
STATUTORY INSTRUMENTS

2020 No. 948

The Afghanistan (Sanctions) (EU Exit) Regulations 2020

PART 9

Supplementary and final provision

Transitional provision: Treasury licences

57.—(1) Paragraphs (2) to (4) apply to a licence which—

- (a) was granted, or deemed to be granted, by the Treasury under regulation 9 (licences) of the 2011 Regulations,
- (b) was in effect immediately before the relevant date, and
- (c) authorises conduct which would (on and after the relevant date, and in the absence of paragraphs (2) to (4)) be prohibited under Part 3 (Finance),

and such a licence is referred to in this regulation as “an existing financial sanctions licence”.

(2) An existing financial sanctions licence which authorises an act which would otherwise be prohibited has effect on and after the relevant date as if it had been issued by the Treasury under regulation 28(1) (Treasury licences).

(3) Any reference in an existing financial sanctions licence to the 2011 Regulations or the EU Afghanistan Regulation is to be treated on and after the relevant date as a reference to these Regulations.

(4) Any reference in an existing financial sanctions licence to a prohibition in—

- (a) the 2011 Regulations, or
- (b) the EU Afghanistan Regulation,

is to be treated on and after the relevant date as a reference to the corresponding prohibition in Part 3.

(5) Paragraph (6) applies where—

- (a) an application for a licence, or for the variation of a licence, under the 2011 Regulations was made before the relevant date,
- (b) the application is for the authorisation of conduct which would (on and after the relevant date) be prohibited under Part 3, and
- (c) a decision to grant or refuse the application has not been made before that date.

(6) The application is to be treated on and after the relevant date as an application for a licence, or for the variation of a licence (as the case may be), under regulation 28(1) (Treasury licences).

(7) In this regulation—

“the 2011 Regulations” means the Afghanistan (Asset-Freezing) Regulations 2011;

“the EU Afghanistan Regulation” means Council Regulation (EU) No 753/2011 of 1 August 2011 concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan⁽¹⁾;

“the relevant date” means—

- (a) where regulations under section 56 of the Act provide that Part 3 comes into force at a specified time on a day, that time on that day;
- (b) otherwise, the date on which Part 3 comes into force.

⁽¹⁾ OJ No. L 199, 2.8.2011, p. 1.