
STATUTORY INSTRUMENTS

2019 No. 855

The Russia (Sanctions) (EU Exit) Regulations 2019

PART 2

Designation of persons

Designation criteria

6.—(1) The Secretary of State may not designate a person under regulation 5 unless the Secretary of State—

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

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

- (a) is or has been involved in destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine,
- (b) is owned or controlled directly or indirectly (within the meaning of regulation 7) by a person who is or has been so involved,
- (c) is acting on behalf of or at the direction of a person who is or has been so involved, or
- (d) is a member of, or associated with, a person who is or has been so involved.

(3) For the purposes of this regulation a person is “involved in destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine” if—

- (a) the person is responsible for, engaging in, providing support for, or promoting any policy or action which destabilises Ukraine or undermines or threatens the territorial integrity, sovereignty or independence of Ukraine;
- (b) the person provides financial services, or makes available funds, economic resources, goods or technology that could contribute to destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine;
- (c) the person provides financial services, or makes available funds, economic resources, goods or technology, to—
 - (i) a person who is responsible for a policy or action which falls within paragraph (a), or
 - (ii) a person who provides financial services, or makes available funds, economic resources, goods or technology, as mentioned in sub-paragraph (b);
- (d) the person obstructs the work of international organisations in Ukraine;
- (e) the person conducts business with a separatist group in the Donbas region;
- (f) the person is a relevant person trading or operating in Crimea; or

- (g) the person assists with the contravention of a relevant provision.
- (4) In paragraph (3)(f), a person (“P”) “is a “relevant person” if—
 - (a) P is not an individual;
 - (b) the ownership or control of P has been transferred contrary to the law of Ukraine.
- (5) In paragraph (2)(d), being “associated with” a person includes obtaining a financial benefit or other material benefit from that person.
- (6) In this regulation “relevant provision” means—
 - (a) any provision of Part 3 or Part 5;
 - (b) any provision of the law of a country other than the United Kingdom made for purposes corresponding to a purpose of any provision of Part 3 or Part 5.
- (7) Nothing in any sub-paragraph of paragraph (3) is to be taken to limit the meaning of any of the other sub-paragraphs of that paragraph.