) The prohibitions in regulations 11 to 15 (asset-freeze etc.) ^[F44], 16 (securities and money market instruments), 17 (loans and credit arrangements), 17A (correspondent banking relationships etc.) ^[F45], ^[F46]18 (investments in relation to non-government controlled Ukrainian territory) and 18A (provision of foreign reserve and asset management services) do not apply to anything done under the authority of a licence issued by the Treasury under this paragraph.

^[F47](1A) Without prejudice to the generality of the powers conferred by paragraph (1), a licence issued by the Treasury under paragraph (1) may, in particular, authorise acts which would otherwise be prohibited by any of regulations 11 to 17A for a particular period beginning with—

- (a) the coming into force of the prohibition, or
- (b) where the prohibition relates to a person designated for the purposes of regulations 11 to 15, or regulation 17A, the date on which the person was designated.]

(2) The Treasury may issue a licence which authorises acts by a particular person only—

- (a) in the case of acts which would otherwise be prohibited by regulations 11 to 15, where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1 of Schedule 5, ^{F48}...

^[F49](aa) in the case of acts which would otherwise be prohibited by regulation 17, where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1A of Schedule 5,

(ab) in the case of acts which would otherwise be prohibited by regulation 17A, where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1B of Schedule 5,

(ac) in the case of acts which would otherwise be prohibited by regulation 17A(2) (processing sterling payments), where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1C of Schedule 5, ^{F50}...]

- (b) in the case of acts which would otherwise be prohibited by regulation 18, where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 2 of Schedule 5 [^{F51}, and]
- [^{F52}(c) in the case of acts which would otherwise be prohibited by regulation 18A (provision of foreign exchange reserve and asset management services), where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 1D of Schedule 5.]
- [^{F53}(3) Part A1 of Schedule 5 has effect for the interpretation of terms in that Schedule.]

Textual Amendments

- F44** Words in reg. 64(1) inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **12(a)**
- F45** Words in reg. 64(1) substituted (1.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/205\)](#), regs. 1(2), **5(a)**
- F46** Words in reg. 64(1) 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), **31(a)**
- F47** Reg. 64(1A) inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **12(b)**
- F48** Word in reg. 64(2) omitted (1.3.2022) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **12(c)(i)**
- F49** Reg. 64(2)(aa)-(ac) inserted (1.3.2022) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/194\)](#), regs. 1(2), **12(c)(ii)**
- F50** Word in reg. 64(2) omitted (1.3.2022 at 5.00 p.m.) by virtue of [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/205\)](#), regs. 1(2), **5(b)**
- F51** Word in reg. 64(2)(b) substituted (1.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/205\)](#), regs. 1(2), **5(c)**
- F52** Reg. 64(2)(c) inserted (1.3.2022 at 5.00 p.m.) by [The Russia \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/205\)](#), regs. 1(2), **5(d)**
- F53** Reg. 64(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), **31(b)**

Commencement Information

- I7** Reg. 64 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)

Trade licences

65. The prohibitions in Chapters 2 to 6 of Part 5 (Trade) do not apply to anything done under the authority of a licence issued by the Secretary of State under this regulation.

Commencement Information

- I8** Reg. 65 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)

[^{F54}Aircraft licences

65A. The prohibition in regulation 57J(1) (prohibition on overflight or landing) does not apply to anything done under the authority of a licence issued by the Secretary of State under this regulation.]

Status: Point in time view as at 30/03/2022.

Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, PART 7. (See end of Document for details)

Textual Amendments

F54 Reg. 65A 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), **32**

Licences: general provisions

66.—(1) This regulation applies in relation to Treasury licences [^{F55}, trade licences and aircraft licences].

(2) A licence must specify the acts authorised by it.

(3) A licence may be general or may authorise acts by a particular person or persons of a particular description.

(4) A licence may —

- (a) contain conditions;
- (b) be of indefinite duration or a defined duration.

(5) A person who issues a licence may vary, revoke or suspend it at any time.

(6) A person who issues, varies, revokes or suspends a licence which authorises acts by a particular person must give written notice to that person of the issue, variation, revocation or suspension of the licence.

(7) A person who issues, varies, revokes or suspends a general licence or a licence which authorises acts by persons of a particular description must take such steps as that person considers appropriate to publicise the issue, variation, revocation or suspension of the licence.

Textual Amendments

F55 Words in [reg. 66\(1\)](#) 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), **33**

Commencement Information

I9 Reg. 66 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)

Finance: licensing offences

67.—(1) A person (“P”) commits an offence if P knowingly or recklessly—

- (a) provides information that is false in a material respect, or
- (b) provides or produces a document that is not what it purports to be,

for the purpose of obtaining a Treasury licence (whether for P or anyone else).

(2) A person who purports to act under the authority of a Treasury licence but who fails to comply with any condition of the licence commits an offence.

Commencement Information

I10 Reg. 67 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)

Trade: licensing offences

- 68.**—(1) A person (“P”) commits an offence if P knowingly or recklessly—
- (a) provides information that is false in a material respect, or
 - (b) provides or produces a document that is not what it purports to be,
- for the purpose of obtaining a trade licence (whether for P or anyone else).
- (2) A person who purports to act under the authority of a trade licence but who fails to comply with any condition of the licence commits an offence.
- (3) A licence in respect of which an offence under paragraph (1) has been committed is to be treated as void from the time at which it was issued.

Commencement Information

- 111** Reg. 68 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)

[^{F56}Aircraft: licensing offences

- 68A.**—(1) A person (“P”) commits an offence if P knowingly or recklessly—
- (a) provides information that is false in a material respect, or
 - (b) provides or produces a document that is not what it purports to be,
- for the purpose of obtaining an aircraft licence (whether for P or anyone else).
- (2) A person who purports to act under the authority of an aircraft licence but who fails to comply with any condition of the licence commits an offence.
- (3) A licence in respect of which an offence under paragraph (1) has been committed is to be treated as void from the time at which it was issued.]

Textual Amendments

- F56** Reg. 68A 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), [34](#)

Section 8B(1) to (3) of Immigration Act 1971: directions

- 69.**—(1) The Secretary of State may direct that, in relation to any person within regulation 20 whose name is specified, or who is of a specified description, section 8B(1) and (2) of the Immigration Act 1971, or section 8B(3) of that Act, have effect subject to specified exceptions.
- (2) A direction under this regulation—
- (a) may contain conditions.
 - (b) must be of a defined duration (and that duration may be expressed in any way, including, for example, being expressed in a way such that the direction ceases to have effect on, or within a specified period after, the occurrence of a specified event).
- (3) The Secretary of State may vary, revoke or suspend a direction under this regulation at any time.
- (4) On the issue, variation, revocation or suspension of a direction under this regulation, the Secretary of State may take such steps as the Secretary of State considers appropriate to publicise the issue, variation, revocation or suspension of the direction.

Status: Point in time view as at 30/03/2022.

Changes to legislation: There are currently no known outstanding effects for the The Russia (Sanctions) (EU Exit) Regulations 2019, PART 7. (See end of Document for details)

(5) In this regulation “specified” means specified in a direction under this regulation.

.....
Commencement Information

I12 Reg. 69 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)

Status:

Point in time view as at 30/03/2022.

Changes to legislation:

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