

**THE RUSSIA (SANCTIONS) (EU EXIT) REGULATIONS 2019**  
**REPORT UNDER SECTION 18 OF THE SANCTIONS AND ANTI-MONEY**  
**LAUNDERING ACT 2018 IN RELATION TO CRIMINAL OFFENCES**

**A: INTRODUCTION**

1. This is a report under section 18 of the Sanctions and Anti-Money Laundering Act 2018 (“**the Act**”) in relation to the Russia (Sanctions) (EU Exit) Regulations 2019 (“**the Regulations**”).
2. Section 18(2) of the Act requires a report to be laid before Parliament where regulations made under section 1 of the Act create offences for the purposes of enforcing any prohibitions or requirements imposed by those regulations, or for the purposes of preventing the circumvention of those prohibitions or requirements.
3. In accordance with section 18, this report: sets out the offences created by the Regulations (see Part B); explains why there are good reasons for the relevant prohibitions or requirements in the Regulations to be enforceable by criminal proceedings (Part C); and sets out the maximum terms of imprisonment that apply to those offences and why there are good reasons for those maximum terms (Part D).

**B: THE OFFENCES**

4. The principal prohibitions and requirements in the Regulations are for the purpose of encouraging Russia to cease actions destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.
5. The Regulations confer a power on the Secretary of State to designate persons where the Secretary of State has reasonable grounds to suspect that that person is an ‘involved person’, and considers that the designation of that person is appropriate, having regard to the purposes stated in regulation 4, and the likely significant effects of the designation on that person. In the Regulations an ‘involved person’ means a person who:
  - (a) is or has been involved in destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine (which is further explained in regulation 6(3)),
  - (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.

6. The Regulations then provide a number of prohibitions in relation to designated persons (including that no person is to deal with the assets of a designated person or provide funds or other economic resources to them or for their benefit). The Regulations also impose various other prohibitions including prohibitions: on dealing with certain financial instruments; on providing loans to certain persons; on investments in Crimea; on trade in military goods and technology and other items, including those related to energy and other infrastructure; on the provision of financial services and activities related to the restricted items; and on provision of certain services and activities relating to tourism and infrastructure.
7. The offences created by the Regulations fall into the following categories:
  - a. contravening the principal prohibitions in the Regulations (e.g. breaching an asset-freeze or sectoral financial sanctions or breaching a trade restriction) or trying to circumvent those principal prohibitions;
  - b. knowingly or recklessly providing false information for the purpose of obtaining a licence;
  - c. breaching the terms of a licence;
  - d. failing to comply with requirements relating to the providing and recording of information;
  - e. disclosing confidential information in certain cases where the designation power has been used.
8. Details of each of the offences created by these Regulations, the prohibitions and requirements to which those offences relate, and the maximum penalties relating to each offence, are set out:
  - a. in relation to financial sanctions, in the table in **Annex A** to this report;
  - b. in relation to trade sanctions, in the table in **Annex B** to this report;
  - c. in relation to the disclosure of confidential information where the designation power has been used, in the table in **Annex C** to this report.

## **C: REASONS FOR CREATING THE OFFENCES**

9. In order to fulfil the stated purpose of this sanctions regime, the prohibitions and requirements in these Regulations need to be properly enforced.
10. There are several mechanisms through which these measures can be enforced without criminal proceedings. These include the imposition of monetary penalties for breaching

financial sanctions and the seizure of goods being dealt with in contravention of certain trade sanctions measures.

11. Having the ability to take enforcement action through criminal proceedings, alongside these other enforcement measures, is appropriate for several reasons. The offences act as a deterrent in relation to the commission of serious acts and omissions which would undermine the purpose of the regime. They also allow the government to take a proportionate response where severity of the act or omission warrants it.
12. Importantly, the offences created by the Regulations are broadly consistent with the offences contained in the legislation which the Regulations will replace. Failing to create offences would mean that there would be an enforcement gap between existing legislation and the Regulations. Special care has been taken to provide that where conduct contravenes prohibitions and restrictions under these Regulations and related offences in export control legislation which will remain in force, only the offences set out in these Regulations will be taken as having been committed.
13. These issues are addressed in more detail below in relation to the different types of offences in the Regulations.

***Breaches of, and circumvention of, the principal financial prohibitions***

14. Regulations 11 to 15 prohibit persons from dealing with funds or economic resources owned, held or controlled by a designated person and from making funds or economic resources available to or for the benefit of a designated person where the person doing so knows or has reasonable cause to suspect that this is the case.
15. Regulations 16 to 18 relate to other financial and investment restrictions. For example, it is prohibited for persons to deal with certain transferable securities or money-market instruments or to grant loans or credit or enter into arrangements in respect of granting loans or credit to those listed under Schedule 2 of the Regulations. It is also prohibited to make investments such as buying land in Crimea, or granting a loan or credit to an entity which has a place of business located in Crimea, or establishing or participating in a joint venture in Crimea or with an entity which has a place of business located in Crimea.
16. Regulation 19 prohibits intentional conduct whose known object or effect is to circumvent any of those prohibitions.
17. A breach of these prohibitions is a serious matter because such actions undermine the purpose and effectiveness of the sanctions regime. In this case, breaches could allow the flow of funds to those involved in destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.

18. The ability to institute criminal proceedings in relation to these matters serves as an effective deterrent. It also enables the government to take a proportionate response which corresponds to the severity of the breach.
19. The ability to institute criminal proceedings sits alongside other enforcement measures relating to financial sanctions. In particular, the Regulations provide the Office of Financial Sanctions Implementation (OFSI) with the ability to impose civil monetary penalties under Part 8 of the Policing and Crime Act 2017 to enforce breaches of these prohibitions.<sup>1</sup> Enabling these prohibitions to be enforceable by criminal proceedings alongside these other enforcement measures ensures that a range of enforcement options is available to enforcement bodies, enabling them to take action that is proportionate to the breach in question.
20. The Regulations are consistent with, but will not duplicate, existing financial sanctions offences. In particular, the financial sanctions offences in the Regulations will replace financial sanctions offences and penalties that were created by the Ukraine (European Union Financial Sanctions) (No.2) Regulations 2014 (S.I. 2014/693) and the Ukraine (European Union Financial Sanctions) (No.3) Regulations 2014 (S.I. 2014/2054), both of which will be revoked by these Regulations. This will ensure that there is no gap in the UK government's ability to enforce financial sanctions in respect of the purposes of these Regulations.
21. The offences in the Regulations are also consistent with those contained in other legislation, including: Part 1 of the Terrorist Asset-Freezing etc. Act 2010; Schedule 3 to the Anti-terrorism, Crime and Security Act 2001; and Schedule 7 to the Counter-Terrorism Act 2008. However, each of these legislative regimes have a different underlying purpose and basis for designation (involvement in terrorist activity, terrorist financing, threats to UK national security) and so cannot be directed to breaches of the financial prohibitions in the Regulations. There is therefore no overlap between the criminal offences in the Regulations and other criminal offences relating to financial sanctions that will continue in domestic legislation once the Regulations come into force.

***Breaches of, and circumvention of, the principal trade prohibitions***

22. Breaches of the principal trade prohibitions are a serious matter as they undermine sanctions which are in place to encourage Russia to cease actions destabilising Ukraine. Creating criminal offences serves as an effective deterrent for such serious actions.
23. There are other enforcement tools available in relation to trade sanctions, most notably the powers contained in the Customs and Excise Management Act 1979 to issue compound penalties, and to seize and dispose of goods where they are being dealt with

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in contravention of trade sanctions. The ability to institute criminal proceedings sits alongside these other powers and provides the government with a suite of tools to police and ensure compliance with trade sanctions and ensure that there are penalties that are appropriate to the seriousness of breaches of sanctions measures.

24. The Regulations replace offences related to trade sanctions contained in The Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014 (the “2014 Order”) as amended which is made under the Export Control Act 2002 and section 2(2) of the European Communities Act 1972. The 2014 Order will be revoked by the Regulations, ensuring that there is no overlap. The Regulations will also supplement other export control prohibitions relating to military goods and technology in the Export Control Order 2008 and Regulation 97 ensures there is no direct overlap between offences committed under that Order and the Regulations.
25. Section 68 of the Customs and Excise Management Act 1979 makes it a criminal offence to export or import prohibited or restricted goods and so such offences have not been created by the Regulations.

***Breaches of, and circumvention of, the principal transport prohibitions***

26. Part 6 of the Regulations enables the Secretary of State to give directions to the master or pilot of a specific British cruise ship, or to British cruise ships generally, which prohibit that ship or those ships from travelling to a port situated in Crimea. It is an offence for anyone who has been issued with such a direction not to comply.
27. The ability to enforce transport sanctions through the issuing of directions mentioned above, supported by adequate offences to enforce compliance, is an important deterrent to uphold the effectiveness of the regime as a whole. Transport sanctions are important in supporting the objectives of these provisions as they restrict the access of British ships to Crimean ports with a view to encouraging Russia to cease actions destabilising Ukraine, including actions undermining or threatening the territorial integrity, sovereignty and independence of that country.

***Breaches of prohibitions and requirements relating to licensing***

28. The licensing offences are intended to ensure that people do not obtain licences based on false information or documents and also that any licence conditions are complied with. The creation of criminal offences will help ensure robust compliance with the Regulations. The system of licensing cannot effectively operate without a strong disincentive to breaching the terms of a licence or making misleading applications.
29. The licensing offences are consistent with those currently applicable under the existing Russia Tier III (Sectoral Measures) sanctions regime and domestic export control legislation (including the strict liability offences in relation to purporting to act under the authority of a licence).

### ***Breaches of requirements relating to information***

30. As set out in Annexes A and B, the Regulations require:
- a. relevant firms (including banks and other businesses and professions) to report relevant information to the Treasury in relation to financial sanctions, and to comply with Treasury requests for information;
  - b. a range of persons, including licence holders and designated persons to provide information to the Treasury at Treasury's request;
  - c. persons to register or record information relevant to general trade licences.
31. Enabling requirements to be enforceable by criminal proceedings ensures greater compliance with the Regulations. The Treasury relies on reporting by relevant firms and designated persons in particular to assess compliance with the Regulations, and is better able to target its compliance efforts according to the information received.
32. In relation to general trade licences, the offences will help ensure that use of any such general licences can be properly monitored and enforced. The use of a general trade licence requires auditing to ensure that activity undertaken is in line with the terms of the licence. Without criminal penalties, there would be no means to compel licence-holders to provide the relevant information. This is in line with current practice and related offences in respect of use of general licences for controlled goods and technology under the Export Control Order 2008.

### ***Breaches of the confidential information prohibitions***

33. Regulation 9 contains a prohibition relating to the disclosure of the contents of the statement of reasons for a person's designation where the Secretary of State specifies that any of that information should be treated as confidential.
34. A breach of this prohibition is a serious matter because disclosing information supporting the reasons why a person has been designated that is not already available to the public from other sources, could undermine national security or damage international relations or could impede the prevention or detection of serious crime in the UK or elsewhere.
35. The ability to institute criminal proceedings in relation to these matters serves as an effective deterrent. It also enables the UK government to take a proportionate response which corresponds to the severity of the breach.

## **D: REASONS FOR MAXIMUM PENALTIES**

36. The penalties imposed by the Regulations are set out in Annexes A, B, and C. In all cases the penalties are either consistent with penalties relating to offences in legislation that will be replaced by the Regulations or consistent with similar offences in other

existing legislation. Further detail on the maximum sentences relating to the different categories of offence are set out discussed below.

### ***Breaches of, and circumvention of, the principal financial prohibitions***

37. In relation to financial sanctions, the government committed in the White Paper consultation on sanctions<sup>2</sup> to ensure consistency of offences and penalties for financial sanctions contained across domestic legislation. In accordance with that commitment, the Regulations provide for penalties consistent with those provided for in the Policing and Crime Act 2017<sup>3</sup>. The maximum sentence on indictment for financial sanctions was increased by that Act from two years to seven years and there is no good reason for the government to revisit the level of penalties on exit from the EU. The government considers the maximum penalty provides an effective deterrent and is proportionate compared to other serious crime penalties.

### ***Breaches of, and circumvention of, the principal trade prohibitions***

38. The maximum term of imprisonment for offences related to breaches of the principal trade prohibitions in these Regulations, or circumvention of them, is 10 years. This is in line with the penalties in Article 11(1) of the 2014 Order which contains equivalent offences. The 10-year maximum penalty is considered to be an effective deterrent and is proportionate to the seriousness of the offence.

39. The Regulations are also consistent with article 11(4) and (5) of the 2014 Order in that they modify the Customs and Excise Management Act 1979 to increase the maximum term of imprisonment for the offence of breaching export controls from 7 years to 10 years. This increase ensures alignment with the maximum terms of imprisonment for other similar offences created by the Regulations. An industry association stakeholder has commented that such provision has “a beneficial effect in assisting export control compliance staff within companies to get the attention of their colleagues on export control matters”.<sup>4</sup>

40. It should be noted that existing penalties relating to the prohibitions referred to in in Article 11(3) of the 2014 Order, which are replaced by prohibitions in Part 5 of the Regulations, are set at a maximum of 2 years’ imprisonment. This is because those provisions of the 2014 Order were made under section 2(2) of the European

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<sup>3</sup> The maximum terms of imprisonment for indictable offences under Schedule 3 to the Anti-terrorism, Crime and Security Act 2001 and Schedule 7 to the Counter-Terrorism Act 2008 were increased from two years to a maximum of seven years and, for summary offences under those provisions, the maximum terms of imprisonment were increased from three months to 12 months (this being six months for offences committed before section 154(1) of the Criminal Justice Act 2003 comes into force).

<sup>4</sup> Evidence given by the Export Group on Aerospace and Defence (EGAD) to the Defence, Foreign Affairs, International Development and Trade and Industry Committees, Strategic Export Controls: 2007 Review, p75, published on 7 August 2007.

Communities Act 1972, which caps penalties at 2 years (under schedule 2(1)(d) of that Act). These penalties are currently out of line with domestic penalties for other services that assist prohibited export and trade activities, and do not reflect the serious nature of breaches of trade sanctions. We have therefore harmonised the penalties for these offences with the 10-year maximum penalties currently available for breaches of export control prohibitions, for example under Article 11(1) of the 2014 Order. Aligning the enforcement of trade sanctions and other export controls is appropriate because breaches of trade sanctions are equally as serious as other breaches of export controls.

***Breaches of, and circumvention of, the principal transport prohibitions***

41. The Regulations provide that the maximum penalty for failure to comply with a Crimean ports direction given by the Secretary of State is seven years, a fine, or both. This is in line with similar offences detailed elsewhere in the Regulations and other UK sanctions regulations. This level is proportionate to the serious nature of the offence committed and represents an effective deterrent to the breaching of transport sanctions. Penalties shall be applied on a sliding scale up to this maximum and enhance those included in existing legislation.

***Licensing and information offences***

42. The Regulations provide that the maximum term of imprisonment for financial sanctions licensing offences is 7 years' imprisonment. Due to the scope for circumventing sanctions through improper use of a financial sanctions licence, the Secretary of State considers there are good reasons for the maximum term of imprisonment provided for licensing offences under the Regulations to be set at the same level as for breaches of the principal financial prohibitions.
43. The Regulations provide that the maximum term of imprisonment for financial sanctions information offences is 6 months. The level of harm associated with a failure to provide information that is not related with another form of breach, is not deemed sufficiently high to warrant a higher maximum sentence.
44. The Regulations provide that the maximum term of imprisonment for trade licensing and information offences is 2 years' imprisonment, which is in line with equivalent domestic export control and sanctions legislation, for example under Article 11(3) of the 2014 Order. The Secretary of State considers that there are good reasons to ensure that the maximum terms of imprisonment provided for under the Regulations are consistent with that legislation. There is a good reason for a lesser maximum term of imprisonment for these offences, as compared with the offences relating to the principal prohibitions, since while penalties need to be set at a level that promotes compliance, breaches are unlikely to result in the same level of harm as for breaches of the principal prohibitions.



45. The Regulations provide that the maximum term of imprisonment for the offence of disclosure of confidential information relating to a designation is two years which is in line with the equivalent offence under the Terrorist Asset-Freezing etc. Act 2010.

## **E: CONCLUSIONS**

46. As set out in this report:

- a. There are good reasons for each of the prohibitions and requirements set out in the Regulations to be enforceable by criminal proceedings. The ability to enforce these measures by criminal proceedings is an effective deterrent, it is consistent with existing legislation and, in conjunction with the use of other enforcement measures, enables the government to take a proportionate response to potentially serious acts and omissions which would undermine the purpose of the sanctions regime. Importantly, these Regulations do not duplicate any offences that will exist when these Regulations come into force.
- b. There are also good reasons for the maximum terms of imprisonment that attach to those offences: the maximum penalties are consistent with penalties relating to offences in legislation that will be replaced by the Regulations, or consistent with similar offences in other existing legislation; they are an effective deterrent; and they are proportionate to the seriousness of the types of offences to which they relate.

**The Rt Hon Sir Alan Duncan MP KCMG**

**Minister of State for Europe and the Americas, on behalf of the Secretary of  
State for Foreign and Commonwealth Affairs**

**Annex A: Table of financial sanctions offences**

<b>Type of Sanctions offences</b>	<b>Specific offence</b>	<b>Relevant prohibition or requirement</b>	<b>Maximum penalty</b>
Breach of sanctions (asset-freeze etc.)	<ol style="list-style-type: none"> <li>1. Dealing with funds or economic resources owned, held or controlled by a designated person</li> <li>2. Making funds available directly or indirectly to a designated person</li> <li>3. Making funds available for the benefit of a designated person</li> <li>4. Making economic resources available directly or indirectly to a designated person</li> <li>5. Making economic resources available for benefit of a designated person</li> </ol>	<ol style="list-style-type: none"> <li>1. reg. 11</li> <li>2. reg. 12</li> <li>3. reg. 13</li> <li>4. reg. 14</li> <li>5. reg. 15</li> </ol>	<p><b>Liable on summary conviction -</b> to imprisonment for a term not exceeding 12 months in England and Wales (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment) comes into force, 6 months) and 12 months in Scotland, and 6 months in Northern Ireland or a fine, which in Scotland or Northern Ireland may not exceed the statutory maximum (or both);</p> <p><b>Liable on conviction on indictment -</b> to imprisonment for a term not exceeding 7 years or a fine (or both).</p>
Breach of sanctions (other financial and investment, restrictions)	<ol style="list-style-type: none"> <li>1. Dealing with a transferable security or money-market instrument if it has a maturity exceeding 30 days, and is issued after 1 August 2014 by (a) a person listed in paras 1 to 5 of Schedule 2; (b) an entity incorporated or constituted under the law of a non-UK country, and owned directly or indirectly by a person in (a); or (c) a person acting on behalf of or at the direction of a person in (a) or (b).</li> <li>2. Dealing with a transferable security or money-market instrument if it has a maturity exceeding 30 days, and is issued after 12 September 2014 by (a) a</li> </ol>	<ol style="list-style-type: none"> <li>1. reg. 16</li> <li>2. reg. 16</li> <li>3. reg. 17</li> <li>4. reg. 18</li> <li>5. reg. 18</li> <li>6. reg. 18</li> <li>7. reg. 18</li> <li>8. reg. 18</li> </ol>	<p style="text-align: center;">" " "</p>

	<p>person listed in paras 6 to 11 of Schedule 2; (b) an entity incorporated or constituted under the law of a non-UK country, and owned directly or indirectly by a person in (a); or (c) a person acting on behalf of or at the direction of a person in (a) or (b)</p> <p>3. Granting a new loan or credit with a maturity exceeding 30 days to (a) a person listed in Schedule 2; (b) an entity incorporated or constituted under the law of a non-UK country, and owned by a person in (a); or (c) a person acting on behalf of or at the direction of a person in (a) or (b).</p> <p>4. Acquiring or extending a participation, or acquiring any ownership interest, in land located in Crimea</p> <p>5. Acquiring or extending a participation, or acquiring any ownership interest in an entity which has a place of business located in Crimea</p> <p>6. Granting any loan or credit, entering into any arrangement to grant any loan or credit, or otherwise provide funds to an entity which has a place of business located in Crimea or for the purpose of financing such an entity</p> <p>7. Establishing or participating in a joint venture in Crimea or with an entity which has a place of business located in Crimea</p>		
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	8. Providing investment services for activities prohibited in reg. 18		
Circumvention etc. of prohibitions	Circumventing directly or indirectly the prohibitions of regs. 11-18 (Part 3 Finance) or enabling or facilitating the contravention of prohibitions.	reg. 19	" " "
Breach of requirements under licences	<ol style="list-style-type: none"> <li>1. Knowingly or recklessly providing false information or providing a document that is not what it purports to be for the purpose of obtaining a licence</li> <li>2. Failing to comply with the conditions of a licence</li> </ol>	<ol style="list-style-type: none"> <li>1. reg. 67</li> <li>2. reg. 67</li> </ol>	" " "
Breach of reporting obligations	<ol style="list-style-type: none"> <li>1. Failure to inform the Treasury about knowledge or reasonable cause to suspect that a person is a designated person or has committed an offence under Part 3 of the Regulations or regulation 67 (finance: licensing offences)</li> <li>2. Failure to provide the Treasury with information on which the knowledge or suspicion is based or information by which the person can be identified</li> <li>3. Failure to provide the Treasury with information about any funds or economic resources it holds for a designated person at the time when it first had knowledge or suspicion.</li> </ol>	<ol style="list-style-type: none"> <li>1. reg. 70</li> <li>2. reg. 70</li> <li>3. reg. 70</li> </ol>	<b>Liable on summary conviction -</b> to imprisonment for a term not exceeding 6 months in England and Wales, 6 months in Scotland, and 6 months in Northern Ireland or a fine, which in Scotland or Northern Ireland may not exceed level 5 on the standard scale (or both).
Failure to comply with requests for information	<ol style="list-style-type: none"> <li>1. Failure to provide information in the time and manner requested under reg. 72</li> <li>2. Knowingly and recklessly providing false information in respect of information requested under reg. 72</li> </ol>	<ol style="list-style-type: none"> <li>1. reg. 74</li> <li>2. reg. 74</li> <li>3. reg. 74</li> <li>4. reg. 74</li> </ol>	" " "

	<ol style="list-style-type: none"><li>3. Evasion of requests made under reg. 72 or reg. 73</li><li>4. Obstruction of Treasury requests for information made under reg. 72 or reg. 73</li></ol>		
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## Annex B: Table of trade sanctions offences

Type of sanctions offences	Specific offence	The Russia (Sanctions) (EU Exit) Regulations 2019 reference to relevant prohibition or requirement (or other legislation)	Maximum penalty
Breach of controls on exporting goods	<ol style="list-style-type: none"> <li>1. Exporting military goods.</li> <li>2. Exporting dual-use goods</li> <li>3. Exporting energy-related goods</li> <li>4. Exporting infrastructure-related goods (Crimea)</li> </ol>	<ol style="list-style-type: none"> <li>1. Reg. 22</li> <li>2. Reg. 32</li> <li>3. Reg. 40</li> <li>4. Reg. 48</li> </ol> <p>Offence contained within Customs and Excise Management Act 1979 S.68(1)</p>	<p><b>Liable on summary conviction</b></p> <p>To a penalty of £20,000 or of three times the value of the goods, whichever is the greater, or to imprisonment for a term not exceeding 6 months, or to both</p> <p><b>Liable on indictment</b></p> <p>To a penalty of any amount, or to imprisonment for a term not exceeding 7 years (modified to 10 years).</p>
Breach of controls on importing goods	<ol style="list-style-type: none"> <li>1. Importing military goods</li> <li>2. Importing goods (Crimea)</li> </ol>	<ol style="list-style-type: none"> <li>1. Reg. 23</li> <li>2. Reg 47</li> </ol> <p>Offence contained within Customs and Excise Management Act 1979 S. 50(1)</p>	<p><b>Liable on summary conviction</b></p> <p>To a penalty of £20,000 or of three times the value of the goods, whichever is the greater, or to imprisonment for a term not exceeding 6 months, or to both</p> <p><b>Liable on indictment</b></p> <p>To a penalty of any amount, or to imprisonment for a term not exceeding 7 years (modified to 10 years).</p>
Supplying and delivering goods	<ol style="list-style-type: none"> <li>1. Supplying and delivering military goods</li> <li>2. Supplying and delivering dual-use goods</li> </ol>	<ol style="list-style-type: none"> <li>1. Reg 24(1)</li> <li>2. Reg 33(1)</li> <li>3. Reg 41(1)</li> <li>4. Reg 49(1)</li> </ol>	<p><b>Liable on summary conviction</b></p> <p>To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or,</p>

	<ol style="list-style-type: none"> <li>3. Supplying and delivering energy-related goods</li> <li>4. Supplying and delivering infrastructure-related goods (Crimea)</li> </ol>		<p>in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment) comes into force, six months). To imprisonment for a term not exceeding 12 months in Scotland. To imprisonment to a term not exceeding 6 months or a fine (or both) in Northern Ireland.</p> <p><b>Liable on indictment</b> To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Making available goods and technology	<ol style="list-style-type: none"> <li>1. Making available military goods and technology</li> <li>2. Making available dual-use goods and technology</li> <li>3. Making available energy-related goods</li> <li>4. Making available infrastructure-related goods (Crimea)</li> </ol>	<ol style="list-style-type: none"> <li>1. Reg 25(1)</li> <li>2. Reg 34(1)</li> <li>3. Reg 42(1)</li> <li>4. Reg 50(1)</li> </ol>	<p><b>Liable on summary conviction</b> To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment) comes into force, six months). To imprisonment for a term not exceeding 12 months in Scotland. To imprisonment to a term not exceeding 6 months or a fine (or both) in Northern Ireland.</p> <p><b>Liable on indictment</b> To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Transferring technology	<ol style="list-style-type: none"> <li>1. Transferring military technology</li> </ol>	<ol style="list-style-type: none"> <li>1. Reg 26(1)</li> <li>2. Reg 35(1)</li> </ol>	<p><b>Liable on summary conviction</b></p>

	<p>2. Transferring dual-use technology</p>		<p>To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment) comes into force, six months). To imprisonment for a term not exceeding 12 months in Scotland. To imprisonment to a term not exceeding 6 months or a fine (or both) in Northern Ireland.</p> <p><b>Liable on indictment</b> To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
<p>Providing technical assistance relating to goods and technology</p>	<p>1. Providing technical assistance relating to military goods and technology</p> <p>2. Providing technical assistance relating to dual-use goods and technology</p> <p>3. Providing technical assistance relating to energy-related goods</p> <p>4. Providing technical assistance relating to infrastructure-related goods (Crimea)</p>	<p>1. Reg 27(1)</p> <p>2. Reg 36(1)</p> <p>3. Reg 43(1)</p> <p>4. Reg 51(1)</p>	<p><b>Liable on summary conviction</b> To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment) comes into force, six months). To imprisonment for a term not exceeding 12 months in Scotland. To imprisonment to a term not exceeding 6 months or a fine (or both) in Northern Ireland.</p> <p><b>Liable on indictment</b></p>



			To imprisonment for a term not exceeding 10 years or a fine (or both).
Providing financial services and funds relating to goods and technology	<ol style="list-style-type: none"> <li>1. Providing financial services and funds relating to military goods and technology</li> <li>2. Providing financial services and funds relating to dual-use goods and technology</li> <li>3. Providing financial services relating to energy-related goods</li> <li>4. Providing financial services and funds relating to infrastructure-related goods (Crimea)</li> </ol>	<ol style="list-style-type: none"> <li>1. Reg 28(1)</li> <li>2. Reg 37(1-4)</li> <li>3. Reg 44(1)</li> <li>4. Reg 52(1-3)</li> </ol>	<p><b>Liable on summary conviction</b></p> <p>To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment) comes into force, six months). To imprisonment for a term not exceeding 12 months in Scotland. To imprisonment to a term not exceeding 6 months or a fine (or both) in Northern Ireland.</p> <p><b>Liable on indictment</b></p> <p>To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Providing brokering services relating to goods and technology	<ol style="list-style-type: none"> <li>1. Providing brokering services relating to military goods and technology</li> <li>2. Providing brokering services relating to dual-use goods and technology</li> <li>3. Providing brokering services relating to energy-related goods</li> <li>4. Providing brokering services relating to infrastructure-related goods (Crimea)</li> </ol>	<ol style="list-style-type: none"> <li>1. Reg 29(1)</li> <li>2. Reg 38(1)</li> <li>3. Reg 45(1)</li> <li>4. Reg 53(1)</li> </ol>	<p><b>Liable on summary conviction</b></p> <p>To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment) comes into force, six months). To imprisonment for a term not exceeding 12 months in Scotland. To imprisonment to a term not exceeding 6 months</p>

			<p>or a fine (or both) in Northern Ireland.</p> <p><b>Liable on indictment</b> To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Enabling or facilitating military activities	1. Providing technical assistance, armed personnel, financial services or funds, or brokering services where such provision enables or facilitates the conduct of military activities	1. Reg 30(1)	<p><b>Liable on summary conviction</b> To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment) comes into force, six months). To imprisonment for a term not exceeding 12 months in Scotland. To imprisonment to a term not exceeding 6 months or a fine (or both) in Northern Ireland.</p> <p><b>Liable on indictment</b> To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Providing other energy-related services	1. Providing relevant energy services	1. Reg 46(1)	<p><b>Liable on summary conviction</b> To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment) comes into force, six months). To imprisonment for a term not exceeding 12</p>

			<p>months in Scotland. To imprisonment to a term not exceeding 6 months or a fine (or both) in Northern Ireland.</p> <p><b>Liable on indictment</b> To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
<p>Providing other services relating to Crimea</p>	<p>1. Providing services relating to a relevant infrastructure sector in Crimea 2. Providing services relating to tourism in Crimea</p>	<p>1. Reg 54(1)(a) 2. Reg 54(1)(b)</p>	<p><b>Liable on summary conviction</b> To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment) comes into force, six months). To imprisonment for a term not exceeding 12 months in Scotland. To imprisonment to a term not exceeding 6 months or a fine (or both) in Northern Ireland.</p> <p><b>Liable on indictment</b> To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
<p>Circumvention etc. of prohibitions</p>	<p>Circumventing directly or indirectly the prohibitions of regs 22-53 (Trade) or enabling the contravention of prohibitions.</p>	<p>1. Reg 55</p>	<p><b>Liable on summary conviction</b> To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment) comes</p>

			<p>into force, six months). To imprisonment for a term not exceeding 12 months in Scotland. To imprisonment to a term not exceeding 6 months or a fine (or both) in Northern Ireland.</p> <p><b>Liabe on indictment</b> To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Licensing offences	<p>1. Knowingly or recklessly:</p> <ul style="list-style-type: none"> <li>○ Providing information that is false in a material respect, or</li> <li>○ Providing or producing a document that is not what it purports to be, for the purpose of obtaining a trade licence.</li> </ul> <p>2. Purporting to act under the authority of a trade licence but failing to comply with any condition contained in the licence.</p>	<p>1. Reg 68(1)(a) and (b) 2. Reg 68(2)</p>	<p><b>Liabe on summary conviction</b> To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment) comes into force, six months). To imprisonment for a term not exceeding 12 months in Scotland. To imprisonment to a term not exceeding 6 months or a fine (or both) in Northern Ireland.</p> <p><b>Liabe on indictment</b> To imprisonment for a term not exceeding 2 years or a fine (or both).</p>
Information offences	<p>1. Failing to comply with record keeping requirements in reg. 77 2.(a) Intentionally obstructing an official in the performance of any of the official's functions under this regulation, or  (b) Failing to produce</p>	<p>1. Reg 77(6) 2. Reg 78(5)(a)(b)</p>	<p><b>Liabe on summary conviction</b> To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general</p>

	<p>a register, record or document when reasonably required to do so by an official under this regulation.</p>		<p>limit on magistrates' court's power to impose imprisonment) comes into force, six months). To imprisonment for a term not exceeding 12 months in Scotland. To imprisonment to a term not exceeding 6 months or a fine (or both) in Northern Ireland.</p> <p><b>Liable on indictment</b> To imprisonment for a term not exceeding 2 years or a fine (or both).</p>
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**Annex C: Table of transport sanctions offences**

<b>Type of sanction offences</b>	<b>Specific offence</b>	<b>Relevant prohibition or requirement</b>	<b>Maximum penalty</b>
Breach of shipping sanctions	Failure to comply with a Crimean ports direction from the Secretary of State (a direction prohibiting a ship from entering a port located in Crimea)	Reg. 57(3)	<p><b>Liable on summary conviction</b></p> <p>To imprisonment for a term not exceeding 12 months (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment) comes into force, 6 months) or a fine (or both) in England and Wales.</p> <p>To imprisonment for a term not exceeding 12 months, or a fine not exceeding the statutory maximum (or both) in Scotland.</p> <p>To imprisonment for a term not exceeding 6 months, or a fine not exceeding the statutory maximum (or both) in Northern Ireland.</p> <p><b>Liable on indictment</b></p> <p>To imprisonment for a term not exceeding 7 years, or a fine (or both).</p>

**Annex D: Table of other offences**

<b>Other offences</b>	<b>Specific offence</b>	<b>Relevant prohibition or requirement</b>	<b>Maximum penalty</b>
Breach of confidential information provision	Breach of the prohibition on disclosing information which the Secretary of State has specified as confidential.	reg. 9	<p><b>Liable on summary conviction</b></p> <p>To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment) comes into force, 6 months). To imprisonment for a term not exceeding 12 months in Scotland or a fine not exceeding the statutory maximum (or both). To imprisonment to a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both) in Northern Ireland.</p> <p><b>Liable on conviction on indictment</b></p> <p>To imprisonment for a term not exceeding 2 years or a fine (or both).</p>