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STATUTORY INSTRUMENTS

2021 No. 823

SANCTIONS

The Somalia (Sanctions) (EU Exit) (Amendment) Regulations 2021

<i>Made</i>	- - - -	<i>8th July 2021</i>
<i>Laid before Parliament</i>		<i>12th July 2021</i>
<i>Coming into force</i>	- -	<i>2nd August 2021</i>

The Secretary of State⁽¹⁾, in exercise of the powers conferred by sections 1 and 45 of the Sanctions and Anti-Money Laundering Act 2018⁽²⁾, considers that the requirements of section 45(2) of the Act are satisfied and makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Somalia (Sanctions) (EU Exit) (Amendment) Regulations 2021.

(2) These Regulations come into force on 2nd August 2021.

Amendment of the Somalia (Sanctions) (EU Exit) Regulations 2020

2.—(1) The Somalia (Sanctions) (EU Exit) Regulations 2020⁽³⁾ are amended as follows—

(2) In regulation 2 at the appropriate place insert—

““resolution 2551” means resolution 2551 (2020) adopted by the Security Council on 12 November 2020;”

(3) In regulation 4(3)(f), after “paragraph 26 of resolution 2498” insert “and paragraph 26 of resolution 2551”.

(4) In paragraph 3 in Part 3 of Schedule 2—

(a) in the table at sub-paragraph (4)—

(1) The power to make regulations under Part 1 of the Sanctions and Anti-Money Laundering Act 2018 (c. 13) is conferred on an “appropriate Minister”. Section 1(9)(a) of the Act defines an “appropriate Minister” as including the Secretary of State.

(2) 2018 c. 13.

(3) S.I. 2020/642, amended by S.I. 2020/950.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(i) omit the following entry—

“Tetryl (trinitrophenylmethylnitramine)	479-45-8	2929 90 00”
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(ii) at the appropriate place, insert—

“Nitroglycerin (except when packaged or prepared in individual medicinal doses)	55-63-0	ex 2920 90 70”
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(b) after sub-paragraph (4), insert—

“(4A) Technology required for the production or use of—

(a) any of the following substances described in sub-paragraph (4) and the table therein—

(i) nitrocellulose (containing more than 12.5% nitrogen w/w);

(ii) nitroglycerin (except when packaged or prepared in individual medicinal doses);

(b) any mixture containing one or more item mentioned in (i) or (ii).”

(c) in sub-paragraph (6), for “subparagraph” substitute “sub-paragraph”.

8th July 2021

Ahmad
Minister of State
Foreign, Commonwealth and Development
Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Sanctions and Anti-Money Laundering Act 2018 (c.13) (“the Sanctions Act”).

The Regulations make amendments and corrections to the Somalia (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/642) (“the Somalia Regulations”) which were made under section 1 of the Sanctions Act.

The Regulations amend the Somalia Regulations to insert a new entry in the table in paragraph 3(4) in Part 3 of Schedule 2 (definition of “IED component”). This is to implement the improvised explosive devices (IED) component ban in accordance with the obligation in paragraph 26 of United Nations Security Council Resolution 2551 (2020) adopted on 12 November 2020. Consequential amendments have been made to the list of the relevant UN obligations in regulation 4.

The Regulations insert a description of technology in paragraph 3 in Part 3 of Schedule 2 for the purposes of the definition of “IED component technology” (contained in regulation 19). This corrects an inadvertent omission from the Somalia Regulations. A typographical correction is also made to paragraph 3(6) in Part 3 of Schedule 2.

The Regulations also amend the Somalia Regulations to omit the reference to Tetryl in the table in paragraph 3(4) in Part 3 of Schedule 2 since it is already subject to the arms embargo in Part 5 of those regulations by virtue of being specified in Schedule 2 of the Export Control Order 2008 (S.I. 2008/3231).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen. Instead a de minimis assessment has been prepared as this instrument is likely to entail some costs for businesses, but the net impact is estimated to be below £5 million per year.