
STATUTORY INSTRUMENTS

2022 No. 195

**The Russia (Sanctions) (EU Exit)
(Amendment) (No. 3) Regulations 2022**

Exceptions

6. After regulation 60 (exceptions relating to investments in relation to Crimea), insert—

“Trade: exceptions in relation to personal effects etc.

60A.—(1) The prohibitions in regulations 22 (export of restricted goods), 24(1)(a) (supply and delivery of restricted goods), 25(1)(a) and (b) (making restricted goods and restricted technology available), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) are not contravened by a relevant activity in relation to any critical-industry goods or critical-industry technology which are—

- (a) the personal effects of a person travelling to Russia,
- (b) of a non-commercial nature for the personal use of a person travelling to Russia and contained in that person’s luggage, or
- (c) necessary for the official purposes of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law.

(2) For the purposes of paragraph (1)—

“consular post” has the same meaning as in the Vienna Convention on Consular Relations done at Vienna on 24 April 1963⁽¹⁾, and any reference to the functions of a consular post is to be read in accordance with that Convention;

“critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5);

“critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);

“diplomatic mission”, and any reference to the functions of a diplomatic mission, is to be read in accordance with the Vienna Convention on Diplomatic Relations done at Vienna on 18 April 1961⁽²⁾;

“relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions specified in paragraph (1).

Trade: exceptions in relation to consumer communication devices and software updates

60B.—(1) The prohibitions in regulations 22 (export of restricted goods), 24(1)(a) (supply and delivery of restricted goods), 25(1)(a) and (b) (making restricted goods and

(1) United Nations Treaty Series, vol. 596, p.261.

(2) United Nations Treaty Series, vol. 500, p.95.

restricted technology available), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) are not contravened by a relevant activity in relation to critical-industry goods or critical-industry technology which are—

- (a) consumer communication devices for civilian use, or
 - (b) software updates for civilian use.
- (2) For the purposes of paragraph (1)—
- (a) “consumer communication devices” has the meaning given in Schedule 2B;
 - “critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5);
 - “critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);
 - “relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions specified in that paragraph;
 - (b) goods are “for civilian use” if they are not—
 - (i) for use by the Russian military or any other military end-user, or
 - (ii) for any military use;
 - (c) technology is “for civilian use” if it—
 - (i) does not relate to activities carried on or proposed to be carried on by the Russian military or any other military end user, and
 - (ii) is not for any military use.

Trade: exceptions in relation to aircraft and vessels

60C.—(1) For the purposes of regulations 22 (export of restricted goods) and 28 (financial services and funds), the removal of an aircraft or vessel from the United Kingdom to Russia is not an export of critical-industry goods, provided that the following conditions are met—

- (a) the aircraft or vessel is removed under its own power,
- (b) in the case of an aircraft, it—
 - (i) is carrying goods or passengers when removed, or
 - (ii) is removed in order to undertake a journey carrying goods or passengers, and
- (c) the removal of the aircraft or vessel is not for the purpose of—
 - (i) a transfer of ownership of the aircraft or vessel or any of its component parts, or
 - (ii) a change of the operator of the aircraft or vessel.

(2) The prohibitions in regulations 24(1)(a) (supply and delivery of restricted goods), 25(1)(a) and (b) (making restricted goods and restricted technology available), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) are not contravened by any of the following activities, to the extent that the activity is done in connection with a qualifying removal—

- (a) the supply or delivery of critical-industry goods;
- (b) making critical-industry goods or critical-industry technology available;
- (c) the transfer of critical-industry technology;

- (d) the provision of technical assistance or financial services;
 - (e) the making available of funds;
 - (f) the provision of any brokering service.
- (3) In this regulation—
- “critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5);
 - “critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);
 - “operator”, in relation to an aircraft or vessel, means the person having the management of the aircraft;
 - “qualifying removal” means a removal of an aircraft or vessel from the United Kingdom to Russia in relation to which the conditions set out in paragraph (1) are met.”