
STATUTORY INSTRUMENTS

2020 No. 597

The Cyber (Sanctions) (EU Exit) Regulations 2020

PART 8

Supplementary and final provision

Notices

36.—(1) This regulation applies in relation to a notice required by regulation 20 (Treasury licences) to be given to a person.

(2) The notice may be given to an individual—

- (a) by delivering it to the individual,
- (b) by sending it to the individual by post addressed to the individual at his or her usual or last-known place of residence or business, or
- (c) by leaving it for the individual at that place.

(3) The notice may be given to a person other than an individual—

- (a) by sending it by post to the proper officer of the body at its principal office, or
- (b) by addressing it to the proper officer of the body and leaving it at that office.

(4) The notice may be given to the person by other means, including by electronic means, with the person's consent.

(5) In this regulation, the reference in paragraph (3) to a "principal office"—

- (a) in relation to a registered company, is to be read as a reference to the company's registered office;
- (b) in relation to a body incorporated or constituted under the law of a country other than the United Kingdom, includes a reference to the body's principal office in the United Kingdom (if any).

(6) In this regulation—

"proper officer"—

- (a) in relation to a body other than a partnership, means the secretary or other executive officer charged with the conduct of the body's general affairs, and
- (b) in relation to a partnership, means a partner or a person who has the control or management of the partnership business;

"registered company" means a company registered under the enactments relating to companies for the time being in force in the United Kingdom.

Revocations

37.—(1) Council Regulation (EU) 2019/796 of 17 May 2019 concerning restrictive measures against cyber-attacks threatening the Union or its Member States is revoked.

(2) The Cyber-Attacks (Asset-Freezing) Regulations 2019(1) are revoked.

Transitional provision: Treasury licences

38.—(1) Paragraphs (2) to (4) apply to a licence which—

- (a) was granted by the Treasury under regulation 9 of the 2019 Regulations,
- (b) was in effect immediately before the relevant date, and
- (c) authorises conduct which would (on and after the relevant date, and in the absence of paragraphs (2) to (4)) be prohibited under Part 3 (Finance),

and such a licence is referred to in this regulation as “an existing financial sanctions licence”.

(2) An existing financial sanctions licence which authorises an act which would otherwise be prohibited has effect on and after the relevant date as if it had been issued by the Treasury under regulation 20(1) (Treasury licences).

(3) Any reference in an existing financial sanctions licence to the 2019 Regulations is to be treated on and after the relevant date as a reference to these Regulations.

(4) Any reference in an existing financial sanctions licence to a prohibition in—

- (a) the 2019 Regulations, or
- (b) the EU Cyber Regulation,

is to be treated on and after the relevant date as a reference to the corresponding prohibition in Part 3.

(5) Paragraph (6) applies where—

- (a) an application for a licence, or for the variation of a licence, under the 2019 Regulations was made before the relevant date,
- (b) the application is for the authorisation of conduct which would (on and after the relevant date) be prohibited under Part 3, and
- (c) a decision to grant or refuse the application has not been made before that date.

(6) The application is to be treated on and after the relevant date as an application for a licence, or for the variation of a licence (as the case may be), under regulation 20(1) (Treasury licences).

(7) In this regulation—

“the 2019 Regulations” means the Cyber-Attacks (Asset-Freezing) Regulations 2019;

“the relevant date” means—

- (a) where regulations under section 56 of the Act provide that Part 3 comes into force at a specified time on a day, that time on that day;
- (b) otherwise, the date on which Part 3 comes into force.

Transitional provision: prior obligations etc.

39.—(1) Where—

- (a) a person was named in Annex I of the EU Cyber Regulation immediately before the relevant date, and
- (b) the person is a designated person immediately before the relevant date,

any reference in a provision mentioned in paragraph (2) to the date on which a person became a designated person is a reference to the date on which the person was so named.

(2) The provisions referred to in paragraph (1) are—

- (a) regulation 18(5) (finance: exceptions from prohibitions), and
 - (b) paragraphs 6(b)(i) and 9(a) of Schedule 2 (Treasury licences: purposes).
- (3) In this regulation—
- “designated person” has the same meaning as it has in Part 3 (Finance);
 - “the relevant date” means—
- (a) where regulations under section 56 of the Act provide that Part 3 comes into force at a specified time on a day, that time on that day;
 - (b) otherwise, the date on which Part 3 comes into force.