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STATUTORY INSTRUMENTS

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**2020 No. 707**

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

**PART 4**

**Trade**

**CHAPTER 3**

**Illegally removed Iraqi Cultural Property**

**Export and import of illegally removed Iraqi cultural property**

- 22.**—(1) The export of illegally removed Iraqi cultural property is prohibited.
- (2) The import of illegally removed Iraqi cultural property is prohibited.
- (3) Paragraphs (1) and (2) are subject to Part 5 (Exceptions and licensing).

**Supply and delivery of illegally removed Iraqi cultural property**

- 23.**—(1) A person must not directly or indirectly supply or deliver illegally removed Iraqi cultural property from a third country to any other third country.
- (2) Paragraph (1) is subject to Part 5 (Exceptions and licensing).
- (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 goods were illegally removed Iraqi cultural property.
- (4) In this regulation, “third country” means a country that is not the United Kingdom or the Isle of Man.

**Making available and acquisition of illegally removed Iraqi cultural property**

- 24.**—(1) A person must not directly or indirectly—
- (a) make available illegally removed Iraqi cultural property to another person;
- (b) acquire illegally removed Iraqi cultural property from another person.
- (2) Paragraph (1) is subject to Part 5 (Exceptions and licensing).
- (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 goods were illegally removed Iraqi cultural property.

**Financial services and funds relating to illegally removed Iraqi cultural property**

- 25.**—(1) A person must not directly or indirectly provide to another person, financial services or funds in pursuance of, or in connection with, an arrangement whose object or effect is—
- (a) the export of illegally removed Iraqi cultural property,

- (b) the import of illegally removed Iraqi cultural property,
- (c) the direct or indirect supply or delivery of illegally removed Iraqi cultural property, or
- (d) the direct or indirect making of illegally removed Iraqi cultural property available to a person.

(2) Paragraph (1) is subject to Part 5 (Exceptions and licensing).

(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 financial services or funds were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

### **Brokering services: non-UK activity relating to illegally removed Iraqi cultural property**

**26.**—(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 illegally removed Iraqi cultural property from a third country to any other third country,
- (b) the direct or indirect making available of illegally removed Iraqi cultural property to a person in a third country, or
- (c) the direct or indirect provision, in a non-UK country, of financial services or funds, where arrangement A, or any other arrangement in connection with arrangement A is entered into, is an arrangement mentioned in regulation 25(1).

(2) Paragraph (1) is subject to Part 5 (Exceptions and licensing).

(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 brokering services were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

(4) In this regulation—

- (a) “non-UK country” means a country that is not the United Kingdom;
- (b) “third country” means a country that is not the United Kingdom or the Isle of Man.

### **Holding or controlling illegally removed Iraqi cultural property**

**27.**—(1) A person who holds or controls illegally removed Iraqi cultural property must secure its transfer to a constable.

(2) Paragraph (1) is subject to Part 5 (Exceptions and licensing).

(3) A person who fails to comply with the requirement 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 goods held or controlled by P were illegally removed Iraqi cultural property.