
STATUTORY INSTRUMENTS

2020 No. 642

The Somalia (Sanctions) (EU Exit) Regulations 2020

PART 5

Trade

CHAPTER 3

Targeted arms embargo

Export of military goods

- 28.**—(1) The export of military goods to a designated person is prohibited.
(2) Paragraph (1) is subject to Part 6 (Exceptions and licences).

Supply and delivery of military goods

- 29.**—(1) A person must not directly or indirectly supply or deliver military goods from a third country to a designated person.
(2) Paragraph (1) is subject to Part 6 (Exceptions and licences).
(3) A person who contravenes the prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence (“P”) to show that P did not know and had no reasonable cause to suspect that the person to whom the goods were supplied or delivered was a designated person.
(4) In this regulation “third country” means a country that is not the United Kingdom or the Isle of Man.

Making military goods and military technology available

- 30.**—(1) A person must not directly or indirectly make military goods or military technology available to a designated person.
(2) Paragraph (1) is subject to Part 6 (Exceptions and licences).
(3) A person who contravenes the prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence (“P”) to show that P did not know and had no reasonable cause to suspect that the person to whom the goods or technology were made available was a designated person.

Transfer of military technology

- 31.**—(1) A person must not transfer military technology to a designated person.
(2) Paragraph (1) is subject to Part 6 (Exceptions and licences).
(3) A person who contravenes the prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence (“P”) to show that P did not know and had no

reasonable cause to suspect that the person to whom the technology was transferred was a designated person.

Technical assistance relating to military goods and military technology

32.—(1) A person must not directly or indirectly provide technical assistance relating to military goods or military technology to a designated person.

(2) Paragraph (1) is subject to Part 6 (Exceptions and licences).

(3) A person who contravenes the prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence (“P”) to show that P did not know and had no reasonable cause to suspect that the person to whom the technical assistance was provided was a designated person.

Financial services and funds relating to military goods and military technology

33.—(1) A person must not directly or indirectly provide financial services to a designated person in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of military goods,
- (b) the direct or indirect supply or delivery of military goods,
- (c) directly or indirectly making military goods or military technology available to a person,
- (d) the transfer of military technology, or
- (e) the direct or indirect provision of technical assistance relating to military goods or military technology.

(2) A person must not directly or indirectly make funds available to a designated person in pursuance of or in connection with an arrangement mentioned in paragraph (1).

(3) A person must not directly or indirectly provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of military goods to a designated person,
- (b) the direct or indirect supply or delivery of military goods to a designated person,
- (c) directly or indirectly making military goods or military technology available to a designated person,
- (d) the transfer of military technology to a designated person, or
- (e) the direct or indirect provision of technical assistance relating to military goods or military technology to a designated person.

(4) Paragraphs (1) to (3) are subject to Part 6 (Exceptions and licences).

(5) A person who contravenes a prohibition in any of paragraphs (1) to (3) commits an offence but—

- (a) it is a defence for a person charged with the offence of contravening paragraph (1) (“P”) to show that P did not know and had no reasonable cause to suspect that the person to whom the financial services were provided was a designated person;
- (b) it is a defence for a person charged with the offence of contravening paragraph (2) (“P”) to show that P did not know and had no reasonable cause to suspect that the person to whom the funds were made available was a designated person;
- (c) it is a defence for a person charged with the offence of contravening paragraph (3) to show that the person did not know and had no reasonable cause to suspect that the financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

Brokering services: non-UK activity relating to military goods and military technology

34.—(1) A person must not directly or indirectly provide brokering services in relation to an arrangement (“arrangement A”) whose object or effect is—

- (a) the direct or indirect supply or delivery of military goods from a non-UK country to a designated person;
- (b) directly or indirectly making military goods available in a non-UK country for direct or indirect supply or delivery to a designated person;
- (c) directly or indirectly making military technology available in a non-UK country for transfer to a designated person;
- (d) the transfer of military technology from a place in a non-UK country to a designated person;
- (e) the direct or indirect provision, in a non-UK country, of technical assistance relating to military goods or military technology to a designated person;
- (f) the direct or indirect provision, in a non-UK country, of financial services—
 - (i) to a designated person where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 33(1); or
 - (ii) where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 33(3);
- (g) directly or indirectly making funds available in a non-UK country to, or for the benefit of, a designated person where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 33(1); or
- (h) the direct or indirect provision of funds from a non-UK country, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 33(3).

(2) Paragraph (1) is subject to Part 6 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that the brokering services were provided in relation to an arrangement mentioned in that paragraph.

(4) In this regulation—

“non-UK country” means—

- (a) for the purposes of paragraph (1)(a) and (b), a country that is not the United Kingdom or the Isle of Man; and
- (b) for the purposes of any other provision of paragraph (1), a country that is not the United Kingdom.