
STATUTORY INSTRUMENTS

2021 No. 1146

**The Republic of Belarus (Sanctions) (EU
Exit) (Amendment) (No. 2) Regulations 2021**

PART 6

Exceptions and licences

Finance: exceptions from prohibitions

22. In regulation 30, after paragraph (6) insert—

“(6A) The prohibitions in regulations 11 to 15 are not contravened by—

(a) the purchase in Belarus of petroleum products—

(i) by an individual, on a retail basis, for that individual’s personal use, or

(ii) solely for the purposes of the performance of any humanitarian assistance activity in Belarus;

(b) the provision of any financial service or the making available of any funds in pursuance of or in connection with a purchase specified in sub-paragraph (a).”

Exception for authorised conduct in a relevant country

23. In regulation 30A(1), for “or Chapter 2”, substitute “, 15B (loans and credit arrangements) or 15C (insurance and reinsurance services), or Chapters 2, 2A, 2B or 2C”.

Exception for acts done for purposes of national security or prevention of serious crime

24. In regulation 31—

(a) in paragraph (1), for “or 5 (Trade)”, substitute “, 5 (Trade) or 5A (Aircraft)”;

(b) in paragraph (2), after “under or by virtue of a provision of”, insert “Part 5A (Aircraft),”.

Exceptions: finance

25. After regulation 31, insert—

“Exceptions relating to loans and credit arrangements

31A.—(1) The prohibitions in regulation 15B (loans and credit arrangements) are not contravened by the grant of—

(a) a relevant loan that has a specific and documented objective of making funds available for non-restricted trade;

(b) a relevant loan consisting of a drawdown or disbursement made under an arrangement entered into before the date on which the Amendment Regulations 2021 come into force, where the conditions in paragraph (2) are met.

- (2) The conditions referred to in paragraph 1(b) are that—
- (a) all the terms and conditions of such drawdowns or disbursements—
 - (i) were agreed before the date on which the Amendment Regulations 2021 come into force;
 - (ii) have not been modified on or after that date; and
 - (b) a contractual maturity date has been fixed for the repayment in full of all funds made available and for the cancellation of all the rights and obligations under the arrangement.
- (3) In this regulation—
- “non-restricted trade” means trade falling within any of the following descriptions, except to the extent that such trade is prohibited under these Regulations—
- (a) the export of goods from the United Kingdom;
 - (b) the import of goods to the United Kingdom;
 - (c) services, other than financial services, which are provided—
 - (i) from a place in the United Kingdom to a place in a non-UK country, or
 - (ii) from a place in a non-UK country to a place in the United Kingdom;
- “non-UK country” means a country that is not the United Kingdom;
- “relevant loan” has the meaning given to it in regulation 15B.

Exceptions relating to insurance and reinsurance services

31B.—(1) The prohibition in regulation 15C (insurance and reinsurance services) is not contravened by—

- (a) the provision of compulsory or third party insurance to an individual who is a national of Belarus, or to a body incorporated or constituted under the law of Belarus which is, located in the United Kingdom;
- (b) the provision of insurance for a diplomatic mission or consular post of Belarus in the United Kingdom.

(2) The prohibition in regulation 15C, insofar as it prohibits the provision of insurance or reinsurance services to persons falling within paragraph (2)(d) of that regulation, is not contravened by the provision of insurance or reinsurance services to an individual falling within that paragraph, provided that the insurance or reinsurance is for that individual’s personal use.

Trade: exceptions from prohibitions

31C.—(1) The prohibitions in regulation 27J(1) (acquisition of potash and petroleum products) are not contravened by the purchase in Belarus of petroleum products—

- (a) by an individual on a retail basis, for that individual’s personal use, or
- (b) solely for the purposes of the performance of any humanitarian assistance activity in Belarus.

(2) The prohibitions in regulations 27I and 27K (import and supply and delivery of potash and petroleum products) are not contravened by the import or supply or delivery of petroleum products which have been purchased as described in paragraph (1).

(3) The prohibitions in regulations 27L and 27M (technical assistance, financial services, funds and brokering services in relation to petroleum products) are not contravened by the provision of—

- (a) any technical assistance relating to a purchase specified in paragraph (1);
- (b) any financial service or funds in pursuance of or in connection with an arrangement whose object or effect is a purchase specified in paragraph (1);
- (c) any brokering service in relation to any arrangement whose object or effect is a purchase specified in paragraph (1).

(4) The prohibition in regulation 27N (technical assistance relating to aircraft) is not contravened by the provision of any technical assistance where a failure to provide that assistance would endanger the lives of persons on board an aircraft or the safety of an aircraft in flight.”

Treasury licences

26. In regulation 32,—

(a) after paragraph (1), insert—

“(1A) The prohibitions in regulation 15B (loans and credit) do not apply to anything done under the authority of a licence issued by the Treasury under this paragraph.

(1B) The prohibition in regulation 15C (insurance and reinsurance services) does not apply to anything done under the authority of a licence issued by the Treasury under this paragraph.”;

(b) in paragraph (2)—

(i) after “may issue a licence”, insert “under paragraph (1)”,

(ii) after “for a purpose set out in”, insert “Part 1 of”;

(c) after paragraph (2), insert—

“(3) The Treasury may issue a licence under paragraph (1A) which authorises acts by a particular person only where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 2 of Schedule 3.

(4) The Treasury may issue a licence under paragraph (1B) which authorises acts by a particular person only where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 3 of Schedule 3.”

Trade licences

27. In regulation 33, for “Chapters 2”, substitute “Chapters 2 to 2C”.