
STATUTORY INSTRUMENTS

2022 No. 748

The Republic of Belarus (Sanctions) (EU
Exit) (Amendment) Regulations 2022

PART 2

Purposes and designation

Designation criteria: meaning of “involved person”

8. In regulation 6—

- (a) in the heading, for “criteria”, substitute “criteria: meaning of “involved person””;
- (b) omit paragraph (1);
- (c) in paragraph (2)—
 - (i) for “In this regulation”, substitute “For the purposes of regulations 5A(4) (condition relating to the designation of persons by name) and 5B(9) (condition relating to designation of persons by description)”;
 - (ii) in sub-paragraph (a)—
 - (aa) at the end of paragraph (iii), omit “or”;
 - (bb) after paragraph (iv), insert—
 - “(v) conduct destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine, including by supporting or facilitating Russia’s actions in respect of Ukraine, in particular by—
 - (aa) providing logistical support to the Russian army, or
 - (bb) spreading disinformation about Russia’s invasion of Ukraine,
 - (vi) other actions undermining or threatening peace, security or stability in Europe, or
 - (vii) obtaining a benefit from or supporting the Government of Belarus through carrying on a relevant business activity,”;
- (d) in paragraph (3)—
 - (i) for “paragraphs (2)(a)(i) to (iv)” substitute “paragraphs (2)(a)(i) to (vi)”;
 - (ii) in sub-paragraph (c), for “restricted goods and restricted technology” substitute “goods or technology mentioned in regulation 23(1A) (making available goods and technology to a person connected with, or for use in, Belarus)”;
- (e) after paragraph (3), insert—

“(3A) For the purposes of this regulation, being “involved in obtaining a benefit from or supporting the Government of Belarus through carrying on a relevant business activity” means—

- (a) carrying on business as a Government of Belarus-affiliated entity,
- (b) carrying on business of economic significance to the Government of Belarus,
- (c) carrying on business in a sector of strategic significance to the Government of Belarus, or
- (d) owning or controlling directly or indirectly (within the meaning of regulation 7), or working as a manager, director (whether executive or non-executive), trustee, or equivalent, of—
 - (i) a Government of Belarus-affiliated entity, or
 - (ii) a person, other than an individual, which falls within sub-paragraph (b) or (c).”;

(f) for paragraph (4), substitute—

“(4) In this regulation—

“Belarusian authority” has the meaning given in regulation 15D;

“Government of Belarus-affiliated entity” means a person, other than an individual—

- (a) which is owned or controlled directly or indirectly (within the meaning of regulation 7) by the President of Belarus or a Belarusian authority,
- (b) in which the President of Belarus or a Belarusian authority holds directly or indirectly a minority interest,
- (c) which receives, or has received, financing, directly or indirectly, from the President of Belarus or a Belarusian authority, or
- (d) which otherwise obtains a financial benefit or other material benefit from the President of Belarus or a Belarusian authority;

“minority interest” means any shareholding, voting right or right to appoint or remove members of the board of directors which does not meet the condition set out in regulation 7(2);

“relevant provision” means—

- (a) any provision of Parts 3 (Finance), 5 (Trade), 5A (Aircraft) or 5B (Ships);
- (b) any provision of the law of a country other than the United Kingdom made for purposes corresponding to a purpose of any provision of Parts 3 (Finance), 5 (Trade), 5A (Aircraft) or 5B (Ships);

“sector of strategic significance to the Government of Belarus” means—

- (a) the Belarusian chemicals sector;
- (b) the Belarusian construction sector;
- (c) the Belarusian defence sector;
- (d) the Belarusian electronics sector;
- (e) the Belarusian energy sector;
- (f) the Belarusian extractives sector;
- (g) the Belarusian forestry sector;
- (h) the Belarusian financial services sector;

- (i) the Belarusian information, communications and digital technologies sector;
 - (j) the Belarusian mechanical engineering sector;
 - (k) the Belarusian metallurgy sector;
 - (l) the Belarusian transport sector.”;
- (g) omit paragraph (7).