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STATUTORY INSTRUMENTS

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**2020 No. 642**

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

**PART 5**

**Trade**

**CHAPTER 5**

Trade prohibitions relating to import, purchase and transportation

**Import of charcoal**

- 37.**—(1) The import of charcoal consigned from Somalia is prohibited.
- (2) The import of charcoal originating from Somalia is prohibited.
- (3) Paragraphs (1) and (2) are subject to Part 6 (Exceptions and licences).

**Purchase etc. of charcoal**

- 38.**—(1) A person must not—
- (a) directly or indirectly acquire charcoal which originates in Somalia;
- (b) directly or indirectly acquire charcoal which is located in Somalia.
- (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—
- (a) it is a defence for a person charged with the offence of contravening paragraph 1(a) to show that the person did not know and had no reasonable cause to suspect that the charcoal originated in Somalia;
- (b) it is a defence for a person charged with the offence of contravening paragraph 1(b) to show that the person did not know and had no reasonable cause to suspect that the charcoal was located in Somalia.

**Transport of charcoal**

- 39.**—(1) A person must not directly or indirectly supply or deliver charcoal from a place in Somalia to a third country where the charcoal—
- (a) originates in Somalia, or
- (b) is consigned from Somalia.
- (2) A person must not directly or indirectly supply or deliver charcoal from a place in a non-UK country to a place in a different non-UK country where the charcoal originates in Somalia.
- (3) Paragraphs (1) and (2) are subject to Part 6 (Exceptions and licences).
- (4) A person who contravenes a prohibition in paragraph (1) or (2) commits an offence, but—

- (a) it is a defence for a person charged with the offence of contravening paragraph (1)(a) or (2) to show that the person did not know and had no reasonable cause to suspect that the charcoal originated in Somalia;
  - (b) it is a defence for a person charged with the offence of contravening paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the charcoal was consigned from Somalia.
- (5) In this regulation—
- “non-UK country” means a country that is not the United Kingdom or the Isle of Man;
  - “third country” means a country that is not the United Kingdom, the Isle of Man or Somalia.

**Prohibitions relating to the associated provision of financial services and funds**

**40.**—(1) 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 import of charcoal which—
    - (i) originates in Somalia, or
    - (ii) is consigned from Somalia;
  - (b) the direct or indirect acquisition of charcoal which—
    - (i) originates in Somalia, or
    - (ii) is consigned from Somalia;
  - (c) the direct or indirect supply or delivery of charcoal from a place in Somalia to a third country, where the charcoal—
    - (i) originates in Somalia, or
    - (ii) is consigned from Somalia;
  - (d) the direct or indirect supply or delivery of charcoal from a place in a non-UK country to a place in a different non-UK country where the charcoal originates in Somalia.
- (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 an offence of contravening a prohibition in paragraph (1) 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.
- (4) For the purposes of paragraph (1)(c), the term “third country” has the same meaning as in regulation 39(5).
- (5) For the purposes of paragraph (1)(d), the term “non-UK country” has the same meaning as in regulation 39(5).