

SCHEDULE 4

Article 5

Modifications to be made in the extension of the Sanctions Review Procedure (EU Exit) Regulations 2018 to each British overseas territory listed in Schedule 1

1. In regulation 1 (citation and commencement)—
 - (a) in the heading, omit “and commencement”;
 - (b) omit “and come into force on 7th January 2019”.
2. In regulation 2 (interpretation)—
 - (a) the existing text becomes paragraph (1);
 - (b) in that paragraph—
 - (i) at the appropriate place, insert—

““the Governor” is to be read in accordance with regulation 10 (functions of the Governor);”;
 - (ii) omit the definition of “Minister”;
 - (iii) after “bearing that number” insert “(as it has effect in the Territory)”;
 - (c) after that paragraph insert—

“(2) In the application of these Regulations to a particular British overseas territory, the expression “the Territory” means that territory.”
3. For regulation 3 (requests to which these Regulations apply) substitute—

“3. These Regulations apply to a request under section 23 (right to request variation or revocation of designations).”
4. In regulation 4 (content of request)—
 - (a) in paragraph (4), omit sub-paragraphs (c) to (e);
 - (b) in paragraph (5), omit sub-paragraphs (c) to (e);
 - (c) in paragraph (8), for “any of the sections mentioned in regulation 3” substitute “section 23”.
5. For regulation 5 (submission of request) substitute—

“5.—(1) A request must be submitted to the electronic or postal address stipulated by the Governor.

(2) Where the Governor has made a designation, the Governor must—

 - (a) stipulate the electronic or postal address to which requests are to be made,
 - (b) without delay take such steps as are reasonably practicable to inform the designated person of that address, and
 - (c) take steps to publicise that address.”
 6. In regulation 6(1) (further information), for “Minister” substitute “Governor”.
 7. In regulation 7 (decision on request), for “Minister” substitute “Governor”.
 8. In regulation 8 (notification of decision)—
 - (a) in paragraph (1), for “Minister” substitute “Governor”;
 - (b) omit paragraph (2);
 - (c) in paragraph (3)—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) for “Minister” substitute “Governor, with the consent of the Secretary of State”;
- (ii) in sub-paragraph (b), for “United Kingdom” substitute “Territory”.

9. In regulation 9 (publicity)—

- (a) in paragraph (1), for “Minister” substitute “Governor”;
- (b) in paragraph (2)—
 - (i) for “Minister” substitute “Governor, with the consent of the Secretary of State”;
 - (ii) in sub-paragraph (b), for “United Kingdom” substitute “Territory”.

10. After regulation 9 (publicity), insert—

“Functions of the Governor

10.—(1) In these Regulations, “the Governor” means, in relation to the Territory, the person holding or acting in the office of Governor of the Territory, or, if there is no such office, the officer for the time being administering the Territory.

(2) The Governor may, to such extent and subject to such restrictions and conditions as the Governor thinks proper, delegate or authorise the delegation of any of the Governor’s powers under these Regulations to any person, or class or description of persons, and any references in these Regulations to the Governor are to be construed accordingly.

(3) In the exercise of any power conferred on the Governor by these Regulations, the Governor is to act in their discretion.”