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STATUTORY INSTRUMENTS

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**2020 No. 642**

**The Somalia (Sanctions) (EU Exit) Regulations 2020**

**PART 5**

**Trade**

**CHAPTER 4**

**Enabling or facilitating the conduct of armed hostilities**

**Enabling or facilitating the conduct of armed hostilities: designated persons**

**35.—**(1) A person must not directly or indirectly provide to a designated person—

- (a) technical assistance,
- (b) armed personnel,
- (c) financial services or funds, or
- (d) brokering services in relation to an arrangement whose object or effect is to provide, in a non-UK country, anything mentioned in sub-paragraphs (a) to (c),

where such provision enables or facilitates the conduct of armed hostilities in Somalia.

(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—

- (a) P did not know and had no reasonable cause to suspect that the person to whom, or for whose benefit, the technical assistance, armed personnel, financial services or funds or brokering services were provided was a designated person, or
- (b) P did not know and had no reasonable cause to suspect that the provision as mentioned in paragraph (1) would enable or facilitate the conduct of armed hostilities in Somalia.

(4) In this regulation—

“non-UK country” means a country that is not the United Kingdom;

“technical assistance” means the provision of technical support or any other technical service.

(5) Nothing in this regulation is to be taken to limit the meaning of any of the prohibitions contained in Chapter 2 or 3 of this Part.

**Enabling or facilitating the conduct of armed hostilities**

**36.—**(1) A person must not directly or indirectly provide to a person other than a designated person—

- (a) technical assistance,
- (b) armed personnel,
- (c) financial services or funds, or

(d) brokering services in relation to an arrangement whose object or effect is to provide, in a non-UK country, any of the services mentioned in sub-paragraphs (a) to (c).

where such provision enables or facilitates the conduct of armed hostilities in Somalia.

(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 to show that the person did not know and had no reasonable cause to suspect that the provision as mentioned in paragraph (1) would enable or facilitate the conduct of armed hostilities in Somalia.

(4) In this regulation—

“non-UK country” means a country that is not the United Kingdom;

“technical assistance” means the provision of technical support or any other technical service.

(5) Nothing in this regulation is to be taken to limit the meaning of any of the prohibitions contained in Chapter 2 or 3 of this Part.