

## **Introduction**

The Treasury has issued this guidance to assist in the implementation of, and compliance with the Libya (Sanctions) (EU Exit) Regulations 2020, as those Regulations have effect in the Isle of Man.

The policy of the Isle of Man Government is to maintain the implementation of international sanctions measures in the Isle of Man in line with such measures have effect in the United Kingdom from time to time.

## **Legislation**

The Libya(Sanctions) (EU Exit) Regulations 2020 have effect in the Isle of Man by the Libya Sanctions (Application) Regulations 2020 [SD [2020/0584](#)](“the Regulations”).

This document contains guidance on the prohibitions and requirements imposed by the Regulations. In addition it provides guidance on best practice from complying with the prohibitions and requirements; the enforcement of them; and circumstances where they do not apply.

## **Further guidance**

This document should be read alongside the [Financial Sanctions - General Guidance](#).

## **Contact details for enquiries**

Enquiries may be made by –

- Email [customs@gov.im](mailto:customs@gov.im) (marked for the attention of the Sanctions Officer)
- Phone 01624 648109

## **Privacy Notice**

The Treasury collects information about you in order to administer taxation and carry out other functions for which it is responsible (e.g. National Insurance, customs and excise duties, property rates, social security benefits, state pensions and legal aid etc.), and for the detection and prevention of crime.

Whilst that information will primarily be provided by you, where the law allows we may also get information about you from other organisations, or give information about you to them. This may be to check the accuracy of the information provided, prevent or detect crime or protect public funds in other ways. These organisations may include other government departments, the police and other agencies.

To find out more about how we collect and use personal information, contact any of our offices or visit our website at: <https://www.gov.im/about-the-government/departments/the-treasury/privacy-notice/>

## **1. Prohibitions and requirements imposed by the Regulations**

These Regulations impose financial, trade and immigration sanctions for the purpose of encouraging respect for human rights in Libya, promoting the peace, stability and security of Libya and preventing migrant smuggling and human trafficking. These are set out in detail in the Annex.

The sanctions imposed by these Regulations apply within the territory of the Isle of Man (IOM) and in relation to the conducts of all Island persons wherever they are in the world. Island person includes a

- (a) a British citizen, a British overseas territories citizen, a British National (Overseas) or a British overseas citizen who is resident in the Isle of Man;
- (b) a person who under the British Nationality Act 1981 (of Parliament)<sup>1</sup> is a British subject who is resident in the Isle of Man;
- (c) a British protected person within the meaning of that Act who is resident in the Isle of Man; or
- (d) a body incorporated under the law of the Isle of Man;

The maritime enforcement powers contained in Part 11 of the Regulations apply in relation to Manx ships in international or foreign waters, ships without nationality in international waters and foreign ships in international waters.

It is prohibited to intentionally participate in any activities if you know that the object or effect of them is to directly or indirectly circumvent the prohibitions imposed by these Regulations or to enable or facilitate the contravention of those prohibitions.

If you are unclear about any aspects of the Regulations, in particular about whether action you are considering taking could contravene these Regulations, you are advised to seek independent legal advice.

Prohibitions and requirements for the financial, trade and immigration sanctions contained in these Regulations are set out below.

### **1.1 Designation of persons**

Where the UK Secretary of State has designated a person, that designation also has effect in the Isle of Man from the same time, and any variation or revocation of the designation will also have effect in the Island. The reasons for designation include, for example, threatening the peace, stability and security of Libya, and engaged in migrant smuggling and human trafficking.

When these Regulations are in force a list of those persons designated under these Regulations and details of the sanctions in respect of which they have been designated, will be on [GOV.UK](https://www.gov.uk)

---

<sup>1</sup> 1981 Chapter 61.

## 1.2 Financial sanctions

### Asset Freeze

The Regulations impose financial sanctions through a targeted asset freeze on designated persons. This involves the freezing of funds and economic resources (non-monetary assets, such as property or vehicles) of designated persons and ensuring that funds and economic resources are not made available to or for the benefit of designated persons or entities, either directly or indirectly.

In addition, the Regulations impose a partial asset freeze in respect of two Libyan entities, prohibiting persons (including the entities) from dealing with "relevant funds or economic resources", being those owned, held or controlled by those entities and located outside of Libya immediately before 17 September 2011, and certain other related funds.

More information on this prohibition can be found [OFSI's Libya financial sanctions guidance](#).

The Regulations prohibit persons entering into any financial transactions relating to Libyan oil aboard a UN designated ship. This includes the purchase, or sale, or use as credit and the taking out of transport insurance in respect of it.

More information on asset freezes can be found in the [Financial Sanctions - General Guidance](#).

## 1.3 Trade Sanctions

The Regulations impose trade prohibitions relating to:

- military goods and military technology (as specified in Schedule 2 to the Export Control Order 2008)
- anything which falls within Chapter 93 of the Goods Classification Table, other than military goods
- internal repression goods and technology (as specified in Schedule 2 to the Regulations)
- goods which could be used for migrant smuggling and human trafficking (as specified in Schedule 3 to the Regulations)
- the provision of technical assistance, armed personnel, financial services or funds or associated brokering services, where such provision enables or facilitates the conduct of armed hostilities in Libya
- causing or permitting a UN designated ship to transport Libyan oil or have Libyan oil loaded onto the ship or have it discharged from the ship
- the provision of bunkering or ship supply services in relation to UN designated ships

There are circumstances (set out in the relevant lists of controlled items) in which certain items are not controlled, for example when body armour or a helmet is accompanying a person for that person's own protection. Please check the relevant lists as applicable.

A number of goods subject to prohibitions in the Regulations (such as goods which could be used for migrant smuggling and human trafficking) are identified by reference to commodity codes in the Goods Classification Table. The UK Tariff sets out a system for the classification of goods to enable importers to ascertain the applicable rate of import duty for their goods. It is this system of classification that is used in the Regulations in order to determine whether goods are within scope of the prohibitions.

This means that where commodity codes are used in the Regulations, the relevant goods are those which would be classified under the relevant commodity code (applying the rules in the UK Tariff) if the goods were being imported to the UK.

Some of the listings of commodity codes in the Regulations have an "ex" before the code. Where this "ex" appears before a commodity code this means that the prohibitions in the Regulations do not apply to all of the items under that commodity code. The prohibitions will only apply to those items that (1) would be classified under the commodity code and (2) that match the description given next to the relevant "ex" code entry in the Regulations.

Further detail on these trade prohibitions, including key terminology used, is explained below. Please have regard to the relevant legislation which contains full definitions of terms used herein.

### **Export of goods**

The concept of "export" is set out in customs legislation, but is further detailed in the Regulations, which clarifies that "export" means export from the Isle of Man, but does not capture where goods are removed to the United Kingdom from the Isle of Man.

The export prohibition in the Regulations covers export to Libya as well as exports that are for use in Libya. This means that, even if the immediate destination is not Libya, the prohibition may still apply. Exporters should check the ultimate end use of goods and may apply for a licence or contact the [Export Control Joint Unit](#) (ECJU) if you know or think the items may be used in Libya.

For general guidance on export controls and trade sanctions, visit the [Export Control Joint Unit](#) website (the Isle of Man imposes the same export and trade controls as the UK).

### **Import of goods**

The concept of 'import' is set out in customs legislation, this clarifies in particular that goods removed to the Isle of Man from the UK are not to be regarded as imported. Paragraph 34 details limited exceptions to this.

The import prohibition covers imports that are consigned from Libya and goods that originated in Libya. This means that even if the immediate place the goods were shipped from was not Libya, the prohibition may still apply. Therefore, importers should check the original place goods were consigned from and apply for a licence or contact DIT's Import Licensing Branch if they think the items may have originated in or have been consigned from Libya.

A sanctions licence is not required for imports of non-military goods covered by the Regulations from an EU Member State which originate in or are consigned from Libya. You will however have to comply with any licensing requirements that apply in the relevant EU Member State for the original import into the customs territory of the EU. You will also have to comply with any other licensing requirements under UK import control legislation as applicable.

### **Supply and delivery of goods**

Supply and delivery prohibitions in the Regulations prohibit a person from directly or indirectly supplying or delivering goods from a third country to a place in Libya. Regulation 25(4) specifies that a third country is a country that is not the UK, Isle of Man or Libya.

## **Acquiring or making goods and technology available**

Prohibitions in the Regulations on directly or indirectly making restricted goods or technology available (e.g. through a sale) include making them available for use in Libya or to a “person connected with” Libya. Prohibitions in the Regulations on acquiring restricted goods or technology include acquiring such goods or technology from a “person connected with” Libya or where such goods or technology originate in or are located in Libya. Regulation 32(5) sets out when a person is to be regarded as “connected with” Libya (and this applies where the term is used in other trade prohibitions in this Part of the Regulations).

## **Transfer of technology**

Prohibitions in the Regulations on the transfer of restricted technology include transfer to a place in Libya or a person “connected with” Libya.

The term ‘transfer’ means a transfer by any means (or combination of means), including oral communication and that transfer of goods on which the technology is recorded or from which it can be derived, other than the export of such goods.

Where military or internal repression technology is contained within a good, it would be classified as a military or internal repression good under the accompanying goods-related provisions. This includes information contained on USB memory devices, laptops, tablets and the like.

## **Technical assistance**

The term technical assistance in relation to goods or technology is defined in Regulation 32, which states that it means:

- technical support relating to the repair, development, production, assembly, testing, use or maintenance of the goods or technology, or
- any other technical service relating to the goods or technology

Prohibitions apply where the technical assistance relates to certain specified goods or technology.

The prohibitions apply to the direct or indirect provision of such technical assistance (1) to persons connected with Libya or (2) for use in Libya.

This means that, even if the person to whom you are providing the relevant technical assistance is not in or “connected with” Libya, the prohibition may still apply if the goods or technology to which the technical assistance relates are for use in Libya. Therefore, if you are providing technical assistance you should check whether the goods or technology may be used in Libya and apply for a licence or contact ECJU.

## **Financial services and funds related to goods and technology**

‘Financial services’ refer to any services of a financial nature in many different forms including insurance and banking. Financial services include payment and money transmission services. The full definition of ‘financial services’ can be found in [Section 61 of the Sanctions Act](#).

‘Funds’ means financial assets and benefits of every kind, including cash, securities and interest. The full definition of ‘funds’ can be found in [Section 60 of the Sanctions Act](#).

Trade sanctions prohibitions on the provision of financial services and funds apply where they relate to certain specified goods or technology.

The prohibitions in the Regulations apply to the direct or indirect provision of financial services, and the direct or indirect making available of funds, to persons connected with Libya in pursuance of or in connection with an arrangement set out in Regulation 29(1). This captures arrangements related to the goods or technology controlled by the Regulations, for example, an arrangement for the export of goods or the direct or indirect supply or delivery of goods.

These prohibitions also prohibit the direct or indirect provision of financial services or funds to anyone, where this is in pursuance of or in connection with specific arrangements as set out in regulation 29(3). This captures arrangements for which the object or effect falls into one of the prohibitions, for example an arrangement for the export of goods to or for use in Libya.

### **Brokering services**

The definition of 'brokering services' is set out in regulation 32, which states that it means any service to secure, or otherwise in relation to, an arrangement, including (but not limited to):

- the selection or introduction of persons as parties or potential parties to the arrangement
- the negotiation of the arrangement
- the facilitation of anything that enables the arrangement to be entered into, and
- the provision of any assistance that in any way promotes or facilitates the arrangement

The Regulations prohibit the direct or indirect provision of brokering services where they relate to specific arrangements. Those arrangements are set out in regulation 30.

### **Other trade restrictions**

Certain services and arrangements are prohibited in the Regulations. These include the provision of certain services in relation to ships, the direct or indirect provision of services where such provision enables or facilitates the conduct of armed hostilities in Libya, and the transportation of Libyan oil in relation to UN designated ships.

As set out in Regulation 31, the direct or indirect provision of the following services is prohibited where such provision enables or facilitates the conduct of armed hostilities in Libya:

- a) technical assistance (which for these purposes is defined in regulation 31(4))
- b) armed personnel
- c) financial services or funds, or
- d) brokering services in relation to an arrangement whose object or effect is to provide, in a non-UK country any of the services mentioned in paragraphs (a) - (c)

The provision on transporting Libyan oil prohibits a person from causing or permitting a designated ship to transport Libyan oil or to have Libyan oil loaded onto or discharged from it. A "designated ship" for these purposes is defined at regulation 35(4) as meaning a ship designated by the UN Security Council Sanctions Committee on Libya ("UN Committee"), for the purpose of paragraph 10(a) of Resolution 2146.

Provisions on bunkering or ship supply services are set out in regulation 37 and prohibit the provision of such services to ships designated, by the UN Committee, for the purpose of paragraph 10(c) of Resolution 2146. The definition of 'bunkering or ship supply services' is set out in Regulation 37(4).

The Department for International Trade (DIT) has overall responsibility for trade sanctions licencing. For general guidance on export controls and trade sanctions, visit the [Export Control Joint Unit](#) website (the Isle of Man imposes the same export and trade controls as the UK).

#### **1.4 Transport Sanctions**

The Regulations impose transport prohibitions relating to the movement of ships and aircraft in UK/Isle of Man waters and airspace.

It is prohibited to provide access to a port for a ship designated by the UN. Furthermore, the master or pilot of such a ship must not cause or permit the ship to enter or remain in any UK/Isle of Man port.

Similarly, the operator or pilot in command of an aircraft must not cause or permit the aircraft to take off, overfly or land in the UK/Isle of Man where an aircraft is being used to transport military goods, or armed personnel, to any place in Libya.

Additionally, it is prohibited to allow such an aircraft to land or take off from an airport or to allow such an aircraft to enter UK/Isle of Man airspace.

Further details are available on [how to apply for a transport sanctions licence](#).

#### **1.5 Immigration Sanctions**

The effect of the Regulations is to impose a travel ban on persons who are designated by the UK Secretary of State. Such persons are excluded persons for the purposes of section 8B of the Immigration Act 1971 (as that Act has effect in the Isle of Man).

This means that those individuals will be refused leave to enter or remain in the UK/IOM. Any applications they make for a visa to travel to the UK/IOM, including for transit purposes, will be refused. A foreign national who is subject to a travel ban under the Regulations, and is currently in the UK/IOM, will have their permission to stay in the UK/IOM cancelled and steps will be taken to remove them.

If you are the subject of an immigration sanction and try to travel to the UK/IOM, carriers are required to deny you boarding.

#### **1.6 Information and Record Keeping**

Part 9 of the Regulations places obligations on relevant firms (the definition of which is set out in the Regulations) to report information to the Treasury about known or suspected designated persons or about persons who may have committed an offence under specified provisions of the Regulations. The Treasury has designated the [Financial Intelligence Unit](#) (FIU) as the body to whom reports should be made, via [THEMIS](#).

It also grants powers to the Treasury to request information from, amongst others, a designated person, including powers to request the production of documents. It also establishes offences for failing to comply with these requests (including providing false information in respect of licences).

Part 9 also establishes information powers and record-keeping responsibilities in relation to the trade sanctions contained in the Regulations. It provides for offences for failing to comply with any of those requirements or intentionally obstructing an official in the exercise of those powers.

If you have obligations or responsibilities under Part 9 of these Regulations, it is important that you familiarise yourself with them. If you are unclear of your obligations or responsibilities, you are advised to seek independent legal advice.

## **2. How will these sanctions measures be enforced?**

The Regulations make it a criminal offence to contravene the financial sanctions, as well as to enable or facilitate a contravention of, or to circumvent, any of the prohibitions in these Regulations. They also set out the penalties that apply to such offences.

In addition to the below, further details on offences and penalties can be found in the Annex.

### **2.1. Financial Sanctions**

Breaches of financial sanctions are a serious criminal offence. Any breach of the main financial prohibitions in the Regulations carries a maximum sentence of 7 years' imprisonment or a fine (or both).

Committing an offence under regulations 56 (6) or 60 (information offences in connection with financial sanctions under the Regulations) carries a maximum sentence of 6 months' imprisonment or a fine (or both).

The Treasury is responsible for monitoring compliance with financial sanctions and investigating suspected breaches.

The Treasury works with other parts of government, supervisory bodies and regulators to consider all cases reported to it, sharing relevant information accordingly.

If you find out that a person or organisation you are dealing with is subject to the financial sanctions detailed in the Regulations, you must immediately:

- stop dealing with them
- freeze any assets you're holding for them
- inform the FIU as soon as possible.

More detailed information on the Treasury's approach to compliance and enforcement can be found in the [Financial Sanctions - General Guidance](#).

### **2.2. Trade Sanctions**

Any breach of the prohibitions relating to the trade sanctions contained in the Regulations is triable either way and carries a maximum sentence of 10 years' imprisonment or a fine (or both).

The Treasury is responsible for enforcing the trade prohibitions and investigating suspected offences.

If you discover that you have breached any of the trade prohibitions, you should report the irregularity to the FIU as soon as possible.

You should provide:



- details of the export or transaction, including dates
- any relevant documents, such as export documentation and commercial invoices
- details of how the breach was discovered, why it occurred and what steps you have put in place to ensure it does not happen again.

## **2.3 Transport Sanctions**

Transport sanctions are integral to the enforcement of the overall sanctions regime. There are serious offences associated with breaching the principal transport restrictions; these are triable either way and carry a maximum sentence on indictment of 7 years' imprisonment or a fine (or both).

Where the conditions on which a port entry licence has been issued are broken, the offence is triable either way and those found to be culpable can be imprisoned for up to a maximum of 2 years, receive a fine, or both.

## **3. Are there circumstances when I can get an authorisation or licence for a sanctioned activity?**

Licensing and exception provisions are contained in Part 8 of the Regulations.

### **3.1 Exceptions**

The Regulations set out exceptions to some of the sanctions prohibitions which apply within certain defined circumstances. An exception applies automatically, and does not require you to obtain a licence issued in accordance with the Regulations.

The Regulations establish exceptions relating to financial sanctions including for the crediting of a frozen account by a relevant institution (any such interest or other earnings will be frozen in accordance with the relevant legislation underpinning the asset freeze). An exception also exists from the prohibition on making funds available to a designated person, for when funds are transferred to a frozen account in discharge (or partial discharge) of an obligation which arose before the recipient became a designated person.

The Regulations establish exceptions relating to transport sanctions. An aircraft which is normally prohibited from overflying or landing in the IOM can do so if failing to land would endanger the lives of persons on board, the safety of the aircraft or another aircraft, or the safety of persons on the ground. A ship which is normally prohibited from entering IOM ports is allowed to enter in the case of an emergency.

Regulation 46 establishes an exception to regulations 12 to 16, regulations 18 to 20, Chapters 1 and 2 of Part 5 (Trade) and regulations 35, 37 and 38 which provides that prohibitions are not contravened if conduct is authorised by a licence which is issued under the law of the United Kingdom, the Channel Islands, or any British Overseas Territory for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

There is an exception to regulations 12 to 16 and 18 to 20 in respect of "relevant activity" (being any activity which would otherwise be prohibited by regulations 12 to 16 and 18 to 20) which is necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs by:

- (a) the United Nations, including its –

- (i) programmes and funds,
  - (ii) other entities and bodies, and
  - (iii) specialised agencies and related organisations,
- (b) international organisations,
  - (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations,
  - (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals, or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs,
  - (e) any grantee, subsidiary, or implementing partner of any organisation falling within sub-paragraphs (a) to (d) while and to the extent that they are acting in those capacities (reference in the regulations to an organisation (or entity) includes reference to the employees of that organisation while acting in that capacity),
  - (f) any other persons authorised by the Committee for the purposes of resolution 2664.

This exception means the prohibitions of the asset freeze are not contravened by a person carrying out relevant activity which is necessary to ensure the timely delivery of humanitarian assistance or to carry out other activities that support basic human needs. This includes the provision, processing and payment of funds, other financial assets or economic resources, and the provision of goods and services necessary to ensure the timely delivery of such assistance or to support such activities.

The prohibitions of the asset freeze are not contravened where the person undertaking the relevant activity believes carrying it out is necessary to ensure the timely delivery of humanitarian assistance, or to carry out other activities that support basic human needs and there is no reasonable cause for them to suspect otherwise.

The Regulations also include an exception in relation to any prohibition or requirement imposed by these Regulations for acts done for the purposes of national security or prevention or detection of serious crime.

These exceptions do not apply to all prohibitions. If you are unsure whether an exception applies in your circumstances, you are advised to seek independent legal advice.

### **3.2 Licensing for financial sanctions**

Where a person is designated for the purposes of the financial sanctions (asset freeze measures and making available provisions) contained in the Regulations, the person or a representative (on their behalf) may apply for a licence from the Treasury to use their funds or economic resources (non-monetary assets, such as property or vehicles), or have funds or economic resources made available to them or for their benefit. Schedule 4 to the Regulations sets out the purposes pursuant to which, or for which activities, the Treasury may grant an individual licence. In summary these are:

- basic needs

- reasonable professional fees for or reasonable expenses associated with the provision of legal services
- reasonable fees or service charges for the routine holding or maintenance of frozen funds or economic resources
- extraordinary expenses
- pre-existing judicial decisions etc.
- prior obligations
- humanitarian assistance activities (non-UN designated persons only)
- diplomatic missions etc. (non-UN designated persons only)
- extraordinary situations (non-UN designated persons only)

The Treasury may also issue a licence to the Libyan Investment Authority or the Libyan Africa Investment Portfolio in respect of five further grounds that apply to any other designated persons namely:

- humanitarian assistance
- provision of fuel, electricity and water for civilian uses
- production and sale of hydrocarbons
- establishing, operating or strengthening civilian government and public infrastructure
- the resumption of banking sector operations, including to support or facilitate trade with Libya

Please note the Treasury may need to notify, or in some cases seek approval from, the relevant United Nations Sanctions Committee before issuing a licence. These requirements are set out in the relevant UN Security Council Resolutions.

Further information on exceptions and licensing grounds can be found in the [Financial Sanctions - General Guidance](#).

### **3.3 Licensing for Trade Sanctions**

Licences may also be issued for certain trade activities that would otherwise be prohibited by the Regulations.

The Treasury is responsible for administering the licensing provisions for all trade sanctions.

In exercising these powers, the Treasury seeks and considers advice from other Isle of Man and United Kingdom government departments.

In making decisions on whether to grant a licence to permit something which would otherwise be prohibited under Part 5 of the Regulations, the Treasury will consider each application on a case-by-case basis to determine whether granting a licence would be consistent with the stated purposes of the sanctions regime and any UN or other relevant international law obligations.

For some prohibitions there are specific activities which the UK's Department for International Trade considers are likely to be consistent with the aims of the sanctions.

These can be found here ([section 3.3](#)). If you think that your proposed activity falls within one of these specific descriptions you should make this clear and explain why you believe this to be the case in your application for a licence. You should not assume that a licence will be granted or engage in any activities prohibited by the trade sanctions until your licence has been granted.

When you export goods, you may need to submit an electronic export declaration via the National Export System (NES), part of the Customs Handling of Import and Export Freight (CHIEF) system. Guidance is available on [how to make an export declaration](#).

### **3.4 Overlap with strategic export licensing**

#### **Military goods and military technology**

Please note that the export of and trade in military goods and military technology are also controlled under the Export Control Order 2008 and so you may also need a licence which is valid under that legislation. This means that all licence applications relating to military goods and military technology will also need to be considered against the [strategic export licensing criteria](#). A licence under the Regulations is unlikely to be granted if a licence is refused for the same activity under the Export Control Order 2008.

The way this will work in practice is that we will consider an application for a licence which relates to activities that are licensable under both the Regulations and the Export Control Order 2008 as an application for a licence under both pieces of legislation. This means that only a single licence application is required.

The application will be considered against the relevant licensing criteria. If a licence is granted it will be valid under both the Export Control Order 2008 and the Regulations.

#### **Overlap between trade sanctions and financial sanctions**

If you import or export goods, you need to consider if financial sanctions apply to you. You may need a licence from [OFSI](#) as well as from the [Export Control Joint Unit](#).

#### **Transit control**

Certain goods transiting the UK/Isle of Man are still regarded as being exported when they leave the country and are therefore subject to control. Article 17 of the Export Control Order 2008 includes a transit and transshipment exception meaning that in many situations a licence is not required. This exception does not apply to goods destined for Libya, meaning that a licence is required to transit goods through the UK/Isle of Man or to transship them in the UK/Isle of Man with a view to re-exportation to Libya.

### **3.5 Licensing for transport sanctions**

Where an exception does not apply, a licence may be issued by the Department for Transport in particular circumstances to allow for time-limited and specific actions to take place which would otherwise be prohibited by the Regulations.

A port licence may be granted to permit a UN designated ship to access a UK port. A licence may be general or be issued to a particular category of person or to a particular person. Licences may contain conditions and they may be of a defined duration or of indefinite duration.

Information on [how to apply for a transport sanctions licence](#) is available on GOV.UK.

### **3.6 Directions in respect of immigration sanctions**

If you are subject to immigration sanctions the Home Office may direct, on a case by case basis, that the sanction does not apply in particular circumstances, such as for travel to, or through, the UK for a UN sponsored meeting. You can check how to [apply for a UK visa](#), and find further information about [travelling to the UK](#) on GOV.UK.

### **4. Further Information**

Sign up to receive [Notices to Exporters](#) for updates on trade sanctions.

To receive an email alerting you to any changes to the consolidated list of financial sanctions targets, you can subscribe to the RSS feed for Customs and Excise news releases by copying and pasting this URL: <https://www.gov.uk/categories/tax-vat-and-your-money/customs-and-excise/news/RssCategorisedNews> into your RSS feed reader or Microsoft Outlook RSS feeds folder. You can also view our [guidance on how to use RSS Feeds](#).

## Annex

### Table of financial sanctions offences

Type of Sanctions offences	Specific offence	Relevant prohibition or requirement	Maximum penalty
Breach of sanctions (asset freeze)	<ol style="list-style-type: none"> <li>1. Dealing with funds or economic resources owned, held or controlled by a designated person</li> <li>2. Making funds available directly or indirectly to a designated person</li> <li>3. Making funds available for the benefit of a designated person</li> <li>4. Making economic resources available directly or indirectly to a designated person</li> <li>5. Making economic resources available for benefit of a designated person</li> </ol>	<ol style="list-style-type: none"> <li>1. reg. 12</li> <li>2. reg. 13</li> <li>3. reg. 14</li> <li>4. reg. 15</li> <li>5. reg. 16</li> </ol>	<p>Liable on summary conviction -</p> <ul style="list-style-type: none"> <li>• to custody for a term not exceeding 12 months, or to a fine not exceeding level 5 on the standard scale, or to both.</li> </ul> <p>Liable on conviction on information -</p> <ul style="list-style-type: none"> <li>• to custody for a term not exceeding 7 years or to a fine, or to both.</li> </ul>
Breach of sanctions (partial asset freeze)	<ol style="list-style-type: none"> <li>1. Dealing with "relevant funds or economic resources" (as defined in regulation 18 (4) as funds and economic resources located outside of Libya immediately before 17 September 2011 as well as other funds, interest and other earnings falling under the definition in regulation 18 (4) ) resources owned., held or controlled by a designated person.</li> <li>2. Making "relevant funds" (as defined in regulation 19 (4)) available directly or indirectly to a designated person.</li> <li>3. Making "relevant funds" (as defined in regulation 19 (4)) available directly or indirectly for the benefit of a designated person.</li> </ol>	<ol style="list-style-type: none"> <li>1. reg.18</li> <li>2. reg.19</li> <li>3. reg.20</li> </ol>	
Breach of sanctions (financial transactions relating to Libyan oil aboard designated ships)	<ol style="list-style-type: none"> <li>1. Entering any financial transaction relating to Libyan oil aboard a ship designated by the UN.</li> </ol>	reg.38	

Circumvention etc. of prohibitions	<ol style="list-style-type: none"> <li>1. Circumventing directly or indirectly the prohibitions of regs. 12-20 (Part 3 Finance) or enabling the contravention of prohibitions.</li> <li>2. Circumventing directly or indirectly the prohibitions in reg. 38 or enabling or facilitating the contravention of any such prohibition.</li> </ol>	<ol style="list-style-type: none"> <li>1.reg. 21</li> <li>2.reg. 39 (4)</li> </ol>	
Breach of requirements under Treasury licences	<ol style="list-style-type: none"> <li>1. Knowingly or recklessly providing false information or providing a document that is not what it purports to be for the purpose of obtaining a Treasury licence</li> <li>2. Failing to comply with the conditions of a Treasury licence</li> </ol>	<ol style="list-style-type: none"> <li>1. reg. 52</li> <li>2. reg. 52</li> </ol>	
Breach of reporting obligations	<ol style="list-style-type: none"> <li>1. Failure to inform the Treasury about knowledge or reasonable cause to suspect that a person is a designated person or has committed an offence under Part 3 of the Regulations or regulation 37 (finance: licensing offences).</li> <li>2. Failure to provide the Treasury with information on which the knowledge or suspicion is based or information by which the person can be identified.</li> <li>3. Failure to provide the Treasury with information about any funds or economic resources it holds for a designated person at the time when it first had knowledge or suspicion.</li> </ol>	<ol style="list-style-type: none"> <li>1. reg. 56</li> <li>2. reg. 56</li> <li>3. reg. 56</li> </ol>	Liable on summary conviction - <ul style="list-style-type: none"> <li>• to custody for a term not exceeding 12 months, or to a fine not exceeding level 5 on the standard scale, or to both.</li> </ul>
Failure to comply with requests for information	<ol style="list-style-type: none"> <li>1. Failure to provide information in the time and manner requested under reg. 58</li> <li>2. Knowingly and recklessly providing false information in respect of information requested under reg. 58</li> </ol>	<ol style="list-style-type: none"> <li>1. reg. 60</li> <li>2. reg. 60</li> <li>3. reg. 60</li> <li>4. reg. 60</li> </ol>	

	<p>3. Evasion of requests made under reg. 58 or reg. 59.</p> <p>4. Obstruction of Treasury requests for information made under reg. 58 or reg. 59.</p>		
--	--------------------------------------------------------------------------------------------------------------------------------------------------------	--	--



## ANNEX B

### Table of trade sanctions offences

<b>Type of Sanctions offences</b>	<b>Specific offence</b>	<b>Relevant prohibition or requirement</b>	<b>Maximum penalty</b>
Breach of controls on exporting restricted goods	Exporting restricted goods	reg. 21. Offence contained within Customs and Excise Management Act 1986 s 69 and 179	<p>Liable on summary conviction To a penalty of £5,000 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 information</p> <p>To a penalty of any amount, or to imprisonment for a term not exceeding 10 years (this a modification to the 7 year maximum set out in the Customs and Excise Management Act 1986</p>
Breach of controls on importing arms and related materiel and internal repression goods	Importing arms and related material and internal repression goods	Reg. 24 (1) and (2)  Offence contained within s 47 and 179 of CEMA	
	<ol style="list-style-type: none"> <li>1. Supplying or delivering restricted goods.</li> <li>2. Making restricted goods or restricted technology available.</li> <li>3. Transferring restricted technology.</li> <li>4. Providing technical assistance relating to restricted goods and restricted technology.</li> <li>5. Providing financial services or funds relating to military goods or military technology.</li> <li>6. Providing brokering services relating to restricted goods and restricted technology.</li> </ol>	<ol style="list-style-type: none"> <li>1. Reg.25 (1)</li> <li>2. Reg.26 (1)</li> <li>3. Reg.27 (1)</li> <li>4. Reg.28 (1)</li> <li>5. Reg.29 (1), (2), and (3)</li> <li>6. Reg.30 (1)</li> </ol>	<p>Liable on summary conviction</p> <p>To imprisonment to a term not exceeding 12 months or a fine (or both).</p> <p>Liable on conviction on information</p> <p>To imprisonment for a term not exceeding 10 years or a fine (or both).</p>

Enabling or facilitating the conduct of armed hostilities	Providing technical assistance, armed personnel, financial services and funds or brokering services enabling or facilitating the conduct of armed hostilities in Libya.	Reg.31 (1)	<p>Liabe on summary conviction To imprisonment to a term not exceeding 12 months or a fine (or both)</p> <p>Liabe on conviction on information</p> <p>To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Breach of controls on the transportation of Libyan oil	Causing or permitting a designated ship to transport Libyan oil or to have Libyan oil loaded onto or discharged from it	Reg. 35 (1)	<p>Liabe on summary conviction To imprisonment to a term not exceeding 12 months or a fine (or both)</p> <p>Liabe on conviction on information</p> <p>To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Services in relation to designated ships	Providing bunkering or ship supply services in relation to a designated ship	Reg. 37 (1)	
Circumvention etc. of prohibitions	<ol style="list-style-type: none"> <li>1. Circumventing directly or indirectly the prohibitions of regs. 23-31 (Trade) or enabling the contravention of prohibitions.</li> <li>2. Circumventing directly or indirectly the prohibitions of regs. 35 or 37</li> </ol>	3. Reg. 33 (1)	<p>Liabe on summary conviction</p> <p>To imprisonment to a term not exceeding 12 months or a fine (or both).</p> <p>Liabe on conviction on information</p> <p>To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Licensing Offences	<ol style="list-style-type: none"> <li>a. Knowingly or recklessly: <ol style="list-style-type: none"> <li>i. Providing information that is false in a material respect, or</li> </ol> </li> </ol>	Reg. 53	<p>Liabe on summary conviction</p> <p>To imprisonment to a term not exceeding 12 months or a fine (or both).</p>

	<ul style="list-style-type: none"> <li>ii. Providing or producing a document that is not what it purports to be, for the purpose of obtaining a trade licence.</li> <li>b. Purporting to act under the authority of a trade licence but failing to comply with any condition contained in the licence.</li> </ul>		<p>Liabe on conviction on information</p> <p>To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Information Offences	<ul style="list-style-type: none"> <li>1. Failing to comply with record keeping requirements in reg. 45(2) – (4). <ul style="list-style-type: none"> <li>(a) Intentionally obstructing an official in the performance of any of the official's functions</li> <li>(b) Failing to produce a register, record or document when reasonably required to do so by an official.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>1. Reg. 46</li> <li>2. Reg. 47</li> </ul>	<p>Liabe on summary conviction</p> <p>To imprisonment to a term not exceeding 12 months or a fine (or both).</p> <p>Liabe on conviction on information</p> <p>To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Breach of confidential information provision	Breach of the prohibition on disclosing information which the UK Secretary of State has specified as confidential.	Reg 9	<p>Liabe on summary conviction</p> <p>To imprisonment to a term not exceeding 12 months or a fine (or both).</p> <p>Liabe on conviction on information</p> <p>To imprisonment for a term not exceeding 10 years or a fine (or both).</p>

## ANNEX C

### Table of transport sanctions

<b>Type of Sanctions offences</b>	<b>Specific offence</b>	<b>Relevant prohibition or requirement</b>	<b>Maximum penalty</b>
Breach of shipping sanctions	<ol style="list-style-type: none"> <li>1. Providing a ship designated by the Committee access to a port.</li> <li>2. For the master or pilot of a ship designated by the Committee to cause or permit it to enter a port.</li> </ol>	<ol style="list-style-type: none"> <li>1. Reg 36 (1)</li> <li>2. Reg 36 (2)</li> </ol>	<p>Liabe on summary conviction To imprisonment to a term not exceeding 12 months or a fine (or both).</p> <p>Liabe on conviction on information</p> <p>To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
Breach of aircraft sanctions	<ol style="list-style-type: none"> <li>1. For the operator or pilot in command of an aircraft, where the aircraft is being used to transport military goods or armed mercenary personnel to any place in Libya, to take off from, overfly or land in the IOM.</li> <li>2. For an airport operator to fail to take certain action to prevent a plane from taking off or landing at an airport where the operator knows or has reasonable cause to suspect the aircraft is being used to transport military goods or armed mercenary personnel to any place in Libya.</li> </ol>	<ol style="list-style-type: none"> <li>1. Reg 42 (2)</li> <li>2. Reg.42 (6)</li> </ol>	<p>Liabe on summary conviction To imprisonment to a term not exceeding 12 months or a fine (or both).</p> <p>Liabe on conviction on information</p> <p>To imprisonment for a term not exceeding 10 years or a fine (or both).</p>

Licensing offences	<ol style="list-style-type: none"> <li>1. Knowingly or recklessly:           <ol style="list-style-type: none"> <li>(i) providing information that is false in material respect, or</li> <li>(ii) providing or producing a document that is not what it purports to be, for the purpose of obtaining a port licence.</li> </ol> </li> <li>2. Purporting to act under the authority of a port licence but failing to comply with any condition of the port licence.</li> </ol>	3. Reg 54	<p>Liabe on summary conviction To imprisonment to a term not exceeding 12 months or a fine (or both).</p> <p>Liabe on conviction on information</p> <p>To imprisonment for a term not exceeding 10 years or a fine (or both).</p>
--------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------