

**THE REPUBLIC OF BELARUS (SANCTIONS) (EU EXIT) (AMENDMENT) (No. 2)
REGULATIONS 2021**

**REPORT UNDER SECTION 18 OF THE SANCTIONS AND ANTI-MONEY
LAUNDERING ACT 2018 IN RELATION TO CRIMINAL OFFENCES**

A: INTRODUCTION

1. This is a report under section 18 of the Sanctions and Anti-Money Laundering Act 2018 (“the Act”) in relation to the Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (“the Amendment Regulations”).
2. Section 18(2) of the Act requires a report to be laid before Parliament where regulations made under section 1 of the Act create offences for the purposes of enforcing any prohibitions or requirements imposed by those regulations, or for the purposes of preventing the circumvention of those prohibitions or requirements.
3. In accordance with section 18, this report: sets out the offences created by the Amendment Regulations (see Part B); explains why there are good reasons for the relevant prohibitions or requirements in the Amendment Regulations to be enforceable by criminal proceedings (Part C); and sets out the maximum terms of imprisonment that apply to those offences and why there are good reasons for those maximum terms (Part D).

B: THE OFFENCES

4. The Amendment Regulations amend The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019 (“the 2019 Belarus Regulations”).
5. A report under section 18 of the Act was laid before Parliament to accompany the 2019 Belarus Regulations on 20th March 2019.
6. In August 2021 the Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2021 (S.I. 2021/922) (the “August 2021 Regulations”) were made, and a section 18 report laid alongside those Regulations provided an update to the original section 18 report relating to the 2019 Belarus Regulations. The August 2021 Regulations section 18 report dealt with amendments made by the August 2021 Regulations which created offences or changed the scope of existing offences. The Amendment Regulations revoke and replace the August 2021 Regulations, correcting a small number of errors but otherwise with the same effect. This section 18 report is therefore substantially similar to that laid alongside the August 2021 Regulations.
7. Under Part 2 of the Amendment Regulations, the 2019 Regulations are amended to confer a power on the Secretary of State to designate persons for the purpose of a prohibition on the provision of technical assistance relating to aircraft. Regulation 6

of the 2019 Regulations is amended to include ‘providing support for or obtaining an economic benefit from the Government of Belarus’ as a type of involvement in the activities specified in regulation 6(2), which include, among others, activities which undermine democracy or the rule of law in Belarus.

8. Part 3 of the Amendment Regulations amends Part 3 (Finance) of the 2019 Belarus Regulations to impose financial sanctions.
 - The instrument prohibits dealing with transferable securities and money-market instruments issued by relevant persons. This prohibition applies to securities and money-market instruments with a maturity exceeding 90 days that are issued after the date on which the August 2019 Regulations came into force.
 - A further measure prohibits granting loans and credit arrangements with a maturity exceeding 90 days, and entering into any arrangement to grant such loans or credit arrangements, to those same relevant persons.
 - Thirdly, prohibitions are imposed in relation to the provision of insurance and reinsurance services to a specified category of persons.
9. Part 4 of the Amendment Regulations imposes a number of trade restrictions, as follows.
 - Prohibitions on the export, supply and delivery, making available and transfer of specified goods and technology that could be used for the interception and monitoring of communications. There is also a prohibition on the provision of related technical assistance, brokering services, financial services and funds.
 - A prohibition on the provision of interception and monitoring services, to or for the benefit of the Belarusian Government.
 - Prohibitions on the export, supply and delivery and making available of specified goods used in the production and manufacture of tobacco products.
 - Prohibitions on the export, supply and delivery, making available and transfer of dual-use goods and dual-use technology for military use. There is also a prohibition on the provision of related technical assistance, brokering services, financial services and funds.
 - Prohibitions on the import, acquisition and supply and delivery of petroleum products and potassium chloride (‘potash’) originating in or consigned from Belarus, or from a person connected with Belarus. In addition, there is a prohibition on the provision of technical assistance, brokering services, financial services and funds relating to petroleum products.
 - A prohibition on the provision of technical assistance to or for the benefit of any person designated under new regulation 5(1)(c) of the 2019 Regulations, where that technical assistance relates to an aircraft.
 - The prohibition on the making available of military technology and interception and monitoring technology, which was erroneously removed by the August 2021 Regulations, is reimposed.

10. Part 5 of the Amendment Regulations makes provision to allow the Secretary of State to direct the Civil Aviation Authority to refuse permission under articles 250 and 252 of the Air Navigation Order 2016 in respect of Belarusian aircraft, and to suspend or revoke existing permissions. It allows air traffic control to direct the operator or pilot in command of a Belarusian aircraft not to enter UK airspace, or to leave UK airspace by a specified route. It also allows an airport operator to direct the operator or pilot in command of a Belarusian aircraft not to land at an airport. The Secretary of State may direct air traffic control and airport operators to make such directions.
11. In some cases, the Amendment Regulations extend the scope of certain prohibitions in the 2019 Belarus Regulations which already have criminal offences attached. In other cases, new prohibitions and offences created under the August 2021 Regulations are replaced. Details of each of the offences extended, created or maintained by the Amendment Regulations, the prohibitions and requirements to which those offences relate, and the maximum penalties relating to each offence, are set out:
 - a. in relation to financial sanctions, in the table in **Annex A** to this report;
 - b. in relation to trade sanctions, in the table in **Annex B** to this report;
 - c. in relation to aircraft sanctions, in the table in **Annex C** to this report.
12. The offences created or extended by the Amendment Regulations fall into the following categories:
 - a. contravening the principal prohibitions (e.g. breaching a financial or trade restriction) or trying to circumvent those principal prohibitions;
 - b. knowingly or recklessly providing false information for the purpose of obtaining a licence;
 - c. breaching the terms of a licence;
 - d. failing to comply with requirements relating to the providing and recording of information; and
 - e. disclosing confidential information.

C: REASONS FOR CREATING THE OFFENCES

13. In order to fulfil the stated purpose of the 2019 Belarus Regulations (as amended) the prohibitions and requirements created in these Regulations need to be properly enforced.
14. There are several mechanisms through which some of these measures can be enforced without criminal proceedings. These include the imposition of monetary penalties for breaching financial sanctions and the seizure of goods being dealt with in contravention of certain trade sanctions measures.
15. Having the ability to take enforcement action through criminal proceedings, alongside these other enforcement measures, is appropriate for several reasons. The offences act as a deterrent in relation to the commission of serious acts and omissions which would

undermine the purpose of the regime. They also allow the UK Government to take a proportionate response where severity of the act or omission warrants it.

16. Importantly, the offences created by the Amendment Regulations or to which the prohibitions amended by the Amendment Regulations relate are consistent with the other offences contained in the 2019 Belarus Regulations. Special care has been taken to ensure that offences are consistent with existing offences while not duplicating any offences that already exist.

Breaches of, and circumvention of, the principal financial prohibitions

17. Regulations 15A and 15B relate to financial sanctions. For example, it is prohibited for persons to deal with certain transferable securities or money-market instruments. It is also prohibited to grant loans or credit to a category of persons.
18. Regulation 15C prohibits the provision of insurance and reinsurance services to a category of persons, as well as those acting on their behalf or at their direction.
19. The offence relating to circumvention of the financial prohibitions provided for in the Amendment Regulations is set out in amended regulation 16.
20. Breaches of the financial prohibitions are a serious matter because such actions undermine the purposes of the sanctions regime. In this case, breaches could result in the flow of funds to the Belarusian state, meaning that pressure will not be exerted on the Government of Belarus to change its behaviour, and enabling it to continue activities that the sanctions regime is intended to deter such as undermining democratic principles and institutions, the separation of powers and the rule of law in Belarus or the repression of civil society in Belarus.
21. The ability to institute criminal proceedings in relation to these matters serves as an effective deterrent. It also enables the UK government to take a proportionate response which corresponds to the severity of the breach.
22. The ability to institute criminal proceedings sits alongside other enforcement measures relating to financial sanctions. In particular, the Office of Financial Sanctions Implementation (OFSI) has the power to impose civil monetary penalties under Part 8 of the Policing and Crime Act 2017 to enforce breaches of the financial sanctions prohibitions contained in the Regulations¹. Enabling these prohibitions to be enforceable by criminal proceedings alongside these other enforcement measures ensures that a range of enforcement options is available to enforcement bodies, enabling them to take action that is proportionate to the breach in question.
23. The offences created by the Amendment Regulations or to which the prohibitions amended by the Amendment Regulations relate are consistent with, but do not

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/708991/Monetary_Penalties_Guidance_web.pdf

duplicate, existing financial sanctions offences included in sanctions regulations made under the Act.

Breaches of, and circumvention of, the principal trade prohibitions

24. Breaches of the principal trade prohibitions are a serious matter because such actions undermine the purposes of the sanctions regime. Breaches could undermine sanctions which are in place to constrain human rights violations and repression of civil society in Belarus by denying access to certain goods, technology and services, including interception and monitoring goods, technology or services and dual-use goods and technology for military use. Breaches of these prohibitions, or acts circumventing them, have the potential to facilitate human rights violations and repression in Belarus. Breaches of the principal trade prohibitions could also undermine sanctions which are in place to reduce the revenue flowing to the Government of Belarus, meaning that pressure will not be exerted on the Government of Belarus to change its behaviour, and enabling it to continue activities that the regime is intended to deter.
25. There are other enforcement tools available in relation to trade sanctions, most notably the powers contained in the Customs and Excise Management Act 1979 to issue compound penalties, and to seize and dispose of goods where they are being dealt with in contravention of trade sanctions. The ability to institute criminal proceedings sits alongside these other powers and provides the government with a suite of tools to police and ensure compliance with trade sanctions and ensure that there are penalties that are appropriate to the seriousness of breaches of sanctions measures.
26. The offences created by the Amendment Regulations, or to which the prohibitions amended by the Regulations relate, are consistent with, but do not duplicate, existing offences relating to trade sanctions.
27. Importantly, the Amendment Regulations do not create criminal offences where it is judged that there already exists a criminal offence that can effectively enforce the prohibitions or requirements in question. For example, section 68 of the Customs and Excise Management Act 1979 makes it a criminal offence to export prohibited or restricted goods and so such offences have not been created by the Regulations (but see paragraph 35 regarding the modification of the relevant penalties under the Customs and Excise Management Act 1979).

Breaches of, and circumvention of, the principal aircraft prohibitions

28. Regulation 29D of the 2019 Belarus Regulations, as inserted by the Amendment Regulations provides for a number of offences. The operator or pilot of a Belarusian aircraft commits an offence if they fail to comply with a direction issued by or through an airport operator or air traffic control under regulation 29A. It is also an offence for the airport operator itself to not comply with a direction issued by the Secretary of State under regulation 29A without a reasonable excuse. A person also commits an offence

if they disclose information about a direction that the Secretary of State notifies them is to be treated as confidential.

29. The ability to enforce these aircraft sanctions by the issuing of directions mentioned above, and through the creation of a criminal offence to enforce compliance, is an important deterrent to uphold the effectiveness of the regime as a whole. The aircraft sanction is important in supporting the objectives of the Belarus sanctions regime as it reduces the revenue available to the Government of Belarus from state-owned airlines, and sends a strong signal of international condemnation of the activities of the Government of Belarus. Including an offence on disclosing confidential information provided in a direction, or the existence of the direction itself, is to protect sensitive information in relation to planned enforcement actions and enforcement of the prohibitions.

Breaches of prohibitions and requirements relating to licensing and information

30. The amendments made by the August 2021 Regulations extended the scope of certain prohibitions and requirements relating to licensing and the provision of information to the Treasury or in relation to trade. These effects are maintained in the Amendment Regulations.
31. The extension of these offences is consistent with those currently applicable under the existing Belarus sanctions regime and domestic export control legislation. The s.18 report which accompanied the 2019 Belarus Regulations sets out in detail why there are good reasons for these offences.

D: REASONS FOR MAXIMUM PENALTIES

32. The penalties imposed by the Amendment Regulations, or to which the prohibitions amended by the Amendment Regulations relate, are set out in Annexes A, B and C. The offences for breaches of the trade and financial prohibitions provided for by the Amendment Regulations are consistent with the penalties already created for breaches of the principal trade and financial prohibitions in the 2019 Belarus Regulations. In all cases the penalties are consistent with similar offences in other regulations made under the Act. Further detail on the maximum sentences relating to the different categories of offence is set out below.

Breaches of, and circumvention of, the principal financial prohibitions

33. In relation to financial sanctions, the government committed in the White Paper consultation on sanctions² to ensure consistency of offences and penalties for financial sanctions contained across domestic legislation. In accordance with that commitment, the Amendment Regulations provide for penalties consistent with those provided for in

²https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/635101/consultation-uk-future-legal-framework-sanctions-government-response.pdf

the Policing and Crime Act 2017³. The maximum sentence on indictment for financial sanctions was increased by that Act from two years to seven years and there is no good reason for the government to revisit the level of penalties. The government considers the maximum penalty provides an effective deterrent and is proportionate compared to other serious crime penalties.

Breaches of, and circumvention of, the principal trade prohibitions

34. The maximum term of imprisonment for offences related to breaches of the principal trade prohibitions in the 2019 Belarus Regulations, as amended, or circumvention of them, is ten years. As explained in the report accompanying the 2019 Belarus Regulations, the 10-year maximum penalty is considered to be an effective deterrent and is proportionate to the seriousness of the offence.
35. The 2019 Belarus Regulations, as amended, also modify the Customs and Excise Management Act 1979 to increase the maximum term of imprisonment for the offence of breaching export controls from seven years to ten years. This increase ensures alignment with the maximum term of imprisonment for other similar offences created by the 2019 Regulations. An industry association stakeholder has commented that such provision has “a beneficial effect in assisting export control compliance staff within companies to get the attention of their colleagues on export control matters”.⁴ A 10-year maximum term of imprisonment provides an effective deterrent and is proportionate to the potential seriousness of the offence. The Amendment Regulations similarly provide for the modification of import penalties under CEMA 1979 in relation to the import prohibitions that have been introduced relating to potash and petroleum products.

Breaches of, and circumvention of, the principal aircraft prohibitions

36. The maximum penalty received for breaching the principal aircraft prohibition is seven years’ imprisonment, a fine, or both. This is in line with similar offences under the 2019 Belarus Regulations and in other sanctions regulations made under the Act. This level is proportionate to the serious nature of the offence committed and represents an effective deterrent to the breaching of this aircraft sanction. Penalties will be applied on a sliding scale up to this maximum and enhance and consolidate those included in existing legislation.

E: CONCLUSIONS

³ The maximum terms of imprisonment for indictable offences under Schedule 3 to the Anti-terrorism, Crime and Security Act 2001 and Schedule 7 to the Counter-Terrorism Act 2008 were increased from two years to a maximum of seven years and, for summary offences under those provisions, the maximum terms of imprisonment were increased from three months to 12 months (this being six months for offences committed before paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 comes into force).

⁴ Evidence given by the Export Group on Aerospace and Defence (EGAD) to the Defence, Foreign Affairs, International Development and Trade and Industry Committees, Strategic Export Controls: 2007 Review, p75, published on 7 August 2007.

37. As set out in this report:

- a. There are good reasons for each of the prohibitions and requirements set out in, or extended by the Amendment Regulations to be enforceable by criminal proceedings. The ability to enforce these measures by criminal proceedings is an effective deterrent, it is consistent with existing legislation and, in conjunction with the use of other enforcement measures, it enables the government to take a proportionate response to potentially serious acts and omissions which would undermine the purpose of the sanctions regime. Importantly, the Amendment Regulations do not create criminal offences where it has been judged that there already exists a criminal offence that can effectively enforce the prohibitions or requirements in question.
- b. There are also good reasons for the maximum terms of imprisonment that attach to those offences: the maximum penalties are consistent with penalties for similar offences in other existing legislation; they are an effective deterrent; and they are proportionate to the seriousness of the types of offences to which they relate.

Lord Ahmad of Wimbledon

Minister for South Asia, the UN and Commonwealth

Annex A: Table of financial sanctions offences

Type of sanction offences	Specific offence	Relevant prohibition or requirement (or other legislation)	Maximum penalty*
Breach of principal financial sanction	Dealing with transferable securities or money-market instruments	Reg. 15A	<p>Liabe on summary conviction -</p> <p>to imprisonment for a term not exceeding 12 months in England and Wales (or, in relation to offences committed before paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (Increase in magistrates' court's power to impose imprisonment) comes into force, 6 months) and 12 months in Scotland, and 6 months in Northern Ireland or a fine, which in Scotland or Northern Ireland may not exceed the statutory maximum (or both);</p> <p>Liabe on conviction on indictment</p> <p>-</p> <p>to imprisonment for a term not exceeding 7 years or a fine (or both).</p>
Breach of principal financial sanction	Directly or indirectly granting a loan or credit arrangement	Reg. 15B	“ “ “
Breach of principal financial sanction	Providing insurance and reinsurance services	Reg. 15C	“ “ “
Circumvention etc. of prohibitions	Circumventing directly or indirectly the prohibitions of regs. 15A-15C or enabling the contravention of prohibitions	Reg. 16 as amended	“ “ “
Breach of requirements under licences	<p>Knowingly or recklessly providing false information or providing a document that is not what it purports to be for the purpose of obtaining a licence</p> <p>Failing to comply with the conditions of a licence</p>	<p>Reg. 35</p> <p>Reg. 35</p>	<p>" " "</p>

Breach of reporting obligations	<p>Failure to inform the Treasury about knowledge or reasonable cause to suspect that a person has committed an offence under Part 3 of the Regulations or reg. 35 (finance: licensing offences)</p> <p>Failure to provide the Treasury with information on which the knowledge or suspicion is based or information by which the person can be identified</p>	<p>Reg. 38</p> <p>Reg. 38</p> <p>Reg. 38</p>	<p>Liabe on summary conviction -</p> <p>to imprisonment for a term not exceeding 6 months in England and Wales, 6 months in Scotland, and 6 months in Northern Ireland, or a fine, which in Scotland or Northern Ireland may not exceed level 5 on the standard scale, (or both).</p>
Failure to comply with requests for information	<p>Failure to provide information in the time and manner requested under reg. 40</p> <p>Knowingly and recklessly providing false information in respect of information requested under reg. 40</p> <p>Evasion of requests made under reg. 40 or reg. 41</p> <p>Obstruction of Treasury requests for information made under reg. 40 or reg. 41</p>	<p>Reg. 42</p> <p>Reg. 42</p> <p>Reg. 42</p> <p>Reg. 42</p>	<p>" " "</p>

* Penalties set out in Reg 48 2019 Belarus Regulations, as amended by these Amendment Regulations.

Annex B: Table of trade sanctions offences

Type of sanction offences	Specific offence	Belarus (Sanctions) (EU Exit) Regulations 2019 reference to relevant prohibition or requirement (or other legislation)	Maximum penalty
Breach of controls on exporting restricted goods and tobacco industry goods	1. Exporting restricted goods	Reg 21(1) Offence contained within Customs and Excise Management Act 1979 S.68(1) and S.170 (2)	Liabe on summary conviction To a penalty of £20,000 or of three times the value of the goods, whichever is the greater, or to imprisonment for a term not exceeding 6 months, or to both Liabe on conviction on indictment To a penalty of any amount, or to imprisonment for a term not exceeding 7 years (modified to 10 years).
Breach of controls on restricted goods and technology and tobacco industry goods (other than export)	2. Supplying or delivering restricted goods and tobacco industry goods 3. Making restricted goods and restricted technology, and tobacco industry goods available 4. Transferring restricted technology 5. Providing technical assistance relating to restricted goods or restricted technology 6. Providing financial services or funds relating	1. Reg 22 2. Reg 23 3. Reg 24 4. Reg 25 5. Reg 26 6. Reg 27	Liabe on summary Conviction to imprisonment for a term not exceeding 12 months in England and Wales (or, in relation to offences committed before paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (Increase in magistrates' court's power to impose imprisonment) comes into force, 6 months) and 12 months in Scotland, and 6 months in Northern Ireland, or a fine, which in Scotland or Northern Ireland may not exceed the statutory maximum, (or both) Liabe on conviction on indictment To imprisonment for a term not exceeding 10 years or a fine (or both).

	to restricted goods and restricted technology 7.Providing brokering services relating to restricted goods and restricted technology		
Breach of controls on exporting dual-use goods	Exporting dual-use goods	Reg 27B Offence contained within Customs and Excise Management Act 1979 S. 68(1) and S.170 (2)	Liable on summary conviction - to a penalty of £20,000 or of three times the value of the goods, whichever is the greater, or to imprisonment for a term not exceeding 6 months, or to both; Liable on conviction on indictment - to a penalty of any amount, or to imprisonment for a term not exceeding 7 years (modified to 10 years).
Breach of controls on dual-use goods and technology	1. Supplying or delivering dual-use goods. 2. Making dual-use goods or dual-use technology available. 3. Transferring dual-use technology. 4. Providing technical assistance relating to dual-use goods or dual-use technology. 5. Providing financial services or funds relating to dual-use goods or dual-use technology. 6. Providing brokering services relating to dual-use goods or dual-use technology	1. Reg 27C 2. Reg 27D 3. Reg 27E 4. Reg 27F 5. Reg 27G 6. Reg 27H	Liable on summary conviction - to imprisonment to a term not exceeding 12 months in England and Wales (or, in relation to offences committed before paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (Increase in magistrates' court's power to impose imprisonment) comes into force, 6 months) and 12 months in Scotland, and 6 months in Northern Ireland, or a fine, which in Scotland or Northern Ireland may not exceed the statutory maximum (or both); Liable on conviction on indictment - to imprisonment for a term not exceeding 10 years or a fine (or both).
Breach of controls on interception and monitoring services.	Providing interception and monitoring services.	Reg 24A	Liable on summary conviction - to imprisonment to a term not exceeding 12 months in England and Wales (or, in relation to offences committed before paragraph 24(2) of Schedule 22 to the Sentencing Act 2020

			<p>(Increase in magistrates' court's power to impose imprisonment) comes into force, 6 months) and 12 months in Scotland, and 6 months in Northern Ireland, or a fine, which in Scotland or Northern Ireland may not exceed the statutory maximum (or both);</p> <p>Liable on conviction on indictment -</p> <p>to imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Breach of controls on import of potash and petroleum products	Import of potash and petroleum products	<p>Reg 27I</p> <p>Offence contained within Customs and Excise Management Act 1979 S. 50(2) or (3) and S. 170 (2)</p>	<p>Liable on summary conviction -</p> <p>to a penalty of £20,000 or of three times the value of the goods, whichever is the greater, or to imprisonment for a term not exceeding 6 months, or to both;</p> <p>Liable on conviction on indictment -</p> <p>to a penalty of any amount, or to imprisonment for a term not exceeding 7 years (modified to 10 years).</p>
Breach of controls on potash and petroleum products (other than import)	<ol style="list-style-type: none"> 1. Acquiring potash and petroleum products 2. Supply and delivery of potash and petroleum products 3. Technical assistance relating to petroleum products 4. Brokering services, financial services and funds relating to petroleum products 	<ol style="list-style-type: none"> 1. Reg 27J 2. Reg 27K 3. Reg 27L 4. Reg 27M 	<p>Liable on summary conviction</p> <p>To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or, in relation to offences committed before paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (Increase in magistrates' court's power to impose imprisonment) comes into force, six months. To imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both) in Scotland. To imprisonment to a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both) in Northern Ireland.</p>

			<p>Liabe on conviction on indictment</p> <p>To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Breach of controls on technical assistance relating to aircraft	Providing technical assistance to or for the benefit of a designated person, where the assistance relates to aircraft	27N	<p>Liabe on summary conviction</p> <p>To imprisonment to a term not exceeding 12 months or a fine (or both) in England and Wales (or, in relation to offences committed before paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (Increase in magistrates' court's power to impose imprisonment) comes into force, six months. To imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both) in Scotland. To imprisonment to a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both) in Northern Ireland.</p> <p>Liabe on conviction on indictment</p> <p>To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Circumvention etc. of prohibitions	Intentionally participate in activities knowing that the object or effect of them is, whether directly or indirectly to circumvent any of the prohibitions in regulations 21-27 (Trade) or to enable or facilitate the contravention of any such prohibition.	Reg 28(1)	<p>Liabe on summary conviction</p> <p>to imprisonment for a term not exceeding 12 months in England and Wales (or, in relation to offences committed before paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (Increase in magistrates' court's power to impose imprisonment) comes into force, 6 months) and 12 months in Scotland, and 6 months in Northern Ireland, or a fine, which in Scotland or Northern Ireland may not exceed the statutory maximum, (or both).</p> <p>Liabe on conviction on indictment</p>

			To imprisonment for a term not exceeding 10
Licensing offences	<p>1. Knowingly or recklessly:</p> <p>a. Providing information that is false in a material respect, or</p> <p>b. Providing or producing a document that is not what it purports to be, for the purpose of obtaining a trade licence.</p> <p>2. Purporting to act under the authority of a trade licence but failing to comply with any condition contained in the licence.</p>	<p>1. Reg 36(1)</p> <p>2. Reg 36(2)</p>	<p>Liabe on summary Conviction</p> <p>to imprisonment for a term not exceeding 12 months in England and Wales (or, in relation to offences committed before paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (Increase in magistrates' court's power to impose imprisonment) comes into force, 6 months) and 12 months in Scotland, and 6 months in Northern Ireland, or a fine, which in Scotland or Northern Ireland may not exceed the statutory maximum, (or both).</p> <p>Liabe on conviction on indictment</p> <p>To imprisonment for a term not exceeding 2 years or a fine (or both).</p>
Information Offences	<p>1. Failing to comply with record keeping requirements in Regulation 44</p> <p>2.(a) Intentionally obstructing an official in the performance of any of the official's functions under Regulation 45</p> <p>(b) Failing to produce a register, record or</p>	<p>1. Reg 44(2)-(4)</p> <p>2. Reg 45(5)</p>	<p>Liabe on summary conviction</p> <p>To imprisonment for a term not exceeding 12 months in England and Wales (or, in relation to offences committed before paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (Increase in magistrates' court's power to impose imprisonment) comes into force, 6 months) and 12 months in Scotland, and 6 months in Northern Ireland, or a fine, which in Scotland or Northern Ireland may not exceed the statutory maximum, (or both).</p> <p>Liabe on conviction on</p>

	document when reasonably required to do so by an official under Regulation 45.		indictment To imprisonment for a term not exceeding 2 years or a fine (or both).
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Annex C: Table of transport sanctions offences

Type of sanction offences	Specific offence	Belarus (Sanctions) (EU Exit) Regulations 2019 reference to relevant prohibition or requirement (or other legislation)	Maximum penalty
Failure to comply with directions	Failing to comply with a direction given under regulation 29A.	Reg 29D (1)-(3).	<p>Liable on summary conviction</p> <p>To imprisonment for a term not exceeding 12 months (or, in relation to offences committed before paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (Increase in magistrates' court's power to impose imprisonment) comes into force, 6 months) or a fine (or both) in England and Wales.</p> <p>To imprisonment for a term not exceeding 12 months, or a fine not exceeding the statutory maximum (or both) in Scotland.</p> <p>To imprisonment for a term not exceeding 6 months, or a fine not exceeding the statutory maximum (or both) in Northern Ireland.</p> <p>Liable on indictment</p> <p>To imprisonment for a term not exceeding 7</p>

			years, or a fine, (or both
Breach of confidentiality requirement	Disclosing the existence or content of a direction, or anything done under such a direction, given under regulation 29A (movement of aircraft) when the Secretary of State has notified that the information should remain confidential.	Reg 29D(4)	On summary conviction in England and Wales, to a term of imprisonment not exceeding 6 months, or a fine, (or both); On summary conviction in Scotland, to a term of imprisonment not exceeding 6 months, or a fine not exceeding level 5 on the standard scale, (or both); On summary conviction in Northern Ireland, to a term of imprisonment not exceeding 6 months, or a fine not exceeding level 5 on the standard scale, (or both).