
STATUTORY INSTRUMENTS

2020 No. 610

The Nicaragua (Sanctions) (EU Exit) Regulations 2020

PART 1

General

Citation and commencement

- 1.—(1) These Regulations may be cited as the Nicaragua (Sanctions) (EU Exit) Regulations 2020.
(2) These Regulations come into force in accordance with regulations made under section 56 of the Act.

Interpretation

2. In these Regulations—

- “the Act” means the Sanctions and Anti-Money Laundering Act 2018;
“arrangement” includes any agreement, understanding, scheme, transaction or series of transactions, whether or not legally enforceable (but see paragraph 12 of Schedule 1 for the meaning of that term in that Schedule);
“conduct” includes acts and omissions;
“document” includes information recorded in any form and, in relation to information recorded otherwise than in legible form, references to its production include producing a copy of the information in legible form;
“the EU Nicaragua Regulation” means Council Regulation (EU) 2019/1716 of 14 October 2019 concerning restrictive measures in view of the situation in Nicaragua⁽¹⁾, as it has effect in EU law;
“serious human rights violation or abuse” means a serious violation or abuse of any of the human rights specified in regulation 4(c);
“Treasury licence” means a licence under regulation 20(1);
“United Kingdom person” has the same meaning as in section 21 of the Act.

Application of prohibitions and requirements outside the United Kingdom

- 3.—(1) A United Kingdom person may contravene a relevant prohibition by conduct wholly or partly outside the United Kingdom.
(2) Any person may contravene a relevant prohibition by conduct in the territorial sea.
(3) In this regulation, a “relevant prohibition” means any prohibition imposed by—
(a) regulation 9(2) (confidential information),
(b) Part 3 (Finance), or

(1) OJ No. L 262, 15.10.2019, p.1.

- (c) a condition of a Treasury licence.
- (4) A United Kingdom person may comply, or fail to comply, with a relevant requirement by conduct wholly or partly outside the United Kingdom.
- (5) Any person may comply, or fail to comply, with a relevant requirement by conduct in the territorial sea.
- (6) In this regulation a “relevant requirement” means any requirement imposed—
 - (a) by or under Part 6 (Information and records), or by reason of a request made under a power conferred by that Part, or
 - (b) by a condition of a Treasury licence.
- (7) Nothing in this regulation is to be taken to prevent a relevant prohibition or a relevant requirement from applying to conduct (by any person) in the United Kingdom.

Purposes

- 4. The purposes of the regulations contained in this instrument that are made under section 1 of the Act are to encourage the Government of Nicaragua to—
 - (a) respect democratic principles and institutions, the separation of powers and the rule of law in Nicaragua;
 - (b) refrain from actions, policies and activities which repress civil society in Nicaragua;
 - (c) comply with international human rights law and to respect human rights, including in particular to—
 - (i) respect the right to life of persons in Nicaragua;
 - (ii) respect the right of persons not to be subjected to torture or cruel, inhuman or degrading treatment or punishment in Nicaragua, including inhuman and degrading conditions in prisons;
 - (iii) respect the right to liberty and security, including refraining from arbitrary arrest and detention of persons in Nicaragua;
 - (iv) afford persons in Nicaragua charged with criminal offences the right to a fair trial;
 - (v) afford journalists, human rights defenders and other persons in Nicaragua the right to freedom of expression, association and peaceful assembly;
 - (vi) secure the human rights of persons in Nicaragua without discrimination, including on the basis of a person’s sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.