
STATUTORY INSTRUMENTS

2020 No. 617

The Lebanon (Sanctions) (Assassination of Rafiq Hariri and others) (EU Exit) Regulations 2020

PART 1

General

Citation and commencement

1.—(1) These Regulations may be cited as the Lebanon (Sanctions) (Assassination of Rafiq Hariri and others) (EU Exit) Regulations 2020.

(2) These Regulations come into force in accordance with regulations made by the Secretary of State 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);

“the Committee” means the Committee of the Security Council established in accordance with paragraph 3(b) of resolution 1636;

“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 Regulation” means Council Regulation (EC) No 305/2006 of 21 February 2006, imposing specific restrictive measures against certain persons suspected of involvement in the assassination of former Lebanese Prime Minister Rafiq Hariri⁽¹⁾, as it has effect in EU law;

“resolution 1636” means resolution 1636 (2005) adopted by the Security Council on 31 October 2005;

“Treasury licence” means a licence under regulation 16(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.

(1) OJ No. L 51, 22.2.2006, p.1.

- (2) Any person may contravene a relevant prohibition by conduct in the territorial sea.
- (3) In paragraphs (1) and (2) a “relevant prohibition” means any prohibition imposed by—
 - (a) Part 3 (Finance), or
 - (b) 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 5 (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.—(1) The purpose of the regulations contained in this instrument that are made under section 1 of the Act is compliance with the relevant UN obligations.
- (2) In this regulation, “the relevant UN obligations” means—
 - (a) the obligations that the United Kingdom has by virtue of paragraph 3(a) of resolution 1636 (asset-freeze etc.) to take the financial sanctions measures required by that provision in respect of individual persons for the time being named for the purposes of that provision by the Committee⁽²⁾;
 - (b) the obligations that the United Kingdom has by virtue of paragraph 3(a) of resolution 1636 (asset-freeze etc.) in respect of persons⁽³⁾—
 - (i) acting on behalf of or at the direction of, or
 - (ii) owned or controlled by,the individual persons for the time being named by the Committee for the purposes of paragraph 3(a) of resolution 1636.

(2) Paragraph 3(a) of resolution 1636 provides that the Committee established by paragraph 3(b) of that resolution must agree the designation of individuals either by the international independent investigation Commission, which was established by paragraph 1 of resolution 1595 (2005) adopted by the Security Council on 7 April 2005, or by the Government of Lebanon, in order for them to be subject to the sanctions measures contained in the resolution.

(3) “Person” is defined by section 9(5) of the Sanctions and Anti-Money Laundering Act 2018 to include (in addition to an individual and a body of persons corporate or unincorporate) any organisation and any association or combination of persons.