
STATUTORY INSTRUMENTS

2023 No. 616

The Republic of Belarus (Sanctions) (EU
Exit) (Amendment) Regulations 2023

PART 4

Trade sanctions

Amendments to regulation 20 (interpretation of other expressions used in this Part)

7. In regulation 20—

(a) in paragraph (3)—

(i) in the definition of “transfer”, after “Schedule 1 to the Act” for “.” substitute “;”;

(ii) insert the following definitions in the appropriate places—

“banknotes” means—

(a) sterling denominated banknotes issued by the Bank of England and banks in Scotland and Northern Ireland, and

(b) banknotes denominated in any official currency of the European Union;”;

“cement” has the meaning given to it in paragraph 2 of Schedule 2J;”;

“chemical and biological weapons-related goods” means—

(a) any thing specified in Part 2 of Schedule 2H, other than chemical and biological weapons-related technology (but see paragraph (4)), and

(b) any tangible storage medium on which chemical and biological weapons-related technology is recorded or from which it can be derived;”;

“chemical and biological weapons-related technology” means any thing specified as technology or software in Part 2 of Schedule 2H, other than technology which is—

(a) the minimum necessary for—

(i) the installation, operation, maintenance and repair of any goods which are not subject to a prohibition under this Part, or

(ii) patent applications,

(b) in the public domain,

(c) a medical device, or

(d) used for basic scientific research;”;

“gold” has the meaning given to it in paragraph 3 of Schedule 2J;”;

“gold jewellery” has the meaning given to it in paragraph 4 of Schedule 2J;”;

“machinery-related goods” means any thing falling within Part 2 of Schedule 2I, other than—

- (a) any thing which is machinery-related technology, or
- (b) any thing for the time being specified in—
 - (i) Schedule 2 or 3 to the Export Control Order 2008⁽¹⁾,
 - (ii) Annex I of the Dual-Use Regulation⁽²⁾, or
 - (iii) Schedule 2C (critical-industry goods and critical-industry technology);”;

““machinery-related technology” means any thing described in Part 2 of Schedule 2I as software or technology, other than any thing for the time being specified in—

- (a) Schedule 3 to the Export Control Order 2008,
- (b) Annex I of the Dual-Use Regulation, or
- (c) Schedule 2C;”;

““relevant processed gold” means gold which—

- (a) has been processed in a third country, and
- (b) incorporates gold that, on or after 21st July 2022—
 - (i) originated in Belarus, and
 - (ii) has been exported from Belarus;”;

““rubber” has the meaning given to it in paragraph 5 of Schedule 2J;”;

““wood” has the meaning given to it in paragraph 6 of Schedule 2J.”;

- (b) after regulation 20(3), insert—

“(3A) The definition of “chemical and biological weapons-related goods” does not apply to anything specified in Schedule 2H—

- (a) which is—
 - (i) a pharmaceutical formulation designed for human administration in the treatment of a medical condition, and
 - (ii) pre-packaged for distribution as a medicinal product, or
- (b) which is a medical device.”.

Amendments to Chapter 2 of Part 5 (exports to Belarus and related activities)

8. In Chapter 2 of Part 5—

- (a) in regulation 21(1) (exports of goods to, or for use in, Belarus), for sub-paragraphs (a) to (i) substitute—
 - “(a) banknotes;
 - (b) chemical and biological weapons-related goods;
 - (c) critical-industry goods;
 - (d) dual-use goods;
 - (e) interception and monitoring goods;

(1) [S.I. 2008/3231](#). Schedule 2 was substituted by [S.I. 2017/85](#) and Schedule 3 was substituted by [S.I. 2010/2007](#). Subsequent amendments to those Schedules were made by [S.I. 2012/1910](#); [S.I. 2014/1069](#); [S.I. 2015/940](#); [S.I. 2017/85](#); [S.I. 2017/697](#); [S.I. 2018/165](#); [S.I. 2018/939](#); [S.I. 2019/137](#); [S.I. 2019/989](#); [S.I. 2019/1159](#); [S.I. 2020/1502](#); [S.I. 2021/586](#); [S.I. 2022/1042](#) and [S.I. 2023/302](#). There are other instruments which amend other parts of the Order, which are not relevant to these Regulations.

(2) See regulation 2 of the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019 for the definition of “the Dual-Use Regulation”.

- (f) internal repression goods;
 - (g) luxury goods;
 - (h) machinery-related goods;
 - (i) military goods;
 - (j) oil refining goods;
 - (k) quantum computing and advanced materials goods;
 - (l) tobacco industry goods.”;
- (b) in regulation 22(1) (supply and delivery of goods from a third country to Belarus) for sub-paragraphs (a) to (i) substitute—
- “(a) banknotes;
 - (b) chemical and biological weapons-related goods;
 - (c) critical-industry goods;
 - (d) dual-use goods;
 - (e) interception and monitoring goods;
 - (f) internal repression goods;
 - (g) luxury goods;
 - (h) machinery-related goods;
 - (i) military goods;
 - (j) oil refining goods;
 - (k) quantum computing and advanced materials goods;
 - (l) tobacco industry goods.”;
- (c) in regulation 23(1A) (making available goods and technology to a person connected with, or for use in, Belarus) for sub-paragraphs (a) to (i) substitute—
- “(a) banknotes;
 - (b) chemical and biological weapons-related goods and chemical and biological weapons-related technology;
 - (c) critical-industry goods and critical-industry technology;
 - (d) dual-use goods and dual-use technology;
 - (e) interception and monitoring goods and interception and monitoring technology;
 - (f) internal repression goods and internal repression technology;
 - (g) luxury goods;
 - (h) machinery-related goods and machinery-related technology;
 - (i) military goods and military technology;
 - (j) oil refining goods and oil refining technology;
 - (k) quantum computing and advanced materials goods and quantum computing and advanced materials technology;
 - (l) tobacco industry goods.”;
- (d) in regulation 24(1A) (transfer of technology to a place in, or person connected with, Belarus) for sub-paragraphs (a) to (g) substitute—
- “(a) chemical and biological weapons-related technology;
 - (b) critical-industry technology;

- (c) dual-use technology;
 - (d) interception and monitoring technology;
 - (e) internal repression technology;
 - (f) machinery-related technology;
 - (g) military technology;
 - (h) oil refining technology;
 - (i) quantum computing and advanced materials technology.”;
- (e) in regulation 25(1A) (technical assistance relating to certain goods and technology) for sub-paragraphs (a) to (g) substitute—
- “(a) chemical and biological weapons-related goods and chemical and biological weapons-related technology;
 - (b) critical-industry goods and critical-industry technology;
 - (c) dual-use goods and dual-use technology;
 - (d) interception and monitoring goods and interception and monitoring technology;
 - (e) internal repression goods and internal repression technology;
 - (f) machinery-related goods and machinery-related technology;
 - (g) military goods and military technology;
 - (h) oil refining goods and oil refining technology;
 - (i) quantum computing and advanced materials goods and quantum computing and advanced materials technology.”;
- (f) for regulation 26(6) (financial services and funds relating to certain arrangements), substitute—
- “(6) In this regulation—
 - “relevant goods” means—
 - (a) chemical and biological weapons-related goods;
 - (b) critical-industry goods;
 - (c) dual-use goods;
 - (d) interception and monitoring goods;
 - (e) internal repression goods;
 - (f) machinery-related goods;
 - (g) military goods;
 - (h) oil refining goods;
 - (i) quantum computing and advanced materials goods;
 - “relevant technology” means—
 - (a) chemical and biological weapons-related technology;
 - (b) critical-industry technology;
 - (c) dual-use technology;
 - (d) interception and monitoring technology;
 - (e) internal repression technology;
 - (f) machinery-related technology;

- (g) military technology;
- (h) oil refining technology;
- (i) quantum computing and advanced materials technology.”.

Amendments to Chapter 2B of Part 5 (imports from Belarus and related activities)

9. In Chapter 2B of Part 5—

(a) in regulation 27I (import of goods originating in, or consigned from, Belarus)—

(i) in paragraph (3), for sub-paragraphs (a) to (d) substitute—

- “(a) arms and related materiel;
- (b) cement;
- (c) gold and gold jewellery which has been exported from Belarus on or after the relevant day;
- (d) iron and steel products;
- (e) mineral products;
- (f) potash;
- (g) relevant processed gold;
- (h) rubber;
- (i) wood.”;

(ii) after paragraph (6), insert—

“(7) In this Chapter, “relevant day” means the day on which this paragraph comes into force.”;

(b) in regulation 27J(2) (acquisition of goods connected to Belarus), for sub-paragraphs (a) to (d) substitute—

- “(a) arms and related materiel;
- (b) cement;
- (c) gold and gold jewellery which has been exported from Belarus on or after the relevant day;
- (d) iron and steel products;
- (e) mineral products;
- (f) potash;
- (g) rubber;
- (h) wood.”;

(c) in regulation 27K (supply and delivery of goods to places outside the UK)—

(i) in paragraph (3), for sub-paragraphs (a) to (d) substitute—

- “(a) arms and related materiel;
- (b) cement;
- (c) gold and gold jewellery which has been exported from Belarus on or after the relevant day;
- (d) iron and steel products;
- (e) mineral products;
- (f) potash;

- (g) rubber;
- (h) wood.”;
- (ii) in paragraph (3A), for sub-paragraphs (a) and (b) substitute—
 - “(a) cement;
 - (b) gold and gold jewellery which has been exported from Belarus on or after the relevant day;
 - (c) mineral products;
 - (d) potash;
 - (e) rubber;
 - (f) wood.”;
- (d) in regulation 27L(1) (technical assistance relating to certain activities)—
 - (i) in sub-paragraphs (a), (b) and (c), for “iron and steel products, mineral products or potash”, in each place it occurs, substitute “cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, iron and steel products, mineral products, potash, relevant processed gold, rubber or wood”;
 - (ii) in sub-paragraph (d), for “mineral products or potash” substitute “cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, mineral products, potash, relevant processed gold, rubber or wood”;
- (e) in regulation 27M(1) (financial services, funds and brokering services relating to certain arrangements)—
 - (i) in sub-paragraphs (a), (b) and (c), for “iron and steel products, mineral products or potash”, in each place it occurs, substitute “cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, iron and steel products, mineral products, potash, relevant processed gold, rubber or wood”;
 - (ii) in sub-paragraph (d), for “mineral products or potash”, substitute “cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, mineral products, potash, relevant processed gold, rubber or wood”.

Trade: internet services

10. In Part 5 (Trade), after Chapter 2C (other trade prohibitions), insert—

“CHAPTER 2D

Internet services

Preventing provision of internet services to or for the benefit of designated persons

27P.—(1) A person who provides a social media service must take reasonable steps to prevent content that is generated directly on the service, or uploaded to or shared on the service, by a designated person being encountered by a user of the service in the United Kingdom.

(2) A person who provides an internet access service must take reasonable steps to prevent a user of the service in the United Kingdom from accessing, by means of that service, an internet service provided by a designated person.

(3) A person who provides an application store through which an application for an internet service may be downloaded or otherwise accessed must take reasonable steps to prevent a user of the application store in the United Kingdom from downloading or

otherwise accessing, by means of that application store, an internet service provided by a designated person.

(4) A person who fails to comply with the requirement in paragraph (1), paragraph (2) or paragraph (3) commits an offence.

(5) In this regulation—

“content” means anything communicated by means of an internet service, whether publicly or privately, including written material or messages, oral communications, photographs, videos, visual images, music and data of any description;

“designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of this regulation;

“encounter”, in relation to content, means read, view, hear or otherwise experience content;

“internet access service” means a service that provides access to virtually all (or just some) of the end points of the internet;

“internet service” means a service that is made available by means of the internet;

“social media service” has the meaning given by section 43(3) of the Finance Act 2020(3).”.