STATUTORY INSTRUMENTS

2020 No. 1665

EXITING THE EUROPEAN UNION SANCTIONS

The Libya (Sanctions) (EU Exit) Regulations 2020

Made - - - 29th December 2020

Laid before Parliament 4th January 2021 Coming into force in accordance with regulation 1(2) and (3)

THE LIBYA (SANCTIONS) (EU EXIT) REGULATIONS 2020

PART 1

General

- 1. Citation and commencement
- 2. Interpretation
- 3. Application of prohibitions and requirements outside the United Kingdom
- 4. Purposes

PART 2

Designation of persons

- 5. Power to designate persons
- 6. Criteria for designating a person
- 7. Meaning of "owned or controlled directly or indirectly"
- 8. Notification and publicity where designation power used
- 9. Confidential information in certain cases where designation power used
- 10. Designation of persons named by or under UN Security Council Resolutions

PART 3

Finance

CHAPTER 1

Asset-freeze etc.

- 11. Meaning of "designated person" in Chapter 1
- 12. Asset-freeze in relation to designated persons
- 13. Making funds available to designated persons
- 14. Making funds available for benefit of designated persons
- 15. Making economic resources available to designated persons
- 16. Making economic resources available for benefit of designated persons

CHAPTER 2

Partial asset-freeze etc.

- 17. Meaning of "designated person" in Chapter 2
- 18. Partial asset-freeze in relation to designated persons
- 19. Making funds available to designated persons
- 20. Making funds available for benefit of designated persons

CHAPTER 3

Circumvention

21. Circumventing etc. prohibitions

PART 4

Immigration

22. Immigration

PART 5

Trade

CHAPTER 1

Trade prohibitions related to goods and technology

- 23. Export of restricted goods
- 24. Import of arms and related materiel and internal repression goods
- 25. Supply and delivery of certain goods
- 26. Making available or acquiring certain goods and technology
- 27. Transfer of restricted technology
- 28. Technical assistance relating to restricted goods and restricted technology
- 29. Financial services and funds relating to restricted goods and restricted technology
- 30. Brokering services: non-UK activity relating to restricted goods and restricted technology

CHAPTER 2

Enabling or facilitating the conduct of armed hostilities

31. Enabling or facilitating the conduct of armed hostilities

CHAPTER 3

Interpretation, circumvention and defences

- 32. Interpretation of this Part
- 33. Circumventing etc. prohibitions
- 34. Defences

PART 6

Trade, transport and finance measures related to UN designated ships

- 35. Transporting etc. Libyan oil in relation to UN designated ships
- 36. Port access or entry for UN designated ships
- 37. Bunkering or ship supply services
- 38. Financial transactions in relation to Libyan oil aboard UN designated ships
- 39. Circumventing etc. prohibitions
- 40. Defences
- 41. Interpretation of Part 6

PART 7

Aircraft

42. Movement of aircraft

PART 8

Exceptions and licences

- 43. Finance: exceptions from prohibitions
- 43A Finance: humanitarian exception
- 44. Port access or entry for UN designated ships: exception from prohibitions
- 45. Aircraft: exceptions
- 46. Exception for authorised conduct in a relevant country
- 47. Exception for acts done for purposes of national security or prevention of serious crime
- 48. Treasury licences
- 49. Trade licences
- 50. Port licences
- 51. Licences: general provisions
- 52. Finance: licensing offences
- 53. Trade: licensing offences
- 54. Port access or entry for UN designated ships: licensing offences
- 55. Section 8B(1) to (3) of the Immigration Act 1971: directions

PART 9

Information and records

56. Finance: reporting obligations

- 57. "Relevant firm"
- 58. Finance: powers to request information
- 59. Finance: production of documents
- 60. Finance: information offences
- 61. Trade: application of information powers in CEMA
- 62. General trade licences: records
- 63. General trade licences: inspection of records
- 64. Disclosure of information
- 64A Finance: disclosure to the Treasury
- 65. Part 9: supplementary

PART 10

Enforcement

- 66. Penalties for offences
- 67. Liability of officers of bodies corporate etc.
- 68. Jurisdiction to try offences
- 69. Procedure for offences by unincorporated bodies
- 70. Time limit for proceedings for summary offences
- 71. Trade enforcement: application of CEMA
- 72. Trade offences in CEMA: modification of penalty
- 73. Application of Chapter 1 of Part 2 of the Serious Organised Crime and Police Act 2005
- 74. Monetary penalties

PART 11

Maritime enforcement

- 75. Exercise of maritime enforcement powers
- 76. Maritime enforcement officers
- 77. Power to stop, board, search etc.
- 78. Seizure power
- 79. Restrictions on exercise of maritime enforcement powers
- 80. Interpretation of Part 11

PART 12

Supplementary and final provision

- 81. Notices
- 82. Article 20 of the Export Control Order 2008
- 83. Trade: overlapping offences
- 84. Amendment of the United Nations and European Union Financial Sanctions (Linking) Regulations 2017
- 85. Revocations
- 86. Transitional provision: Treasury licences
- 87. Transitional provision: trade licences
- 88. Transitional provision: pending applications for trade licences
- 89. Transitional provision: prior obligations etc. Signature

SCHEDULES

SCHEDULE 1 — Rules for interpretation of regulation 7(2)

- 1. Application of Schedule
- 2. Joint interests
- 3. Joint arrangements
- 4. Calculating shareholdings
- 5. Voting rights
- 6. In applying regulation 7(2) and this Schedule, the voting rights...
- 7. Rights to appoint or remove members of the board
- 8. A reference to a board of directors, in the case...
- 9. Shares or rights held "indirectly"
- 10. Shares held by nominees
- 11. Rights treated as held by person who controls their exercise
- 12. "Arrangement" includes— (a) any scheme, agreement or understanding, whether or...
- 13. Rights exercisable only in certain circumstances etc.
- 14. Rights attached to shares held by way of security

SCHEDULE 2 — Internal repression goods and internal repression technology

- 1. Firearms and related goods
- 2. Simulators for training persons to use firearms.
- 3. Bombs and grenades.
- 4. Vehicles
- 5. Explosive substances and related goods
- 6. Linear cutting explosive charges.
- 7. The following explosives and related substances— (a) amatol;
- 8. Other goods
- 9. Night vision equipment.
- 10. Thermal imaging equipment.
- 11. Image intensifier tubes.
- 12. Razor barbed wire.
- 13. The following types of knives—(a) knives that are designed...
- 14. Production equipment
- 15. Software and technology
- 16. Any technology which is specially designed for the development, production...
- 17. Interpretation

SCHEDULE 3 — Definitions used in Part 5 (Trade)

PART 1 — General

- 1. Definitions
 - PART 2 Goods which could be used for migrant smuggling and human trafficking subject to trade prohibitions
- 2. For the purposes of regulation 32, "goods which could be...

SCHEDULE 4 — Treasury licences: purposes

PART 1 — Designated Persons

CHAPTER 1

General purposes

- 1. Basic needs
- 2. Legal services
- 3. Maintenance of frozen funds and economic resources
- 4. Extraordinary expenses
- 5. Pre-existing judicial decisions etc.

CHAPTER 2

Additional purposes: Libyan Investment Authority and Libyan Africa Investment Portfolio

- 6. Humanitarian assistance activity
- 7. Provision of fuel etc. for civilian uses
- 8. Hydrocarbons
- 9. Civilian government and public infrastructure
- 10. Banking sector operations etc.
 - PART 2 Purposes relating only to UN designated persons
- 11. Prior obligations
 - PART 3 Purposes relating only to non-UN designated persons
- 12. Prior obligations
- 13. Humanitarian assistance activity
- 14. Diplomatic missions etc.
- 15. Extraordinary situation
 - PART 4 Interpretation
- 16. In this Schedule— "consular post" has the same meaning as...

Explanatory Note

Changes to legislation:
There are currently no known outstanding effects for the The Libya (Sanctions) (EU Exit)
Regulations 2020.