

Statutory Document No. 2022/0304



European Union and Trade Act 2019

RUSSIA SANCTIONS (APPLICATION) (NO. 12) REGULATIONS 2022

Approved by Tynwald:

Coming into operation in accordance with regulation 2

The Council of Ministers makes the following Regulations under section 19 of the European Union and Trade Act 2019.

The Council of Ministers is of the opinion that, by reason of urgency, it is necessary to make these Regulations subject to the Tynwald procedure set out in section 31 of the Legislation Act 2015 (“affirmative”) instead of the “approval required” Tynwald procedure applied by virtue of section 19(1) of the European Union and Trade Act 2019.

1 Title

These Regulations are the Russia Sanctions (Application) (No. 12) Regulations 2022.

2 Commencement

These Regulations come into operation —

- (a) for the purposes of regulation 6 of the applied legislation on 1 January 2023;
- (b) for all other purposes immediately after they are made¹.

¹ Paragraph 7 of Schedule 4 to the European Union and Trade Act 2019 provides that if a statutory document contains a declaration that the Council of Ministers is of the opinion that, by reason of urgency, it is necessary to make the statutory document subject to the Tynwald procedure set out in section 31 of the Legislation Act 2015 (“affirmative”), that procedure applies to the statutory document instead of the “approval required” Tynwald procedure applied by virtue of any provision of the European Union and Trade Act 2019.

3 Application of the Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022

- (1) The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022² (“the applied legislation”) apply to the Island, as part of the law of the Island, subject to the following modifications.
- (2) In regulation 1 (citation and commencement) —
 - (a) in the heading, omit “and commencement”; and
 - (b) omit paragraph (2).
- (3) In regulation 2 (amendment of the Russia (Sanctions) (EU Exit) Regulations 2019), after “2019”, insert **63**, as they have effect in the Island³, **62**.
- (4) In regulation 3 (loans and credit arrangements) —
 - (a) in paragraph (2), after “2022” insert **63**, as they have effect in the Island **62**; and
 - (b) in paragraph (7), for “non-UK country” substitute **63** non-IOM country **62**.
- (5) In regulation 5 (gold jewellery and relevant processed gold), in the inserted regulations 46Z16D, 46Z16E and 46Z16G after “United Kingdom” wherever occurring, insert **63** or the Isle of Man **62**.
- (6) In regulation 6 (further goods prohibitions) —
 - (a) in the inserted regulations 46Z26, 46Z27 and 46Z28 after “United Kingdom” wherever occurring, insert **63** or the Isle of Man **62**; and
 - (b) in the inserted regulation 46Z33 —
 - (i) in paragraph (1) for “non-UK”, wherever occurring, substitute **63** non-IOM **62**; and
 - (ii) for paragraph (4), substitute —

63(4) In this regulation, “non-IOM country” means a country which is not the Isle of Man. **62**.
- (7) In regulation 8 (trade: exceptions in relation to personal effects etc.) —
 - (a) in paragraph (4), in the inserted paragraph (1D)(a), after “United Kingdom”, insert **63** or the Isle of Man **62**; and
 - (b) in paragraph (5)(c), in the definition of “immediate family member”, after “regulation 6(7)” insert **63**, as that regulation has effect in the United Kingdom **62**.

² SI 2022/1110.

³ SI 2019/855, as amended by SI 2020/590 and SI 2020/951, was applied to the Island by SD 2020/0504. SD 2020/0504, has subsequently been amended by SI 2022/194, SI 2022/195, SI 2022/203, SI 2022/205, SI 2022/241, SI 2022/395, SI 2022/452, SI 2022/477, SI 2022/792, SI 2022/801, SI 2022/814, SI 2022/818 and SI 2022/850 as they are applied to the Island.

- (8) Omit regulation 11 (amendment and insertion of Schedules).
- (9) Omit Schedule 1 and Schedule 2.
- (10) In Schedule 3 (minor amendments) —
 - (a) in paragraph 2, for the inserted paragraph (4), substitute —

4(4) In this regulation, “non-IOM country” means a country which is not the Isle of Man. 5;
 - (b) omit paragraphs 7 to 9; and
 - (c) in paragraph 10, omit subparagraph (2)(i).
- (11) The text of the applied legislation is annexed to these Regulations.

4 Amendment of the Russia Sanctions (Application) Regulations 2020

- (1) The Russia Sanctions (Application) Regulations 2020 are amended as follows⁴.
- (2) In the Schedule, in paragraph 1(2) (general), for “and 3H” substitute 4, 3H and 3I 5.

MADE 31 OCTOBER 2022

C RANDALL
Interim Chief Secretary

⁴ SD 2020/0504, as amended by SD 2022/0098, SD 2022/0238 and SD 2022/0245.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Russia (Sanctions) (EU Exit) Regulations 2019, as those Regulations have effect in the Island (“the 2019 Regulations”) by applying to the Island the Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022.

These Regulations —

- (a) prohibit the making of a new category of loan to certain persons, with certain exceptions;
- (b) create new trade prohibitions relating to the import or acquisition of gold jewellery and to certain processed gold;
- (c) create new trade prohibitions relating to the import or acquisition of liquefied natural gas;
- (d) prohibit the export of, and services related to, goods which are listed in the new Schedule 3I (Russia’s vulnerable goods).

These Regulations also make consequential amendments to regulations which contain exceptions and enforcement provisions, and correct minor errors.

Annex

STATUTORY INSTRUMENTS

2022 No. 1110

SANCTIONS

The Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022

Made - - - - *26th October 2022*

Laid before Parliament *28th October 2022*

Coming into force in accordance with regulation 1(2)

The Secretary of State⁵, considering that the condition in section 45(2) of the Sanctions and Anti-Money Laundering Act 2018⁶ is met, makes the following Regulations in exercise of the powers conferred by sections 1, 3(1)(b)(ii) and (iii) and (d)(ii) and (iii), 5(1), 15(2)(a) and (b) and (6), 17(2) and (4)(a) and (b), 19 to 21, 45(1)(b), 54(2) and 62(6) of, and paragraphs 2(a)(ii) and (b), 3(a), (b) and (e), 4(a)(ii) and (iii) and (b), 6(a)(ii) and (iii) and (b), 7(b), 11(a)(ii) and (iii), 12(b), 13(a), (b), (c), (f), (g), (h), (m), (n), (q) and (w), 14(a) and (f), 17, 20(c) and (d), 23 and 27(2) of Schedule 1 to, that Act.

Citation and commencement

1. (1) These Regulations may be cited as the Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022.

~~(2) — These Regulations come into force —~~

~~(a) — for the purposes of regulation 6, on 1st January 2023;~~

~~(b) — for all other purposes, on 29th October 2022.~~

Amendment of the Russia (Sanctions) (EU Exit) Regulations 2019

2. The Russia (Sanctions) (EU Exit) Regulations 2019⁷, **as they have effect in the Island**⁸, are amended as set out in regulations 3 to 12.

⁵ 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.

⁶ 2018 c.13. Section 17(5)(b)(i) (enforcement) is amended by the Sentencing Act 2020 (c.17), Schedule 24, paragraph 443(1). Sections 1 and 45 are amended by the Economic Crime (Transparency and Enforcement) Act 2022 (c.10), sections 57 and 62.

⁷ S.I. 2019/855 as amended by S.I. 2020/590 and 951, 2022/123, 194, 195, 203, 204, 241, 395, 452, 477, 792, 801, 814, 818 and 850 and by the Sentencing Act 2020 (c.17).

⁸ SI 2019/855, as amended by SI 2020/590 and SI 2020/951, was applied to the Island by SD 2020/0504. SD 2020/0504, has subsequently been amended by SI 2022/194, SI 2022/195, SI 2022/203, SI 2022/205, SI 2022/241, SI 2022/395, SI 2022/477, SI 2022/792 and SI 2022/805 as they are applied to the Island.

Loans and credit arrangements

3. (1) Regulation 17(5) is amended as follows.
- (2) Before the definition of "category 1 loan" insert—
"the Amendment (No.15) Regulations" means the Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022, **as they have effect in the Island**;"
- (3) In paragraph (b)(ii)(bb) of the definition of "category 1 loan" omit "(within the meaning of regulation 16(7))".
- (4) In paragraph (b)(ii) of the definition of "category 2 loan" omit "(within the meaning of regulation 16(7))".
- (5) In the definition of "category 3 loan"—
(a) in paragraph (b)(ii) omit "(within the meaning of regulation 16(7))";
(b) for paragraph (c) substitute—
"(c) which is first made or granted at any time on or after 1st March 2022 but before the date on which the Amendment (No. 15) Regulations come into force, and,"
- (6) After the definition of "category 4 loan" insert—
"category 5 loan" means a loan or credit—
(a) with a maturity exceeding 30 days,
(b) made or granted to a person, other than an individual—
(i) which is connected with Russia, other than—
(aa) a person which on the date on which the Amendment (No. 15) Regulations come into force is incorporated or constituted in a country other than Russia, or
(bb) a person which is owned by a person falling within paragraph (aa),
(ii) a person which is owned by a person within sub-paragraph (i), or
(iii) a person which is owned by a person connected with Russia who is an individual,
(c) which is first made or granted at any time on or after the date on which the Amendment (No.15) Regulations come into force, and
(d) which is not a category 1 loan, a category 2 loan, a category 3 loan or a category 4 loan."
- (7) After the definition of "~~non-UK country~~ **non-IOM country**" insert—
"owned" means owned within the meaning of regulation 16(7);"
- (8) In the definition of "relevant loan" for "or a category 4 loan", substitute ", a category 4 loan or a category 5 loan".

Interpretation of Part 5

4. (1) Regulation 21(1) is amended as follows.
- (2) For the definition of "G7 dependency and further goods list goods" substitute—
"G7 dependency and further goods" means any thing specified in Schedule 3E other than any thing for the time being specified in—
(a) Schedule 2 or 3 to the Export Control Order 2008,
(b) Annex 1 of the Dual-Use Regulation, or
(c) Schedule 2A;"

- (3) In the definition of “gold”, after “specified in” insert “Part 2 of”.
- (4) Insert in the appropriate places—
 - “gold jewellery” means the gold products specified in Part 3 of Schedule 3G;”;
 - “Russia’s vulnerable goods” means any thing specified in Schedule 3I other than any thing for the time being specified in—
 - (a) Schedule 2 or 3 to the Export Control Order 2008,
 - (b) Annex 1 of the Dual-Use Regulation, or
 - (c) Schedule 2A;”.

Gold jewellery and relevant processed gold

- 5. After Chapter 4J of Part 5 insert—

“CHAPTER 4JA

Gold jewellery and relevant processed gold

Interpretation

- 46Z16A.** (1) In this Chapter—
 - “relevant day” means the day on which this Chapter comes into force;
 - “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 Russia, and
 - (ii) has been exported from Russia;
 - “third country” means a country that is not the United Kingdom, the Isle of Man or Russia.
- (2) For the purposes of this Chapter, a thing has been exported from Russia when—
 - (a) it has completed the applicable export formalities; and
 - (b) where the thing was transported by—
 - (i) land, it has left Russian territory;
 - (ii) sea, the ship on which it was transported has departed a port in Russia for a destination outside of Russia;
 - (iii) air, the aircraft on which it was transported has departed an airport in Russia for a destination outside of Russia.
- (3) For the purposes of this Chapter, gold is processed where it is—
 - (a) altered;
 - (b) transformed in any way; or
 - (c) subjected to any other type of operation or process.

Prohibition relating to gold jewellery from Russia

- 46Z16B.** (1) The import of gold jewellery originating in Russia is prohibited where the gold jewellery has been exported from Russia on or after the relevant day.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

Prohibition relating to relevant processed gold

- 46Z16C.** (1) The import of relevant processed gold is prohibited.
(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

Acquisition of gold jewellery from Russia

- 46Z16D.** (1) A person must not directly or indirectly acquire gold jewellery which—
(a) originates in Russia; and
(b) is located in Russia,

with the intention of the gold jewellery entering the United Kingdom **or the Isle of Man.**

- (2) A person must not directly or indirectly acquire gold jewellery which—
(a) originates in Russia; and
(b) on or after the relevant day, has been exported from Russia,

with the intention of the gold jewellery entering the United Kingdom **or the Isle of Man.**

- (3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

(4) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with the offence of contravening that paragraph to show that the person did not know and had no reasonable cause to suspect that the gold jewellery—

- (a) originated in Russia; or
(b) was located in Russia.

(5) A person who contravenes a prohibition in paragraph (2) commits an offence, but it is a defence for a person charged with the offence of contravening that paragraph to show that the person did not know and had no reasonable cause to suspect that the gold jewellery—

- (a) originated in Russia; or
(b) had been exported from Russia on or after the relevant day.

Technical assistance relating to gold jewellery

46Z16E. (1) A person must not directly or indirectly provide technical assistance relating to—

- (a) the import of gold jewellery which on or after the relevant day—
(i) originated in Russia; or
(ii) is exported from Russia;
(b) the direct or indirect acquisition of gold jewellery which—
(i) originates in Russia; and
(ii) is located in Russia or, on or after the relevant day, has been exported from Russia,

with the intention of that gold jewellery entering the United Kingdom **or the Isle of Man.**

- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with an offence of contravening —

- (a) paragraph (1)(a) to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to an import described in that sub-paragraph;

- (b) paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to an acquisition described in that sub-paragraph.

Technical assistance relating to relevant processed gold

46Z16F. (1) A person must not directly or indirectly provide technical assistance relating to the import of relevant processed gold.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with an offence of contravening paragraph (1) to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to an import described in that paragraph.

Financial services and funds relating to gold jewellery

46Z16G. (1) A person must not directly or indirectly provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the import of gold jewellery which on or after the relevant day—
 - (i) originated in Russia; or
 - (ii) is exported from Russia;
- (b) the direct or indirect acquisition of gold jewellery which on or after the relevant day—
 - (i) originated in Russia; and
 - (ii) is located in Russia,

with the intention of that gold jewellery entering the United Kingdom **or the Isle of Man**;

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with the offence of contravening paragraph (1) to show that the person did not know and had no reasonable cause to suspect that the financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

Financial services and funds relating to relevant processed gold

46Z16H. (1) A person must not directly or indirectly provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is the import of relevant processed gold.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with the offence of contravening paragraph (1) to show that the person did not know and had no reasonable cause to suspect that the financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

Brokering services relating to gold jewellery and relevant processed gold

46Z16I. (1) A person must not directly or indirectly provide brokering services in the pursuance of, or in connection, with any arrangements described in regulations 46Z16G(1) and 46Z16H(1).

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with the offence of contravening paragraph (1) to show that the person did not know and had no reasonable cause to suspect that the brokering services were provided in relation to an arrangement mentioned in that paragraph.”.

Further goods prohibitions

6. After Chapter 4K of Part 5 insert—

“CHAPTER 4L
Liquefied natural gas

Interpretation

46Z24. (1) In this Chapter, “liquefied natural gas” means liquefied natural gas falling within commodity code 2711 11 00.

(2) Paragraph 1 of Schedule 3 applies for the purposes of interpreting the definition in paragraph (1).

Import of liquefied natural gas

46Z25. (1) The import of liquefied natural gas which is consigned from Russia is prohibited.

(2) The import of liquefied natural gas which originates in Russia is prohibited.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

Acquisition of liquefied natural gas

46Z26. (1) A person must not directly or indirectly acquire liquefied natural gas—
(a) which originates in Russia; or
(b) which is located in Russia,

with the intention of the liquefied natural gas entering the United Kingdom **or the Isle of Man.**

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but—

(a) it is a defence for a person charged with the offence of contravening paragraph (1)(a) to show that the person did not know and had no reasonable cause to suspect that the liquefied natural gas originated in Russia;

(b) it is a defence for a person charged with the offence of contravening paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the liquefied natural gas was located in Russia.

Technical assistance relating to liquefied natural gas

46Z27. (1) A person must not directly or indirectly provide technical assistance relating to—

(a) the import of liquefied natural gas which—

(i) originates in Russia, or

- (ii) is consigned from Russia; or
- (b) the direct or indirect acquisition of liquefied natural gas which—
 - (i) originates in Russia, or
 - (ii) is located in Russia,

with the intention of the liquefied natural gas entering the United Kingdom **or the Isle of Man**.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes any of the prohibitions in paragraph (1) commits an offence, but it is a defence for a person charged with an offence of contravening—

- (a) paragraph (1)(a), to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to an import described in that paragraph;
- (b) paragraph (1)(b), to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to an acquisition described in that paragraph.

Financial services and funds relating to liquefied natural gas

46Z28. (1) A person must not directly or indirectly provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the import of liquefied natural gas which—
 - (i) originates in Russia, or
 - (ii) is consigned from Russia; or
- (b) the direct or indirect acquisition of liquefied natural gas which—
 - (i) originates in Russia, or
 - (ii) is located in Russia,

with the intention of the liquefied natural gas entering the United Kingdom **or the Isle of Man**.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes the prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that the financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

Brokering services relating to liquefied natural gas

46Z29. (1) A person must not directly or indirectly provide brokering services in relation to any arrangements described in regulation 46Z28(1)(a) and (b).

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that the brokering services were provided in relation to an arrangement mentioned in that paragraph.

CHAPTER 4M

Russia's vulnerable goods

Russia's vulnerable goods

46Z30. (1) The export of Russia's vulnerable goods to, or for use in, Russia is prohibited.

(2) A person must not directly or indirectly—

(a) supply or deliver Russia's vulnerable goods from a third country to a place in Russia;

(b) make Russia's vulnerable goods available to a person connected with Russia;

(c) make Russia's vulnerable goods available for use in Russia.

(3) Paragraphs (1) and (2) are subject to Part 7 (exceptions and licences).

(4) A person who contravenes a prohibition in paragraph (2) commits an offence, but—

(a) it is a defence for a person charged with the offence of contravening paragraph (2)(a) to show that the person did not know and had no reasonable cause to suspect that the goods were destined (or ultimately destined) for Russia;

(b) it is a defence for a person charged with the offence of contravening paragraph (2)(b) ("P") to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;

(c) it is a defence for a person charged with the offence of contravening paragraph (2)(c) to show that the person did not know and had no reasonable cause to suspect that the goods were for use in Russia.

(5) In this regulation "third country" means a country that is not the United Kingdom, the Isle of Man or Russia.

Technical assistance relating to Russia's vulnerable goods

46Z31. (1) A person must not directly or indirectly provide technical assistance relating to Russia's vulnerable goods—

(a) to a person connected with Russia; or

(b) for use in Russia.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but—

(a) it is a defence for a person charged with an offence of contravening paragraph (1)(a) ("P") to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;

(b) it is a defence for a person charged with an offence of contravening paragraph (1)(b) to show that the person did not know and had no reasonable cause to suspect that the goods were for use in Russia.

Financial services and funds relating to Russia's vulnerable goods

46Z32. (1) A person must not directly or indirectly provide, to a person connected with Russia, financial services in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of Russia's vulnerable goods;
- (b) the direct or indirect supply or delivery of Russia's vulnerable goods;
- (c) directly or indirectly making Russia's vulnerable goods available to a person; or
- (d) the direct or indirect provision of technical assistance relating to Russia's vulnerable goods.

(2) A person must not directly or indirectly make funds available to a person connected with Russia in pursuance of or in connection with an arrangement mentioned in paragraph (1).

(3) A person must not directly or indirectly provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of Russia's vulnerable goods to, or for use in, Russia;
- (b) the direct or indirect supply or delivery of Russia's vulnerable goods to a place in Russia;
- (c) directly or indirectly making Russia's vulnerable goods available—
 - (i) to a person connected with Russia, or
 - (ii) for use in Russia; or
- (d) the direct or indirect provision of technical assistance relating to Russia's vulnerable goods—
 - (i) to a person connected with Russia, or
 - (ii) for use in Russia.

(4) Paragraphs (1) to (3) are subject to Part 7 (Exceptions and licences).

(5) A person who contravenes a prohibition in any of paragraphs (1) to (3) commits an offence, but—

- (a) it is a defence for a person charged with an offence of contravening paragraph (1) or (2) ("P") to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia;
- (b) it is a defence for a person charged with the offence of contravening paragraph (3) to show that the person did not know and had no reasonable cause to suspect that the financial services or funds (as the case may be) were provided in pursuance of or in connection with an arrangement mentioned in that paragraph.

Brokering services relating to Russia's vulnerable goods

46Z33. (1) A person must not directly or indirectly provide brokering services to a person connected with Russia in pursuance of or in connection with an arrangement ("arrangement A") whose object or effect is—

- (a) the export of Russia's vulnerable goods;
- (b) the direct or indirect supply or delivery of Russia's vulnerable goods;
- (c) directly or indirectly making Russia's vulnerable goods available to a person;

- (d) the direct or indirect provision of technical assistance relating to Russia's vulnerable goods;
- (e) the direct or indirect provision, in a ~~non-UK~~ **non-IOM** country, of financial services—
 - (i) to a person connected with Russia, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 46Z32(1), or
 - (ii) where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 46Z32(3);
- (f) directly or indirectly making funds available, in a ~~non-UK~~ **non-IOM** country, to a person connected with Russia, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 46Z32(1); or
- (g) the direct or indirect provision of funds from a ~~non-UK~~ **non-IOM** country, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 46Z32(3).

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) A person who contravenes a prohibition in paragraph (1) commits an offence, but it is a defence for a person charged with that offence to show that the person did not know and had no reasonable cause to suspect that the brokering services were provided in relation to an arrangement mentioned in that paragraph.

~~(4) In this regulation, "non-UK country" means a country other than the United Kingdom.~~

(4) In this regulation, "non-IOM country" means a country which is not the Isle of Man".

Exceptions relating to loans and credit arrangements

- 7.**
- (1) Regulation 59 is amended as follows.
 - (2) After paragraph (1)(c)(ii) insert—
 - "(iii) in the case of a category 5 loan, the date on which the Amendment Regulations (No. 15) 2022 come into force;"
 - (3) After paragraph (2)(a)(i)(bb) insert—
 - "(cc) in the case of a category 5 loan, the date on which the Amendment Regulations (No. 15) 2022 come into force;"
 - (4) In paragraph (3)—
 - (a) before the definition of "category 1 loan", insert—
 - "the Amendment Regulations (No. 15) 2022 has the meaning given to it in regulation 17;"
 - (b) after the definition of "category 4 loan", insert—
 - "category 5 loan" has the meaning given to it in regulation 17;"

Trade: exceptions in relation to personal effects etc.

- 8.**
- (1) Regulation 60A is amended as follows.
 - (2) After paragraph (1A) insert—

- “(1AA) The prohibitions in regulation 46B are not contravened where—
- (a) the luxury goods are gold jewellery;
 - (b) the relevant activity is the export of those goods to Russia by a person who is travelling to Russia (P);
 - (c) the jewellery is—
 - (i) of a non-commercial nature;
 - (ii) for the personal use of P or of any immediate family member of P who is travelling with P (“I”); and
 - (iii) contained in P or I’s luggage;
 - (d) the gold jewellery is owned by any of the persons referred to in sub-paragraph (c)(ii); and
 - (e) the jewellery is not intended for sale.”.
- (3) For paragraph (1C) substitute—
- “(1C) The prohibitions in Chapters 4J (gold) and 4JA (gold jewellery and relevant processed gold) are not contravened by a relevant activity in relation to any gold, gold jewellery or relevant processed gold which is necessary for the official purposes of a diplomatic mission or consular post in Russia, or an international organisation enjoying immunities in accordance with international law.”.
- (4) After paragraph (1C) insert—
- “(1D) The prohibitions in Chapter 4JA are not contravened where—
- (a) the relevant activity is the import or acquisition of gold jewellery by a person who is travelling to the United Kingdom **or the Isle of Man** (P);
 - (b) the gold jewellery is—
 - (i) of a non-commercial nature;
 - (ii) for the personal use of P or of any immediate family member of P who is travelling with P (“I”); and
 - (iii) contained in P or I’s luggage;
 - (c) the gold jewellery is owned by any of the persons referred to in sub-paragraph (b)(ii); and
 - (d) the gold jewellery is not intended for sale.
- (1E) The prohibitions in Chapter 4M (Russia’s vulnerable goods) are not contravened by a relevant activity in relation to—
- (a) any Russia’s vulnerable goods which are necessary for the official purposes of a diplomatic mission or consular post in Russia, or an international organisation enjoying immunities in accordance with international law, or
 - (b) the personal effects of their staff.”.
- (5) In paragraph (2)—
- (a) for “paragraphs (1), (1A), (1B) and (1C)” in the first place where those words occur, substitute “this regulation”;
 - (b) in the definition of “Gold”, for ““Gold” has the meaning” substitute ““gold” and “gold jewellery” have the meanings”;
 - (c) insert in the appropriate places—

““immediate family member” has the meaning given in regulation 6(7), **as that regulation has effect in the United Kingdom;**”;

““relevant processed gold” has the meaning given in regulation 46Z16A;”.

- (d) in the definition of "relevant activity", for "the prohibitions specified in paragraphs (1), (1A), (1B) and (1C)" substitute "the prohibition specified in the paragraph of this regulation to which the exception applies".

Trade offences in CEMA: modification of penalty

9. In regulation 86(1)—
- (a) after "46Z11," insert "46Z16B, 46Z16C";
 - (b) after "46Z18," insert "46Z25,".

Exercise of maritime enforcement powers

10. (1) Regulation 89(2) is amended as follows.
- (2) After sub-paragraph (ce) insert—
- "(cea) a prohibition in regulation 46Z16B and 46Z16C (trade sanctions relating to gold jewellery and relevant processed gold);".
- (3) After sub-paragraph (cf) insert—
- "(cea) a prohibition in regulation 46Z25 and 46Z26 (trade sanctions relating to liquefied natural gas);".

Amendment and insertion of Schedules

- ~~11. (1) Schedule 2A (critical industry goods and critical industry technology) is amended in accordance with paragraphs (2) to (4).~~
- ~~(2) In Part 1A (special materials and related equipment), in column 1 of the entry relating to 1C992, in paragraph a.4., before "4.5 inches" insert "11.43 cm/".~~
- ~~(3) In Part 1B (materials processing)—~~
- ~~(a) in paragraphs c.2.a, c.2.b and c.2.c of entry 2B991, for "15mm" substitute "15µm;~~
 - ~~(b) in paragraph h.1 of entry 2B999, for "60cm" substitute "61cm/two feet".~~
- ~~(4) In Part 2 (electronics), in entry 3A991—~~
- ~~(a) in paragraph b.1, for "capacity;" substitute "capacity:";~~
 - ~~(b) after paragraph b.1 insert—~~
 - ~~"b.2 Static random access memories (SRAMs) with a storage capacity:~~
 - ~~b.2.a. Exceeding 1 Mbit per package; or~~
 - ~~b.2.b. Exceeding 256 kbit per package and a maximum access time of less than 25 ns;";~~
 - ~~(c) in paragraph c., for "million words", wherever those words occur, substitute "mega samples";~~
- ~~(5) In Schedule 2D (oil refining goods and technology), in the table in paragraph 2—~~
- ~~(a) in relation to the entry in the second column of the table "Hydrogen recovery and purification equipment", insert in numerical order in the first column the commodity codes "ex 8419 60 00" and "ex 8419 89 98";~~
 - ~~(b) in relation to the entry in second column of the table "Refinery fuel gas treatment and sulphur recovery equipment (including amine scrubbing units, sulphur recovery units, tail gas treatment units)", insert in numerical order in the first column the commodity codes "ex 8419 60 00", "ex 8421 39 35" and "ex 8421 39 85";~~

(c) ~~insert the following entry in the appropriate place—~~

“ex 8419 89 10	Cooling towers and similar plant for direct cooling (without a separating wall) by means of recirculated water, designed to be used with the equipment listed in this schedule.”.
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(6) ~~— In Schedule 2E (quantum computing and advanced materials goods and technology), in paragraph 5—~~

~~(a) for “300” substitute “400”;~~

~~(b) for “1700” substitute “1,600”.~~

(7) ~~— In Schedule 3D—~~

~~(a) after paragraph 1 insert—~~

~~“1A. In this Schedule, “n.e.s” means “not elsewhere specified”.”;~~

~~(b) in the table in paragraph 2 of Schedule 3D (revenue generating goods), before the entry relating to commodity code 2523 insert—~~

“2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages
2303	Residues of starch manufacture and similar residues, beet pulp, bagasse and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets”.

(8) ~~— In Schedule 3E (G7 dependency and further goods)—~~

~~(a) after paragraph 1 insert—~~

~~“1A. In this Schedule, “n.e.s” means “not elsewhere specified”.”;~~

~~(b) in Part 1, in paragraph 1, for “Part 2” substitute “Parts 2 and 3”;~~

~~(c) after Part 2, insert the Part 3 of that Schedule set out in Schedule 1 to these Regulations.~~

(9) ~~— In Schedule 3G (gold and products related to gold)—~~

~~(a) in paragraph 1, for “Part 2” substitute “Parts 2 and 3”;~~

~~(b) after Part 2 insert—~~

~~“PART 3~~

~~4. Any thing falling—~~

~~(a) within a commodity code mentioned in column 1 of the following table; and~~

~~(b) within the description in column 2 beside that code.~~

(1) Commodity code	(2) Description
Ex 7113	Articles of jewellery and parts thereof, of gold, containing gold or of metal clad with gold
Ex 7114	Articles of goldsmiths’ or silversmiths’ wares and parts thereof, of gold, containing gold or of metal clad with gold”

~~(10) After Schedule 3H insert the Schedule 3I in Schedule 2 to these Regulations.~~

Minor amendments

12. The amendments in Schedule 3 have effect.

Leo Docherty
Minister of State

26th October 2022

Foreign, Commonwealth and Development Office

SCHEDULE 1 AND SCHEDULE 2 OMITTED

SCHEDULE 3 Minor amendments

Regulation 13

1. In regulation 21(1), omit the definition of "professional and business services".
2. At the end of regulation 46Z2 insert—

~~"(4) In this regulation, "non-UK country" means a country which is not the United Kingdom.~~

(4) In this regulation, "non-IOM country" means a country which is not the Isle of Man."
3. In regulation 46Z8—
 - (a) renumber paragraph (3) as paragraph (2);
 - (b) in the renumbered paragraph (2), for "Paragraphs (1) and (2) are" substitute "Paragraph (1) is";
 - (c) renumber paragraph (4) as paragraph (3).
4. In regulation 46Z11(1), for "originating from" substitute "originating in".
5. At the end of regulation 60DA insert—

"(3) In this regulation, "professional and business services" means the services described in regulation 54C."
6. In regulation 89(2)—
 - (a) in sub-paragraph (cb), for "either of regulations 46D and" substitute "regulation 46D or";
 - (b) in sub-paragraph (cd), omit "either of";
 - (c) in sub-paragraph (ce), for "either of regulations 46Z11 and" substitute "regulation 46Z11 or";
 - (d) in sub-paragraph (cf), for "either of regulations 46Z18 and" substitute "regulation 46Z18 or";
 - (e) in sub-paragraph (d), for "regulation" substitute "regulations".
- ~~7. In Schedule 2A, in paragraph 1(1), for "2" substitute "1A".~~
- ~~8. For the heading to Schedule 3C substitute "Defence and Security Goods and Defence and Security Technology".~~

~~9. In Part 2 of Schedule 3F (oil and oil products), in the entry in the table for commodity code 2711—~~

~~(a) in the first column, for “2711” substitute “ex 2711”;~~

~~(b) in the second column, for “LNG under HS code 2711 11, which will be banned via separate policy instructions” substitute “anything falling within commodity code 2711 11”.~~

10.—(1) In the provisions specified in sub-paragraph (2), for “G7 dependency and further goods list goods” substitute “G7 dependency and further goods”.

(2) Those provisions are—

(a) the heading to Chapter 4H of Part 5;

(b) regulation 46Y wherever those words occur (including the heading);

(c) regulation 46Z in both places;

(d) regulation 46Z1 wherever those words occur (including the heading);

(e) regulation 46Z2 wherever those words occur (including the heading);

(f) regulation 60A, paragraphs (1B) (in both places where those words occur) and (2);

(g) regulation 61(1A)(d);

(h) regulation 89(2)(cc);

~~(i) the heading to Schedule 3E and the heading to Part 2 of that Schedule.~~

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) to amend the Russia (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/855) (“the 2019 Regulations”).

Regulation 3 prohibits the making of a new category of loan to certain persons and regulation 7 makes a consequential amendment enabling an exception from that prohibition.

Regulation 4 inserts and amends definitions relating to the new and revised trade prohibitions.

Regulation 5 creates new trade prohibitions in the 2019 Regulations relating to gold jewellery and to certain processed gold. Regulation 8(2) and (3) creates exceptions to those prohibitions. Regulations 9 and 10 make consequential amendments and regulation 11(9) amends the list of gold and gold products in order to define the items for which trade in gold jewellery is prohibited.

Regulation 6 makes provision concerning the prohibition of imports of liquefied natural gas and the export of Russia’s vulnerable goods (set out in regulation 11(10) and Schedule 2) to Russia. Regulation 8(4) prescribes an exception to the Russia’s vulnerable goods prohibition.

Regulation 11(2) to (4) makes minor clarificatory amendments to the lists of critical-industry goods and critical-industry technology.

Regulation 11(5) adds items to the list of oil refining goods and technology and regulation 12(7) adds items to the list of revenue generating goods.

Regulation 11(6) makes a minor clarificatory amendment to the list of quantum computing and advanced materials goods and technology.

Regulation 11(8) and Schedule 1 insert additional goods as G7 dependency and further goods.

Regulation 12 and Schedule 3 correct errors made in previous regulations amending the 2019 Regulations.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector has been published alongside these Regulations and is available from legislation.gov.uk or from the Foreign, Commonwealth and Development Office, King Charles Street, London, SW1A 2AH.