

Consolidated Version of**SI 2019 No. 855****Russia (Sanctions) (EU Exit) Regulations 2019****Incorporating amendments made by:**

Name	SI No	Applied by
Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2022	2022 No 194	SD 2022/0098
Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022	2022 No 195	SD 2022/0098
Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2022	2022 No 203	SD 2022/0101
Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2022	2022 No 205	SD 2022/0102
Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022	2022 No 241	SD 2022/0117
Russia (Sanctions) (EU Exit) (Amendment) (No. 7) Regulations 2022	2022 No 395	SD 2022/0139
Russia (Sanctions) (EU Exit) (Amendment) (No. 8) Regulations 2022	2022 No 452	SD 2022/0161
Russia (Sanctions) (EU Exit) (Amendment) (No. 9) Regulations 2022	2022 No 477	SD 2022/0168
Russia (Sanctions) (EU Exit) (Amendment) (No. 10) Regulations 2022	2022 No 689	SD 2022/0219
Russia (Sanctions) (EU Exit) (Amendment) (No. 11) Regulations 2022	2022 No 792	SD 2022/0238
Russia (Sanctions) (EU Exit) (Amendment) (No. 12) Regulations 2022	2022 No 801	SD 2022/0240
Russia (Sanctions) (EU Exit) (Amendment) (No. 13) Regulations 2022	2022 No 814	SD 2022/0240
Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2022	2022 No 818	SD 2022/0250
Russia (Sanctions) (EU Exit) (Amendment) (No. 14) Regulations 2022	2022 No 850	SD 2022/0245
Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022	2022 No 1110	SD 2022/0304
Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022	2022 No 1122	SD 2022/0321
Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022	2022 No 1331	SD 2022/0346
Russia Sanctions (Application) (Miscellaneous Amendments) Regulations 2023	—	SD 2023/0136
Russia (Sanctions) (EU Exit) (Amendment) Regulations 2023	2023 No 440	SD 2023/0157
Russia (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2023	2023 No 665	SD 2023/0200
Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2023	2023 No 713	SD 2023/0200
Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2023	2023 No 1364	SD 2023/0339
Russia (Sanctions) (EU Exit) (Amendment) (No. 5) Regulations 2023	2023 No 1367	SD 2023/0339

Applied by SD 2020/0504
Amended by SI 2022/194
Amended by SI 2022/195
Amended by SI 2022/203
Amended by SI 2022/205
Amended by SI 2022/241
Amended by SI 2022/395
Amended by SI 2022/452
Amended by SI 2022/477
Amended by SI 2022/689
Amended by SI 2022/792
Amended by SI 2022/801
Amended by SI 2022/814
Amended by SI 2022/818
Amended by SI 2022/850
Amended by SI 2022/1110
Amended by SI 2022/1122
Amended by SI 2022/1331
Amended by SD 2023/0136
Amended by SI 2023/440
Amended by SI 2023/665
Amended by SI 2023/713

STATUTORY INSTRUMENTS

2019 No. 855

EXITING THE EUROPEAN UNION SANCTIONS

The Russia (Sanctions) (EU Exit) Regulations 2019

Made - - - 10th April 2019

Laid before Parliament 11th April 2019

Coming into force in accordance with regulation 1(2) and (3)

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² Substituted by SI 2023/1364.

³ Inserted by SI 2022/194.

⁴ Inserted by SI 2022/205.

⁵ Inserted by SI 2022/801.

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¹¹ Omitted by SI 2022/395.

¹² Omitted by SI 2022/850.

¹³ Omitted by SI 2022/850.

¹⁴ Inserted by SI 2022/395.

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¹⁸ Inserted by SI 2022/689.

¹⁹ Omitted by SI 2023/1364.

²⁰ Inserted by SI 2023/440

²¹ Inserted by SI 2023/1364.

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²³ Inserted by SI 2023/440

²⁴ Substituted by SI 2022/1110.

²⁵ Substituted by SI 2022/1110.

²⁶ Substituted by SI 2022/1110.

²⁷ Substituted by SI 2022/1110.

²⁸ Substituted by SI 2022/1110.

²⁹ Chapter 4IA inserted by SI 2022/1122.

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³⁰ Inserted by SI 2022/1110.

³¹ Inserted by SI 2023/1367.

³² Inserted by SI 2022/850.

³³ Inserted by SI 2022/1110.

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³⁴ Substituted by SI 2022/395.

³⁵ Substituted by SI 2022/395.

³⁶ Substituted by SI 2022/395.

³⁷ Substituted by SI 2022/395.

³⁸ Inserted by SI 2022/689.

³⁹ Substituted by SI 2022/395.

⁴⁰ Substituted by SI 2022/395.

⁴¹ Inserted by SI 2022/477.

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⁴⁴ Inserted by SI 2022/203.

⁴⁵ Inserted by SI 2022/241.

⁴⁶ Substituted by SI 2023/1364.

⁴⁷ Inserted by SI 2022/194.

⁴⁸ Substituted by SI 2022/395.

⁴⁹ Inserted by SI 2022/801.

⁵⁰ Inserted by SI 2022/1331.

⁵¹ Inserted by SI 2022/395.

⁵² Inserted by SI 2022/195.

⁵³ Inserted by SI 2022/395.

⁵⁴ Inserted by SI 2022/850.

⁵⁵ Inserted by SI 2023/713.

⁵⁶ Inserted by SI 2022/689.

⁵⁷ Inserted by SI 2023/440.

⁵⁸ Inserted by SI 2023/1364.

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⁵⁹ Inserted by SI 2023/440.

⁶⁰ Inserted by SI 2023/1364.

⁶¹ Inserted by SI 2023/1367.

⁶² Inserted by SI 2022/1122.

⁶³ Inserted by SI 2022/850.

⁶⁴ Inserted by SI 2022/814.

⁶⁵ Inserted by SI 2022/203.

⁶⁶ Inserted by SI 2022/241.

⁶⁷ Substituted by SI 2022/395.

⁶⁸ Inserted by SI 2022/395.

⁶⁹ Inserted by SI 2022/395.

⁷⁰ Inserted by SI 2023/1364.

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⁷² Inserted by SI 2022/1122.

⁷³ Inserted by SI 2023/1364.

⁷⁴ Inserted by SI 2023/1367.

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PART 1

General

Citation and commencement

1. (1) These Regulations may be cited as the Russia (Sanctions) (EU Exit) Regulations 2019.

~~— (2) — Subject to paragraph (3), these Regulations come into force on exit day.~~

~~— (3) — The following provisions of these Regulations come into force on the day after the day on which the Regulations are made—~~

~~(a) — this regulation;~~

~~(b) — regulation 2 (interpretation);~~

~~(c) — regulation 4 (purposes);~~

~~(d) — Part 2;~~

~~(e) — Schedule 1 (rules for interpretation of regulations 7(2) and 16(7)).~~

Crown application

1A. For the avoidance of doubt, nothing in these Regulations affects Her Majesty in Her private capacity (within the meaning of the Crown Proceedings Act 1947⁸⁶ (of Parliament)).

⁷⁵ Inserted by SI 2022/1110.

⁷⁶ Inserted by SI 2022/1331.

⁷⁷ Omitted by SI 2022/195.

⁷⁸ Inserted by SI 2022/194.

⁷⁹ Inserted by SI 2023/1364.

⁸⁰ Inserted by SI 2022/194.

⁸¹ Inserted by SI 2022/205.

⁸² Substituted by SI 2022/395.

⁸³ Inserted by SI 2022/801.

⁸⁴ Inserted by SI 2022/1331.

⁸⁵ Inserted by SI 2022/1122.

⁸⁶ 1947 Chapter 44.

Interpretation

2. (1) In these Regulations—

“the Act” means the Sanctions and Anti-Money Laundering Act 2018 **(of Parliament)**⁸⁷;

[“aircraft licence” means a licence under regulation 65A;]⁸⁸

“arrangement” includes any agreement, understanding, scheme, transaction or series of transactions, whether or not legally enforceable (but see paragraph 12 of Schedule 1 for the meaning of that term in that Schedule);

“British Islands” has the meaning given in the Interpretation Act 2015 (of Tynwald)⁸⁹;

“CEMA” means the Customs and Excise Management Act ~~1979~~ **1986 (of Parliament)**⁹⁰;

~~“the Commissioners” means the Commissioners for Her Majesty’s Revenue and Customs;~~

“conduct” includes acts and omissions;

“country” includes any territory, region or other place;

“Crimea” means the Autonomous Republic of Crimea and the city of Sevastopol;

“Department of Home Affairs” means the Department of Home Affairs of the Isle of Man established under section 1 of the Government Departments Act 1987 (of Tynwald)⁹¹;

“document” includes information recorded in any form and, in relation to information recorded otherwise than in legible form, references to its production include producing a copy of the information in legible form;

“economic resources” means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but can be used to obtain funds, goods or services;

~~“the EU Russia Regulations” means the following, as they have effect in EU law as~~
they have effect in the Isle of Man immediately before IP completion day⁹²—

- (a) Council Regulation (EU) No 269/2014 of 17 March 2014 (concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine)⁹³,

⁸⁷ 2018 Chapter 13.

⁸⁸ Inserted by SI 2022/395.

⁸⁹ AT 11 of 2015.

⁹⁰ AT 34 of 1986.

⁹¹ AT 13 of 1987.

⁹² Council Regulations (EU) No 269/2014, 692/2014 and 833/2014 apply to the Isle of Man by virtue of section 2(1) of the European Communities (Isle of Man) Act 1973 (of Tynwald (AT 14 of 1973)) and by SD 2014/0106, SD 2014/0255 and SD 2014/0308.

⁹³ OJ L78, 17.3.2014, p.6-15.

- (b) Council Regulation (EU) No 692/2014 of 23 June 2014 (concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol)⁹⁴, and
- (c) Council Regulation (EU) No 833/2014 of 31 July 2014 (concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine)⁹⁵;

"Export Control Order 2008" means the Export Control Order 2008 (of Parliament), as that order has effect in the Isle of Man⁹⁶;

"financial products" means –

- (a) **money market instruments (including cheques, bills and certificates of deposit);**
- (b) **foreign exchange;**
- (c) **derivative products (including futures and options);**
- (d) **exchange rate and interest rate instruments (including products such as swaps and forward rate agreements);**
- (e) **transferable securities;**
- (f) **other negotiable instruments and financial assets (including bullion);**

"financial services" means any service of a financial nature, including (but not limited to) –

- (a) **insurance-related services consisting of –**
 - (i) **direct life assurance;**
 - (ii) **direct insurance other than life assurance;**
 - (iii) **reinsurance and retrocession;**
 - (iv) **insurance intermediation, such as brokerage and agency;**
 - (v) **services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services;**
- (b) **banking and other financial services consisting of –**
 - (i) **accepting deposits and other repayable funds;**
 - (ii) **lending (including consumer credit, mortgage credit, factoring and financing of commercial transactions);**
 - (iii) **financial leasing;**

⁹⁴ OJ L183, 24.6.2014, p.9.

⁹⁵ OJ L229, 31.7.2014, p.1-11.

⁹⁶ SI 2008/3231, as applied in the Isle of Man by SD 104/09 (as amended).

- (iv) **payment and money transmission services (including credit, charge and debit cards, travellers' cheques and bankers' drafts);**
- (v) **providing guarantees or commitments;**
- (vi) **financial trading;**
- (vii) **participating in issues of any kind of securities (including underwriting and placement as an agent, whether publicly or privately) and providing services related to such issues;**
- (viii) **money brokering;**
- (ix) **asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository and trust services;**
- (x) **settlement and clearing services for financial assets (including securities, derivative products and other negotiable instruments);**
- (xi) **providing or transferring financial information and financial data processing or related software (but only by suppliers of other financial services);**
- (xii) **providing advisory and other auxiliary financial services in respect of any activity listed in sub-paragraphs (i) to (xi) (including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy);**

"financial trading" means trading for own account or for account of customers, whether on an investment exchange, in an over-the-counter market or otherwise, in financial products;

"funds" means financial assets and benefits of every kind, including (but not limited to –

- (a) **cash, cheques, claims on money, drafts, money orders and other payment instruments;**
- (b) **deposits, balances on accounts, debts and debt obligations;**
- (c) **publicly and privately traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivative products;**
- (d) **interest, dividends and other income on or value accruing from or generated by assets;**
- (e) **credit, rights of set-off, guarantees, performance bonds and other financial commitments;**
- (f) **letters of credit, bills of lading and bills of sale;**

(g) documents providing evidence of an interest in funds or financial resources;

(h) any other instrument of export finance;

“international obligation” means an obligation of the United Kingdom and the Isle of Man created or arising by or under any international agreement;

“IP completion day” has the meaning given in the Interpretation Act 2015 (of Tynwald)⁹⁷;

“Island person” means –

(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)⁹⁸ 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;

~~[“non-government controlled areas of the Donetsk and Luhansk oblasts” means the parts of the Donetsk oblast and the Luhansk oblast of Ukraine as determined in Decree Number 32/2019 issued by the President of Ukraine on 7th February 2019 under Article 1 of the Law of Ukraine of 18th January 2018 Nr. 2268-VIII “On the Peculiarities of State Policy on Ensuring the State Sovereignty of Ukraine over Temporarily Occupied Territories in Donetsk and Luhansk Oblasts”];⁹⁹~~

[“non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts” means the parts of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts which are for the time being controlled by an authority other than the Government of Ukraine;]¹⁰⁰

[“non-government controlled Ukrainian territory” means Crimea and non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts;]¹⁰¹

“person” includes (in addition to an individual and a body of persons corporate or unincorporate) any organisation and any association or combination of persons;

“Public Services Commission” means the Public Services Commission established by the Public Services Commission Act 2015 (of Tynwald)¹⁰²;

“standard scale” means the standard scale contained in section 55 of the Interpretation Act 2015 (of Tynwald)¹⁰³;

⁹⁷ AT 11 of 2015.

⁹⁸ 1981 Chapter 61.

⁹⁹ Omitted by SI 2023/665.

¹⁰⁰ Inserted by SI 2023/665.

¹⁰¹ Substituted by SI 2023/655.

¹⁰² AT 1 of 2015.

¹⁰³ AT 11 of 2015.

“territorial sea” (without more) means the territorial sea adjacent to the Isle of Man;

“trade licence” means a licence under regulation 65;

“Treasury” has the meaning given in the Interpretation Act 2015 (of Tynwald)¹⁰⁴;

“Treasury licence” means a licence under regulation 64(1);

~~the “Ukraine Financial Sanctions Regulations” means—~~

~~(a) —The Ukraine (European Union Financial Sanctions) (No.2) Regulations 2014¹⁰⁵; and~~

~~(b) —The Ukraine (European Union Financial Sanctions) (No.3) Regulations 2014¹⁰⁶;~~

“the Ukraine Financial Sanctions Regulations” means –

(a) the Territorial Integrity, Sovereignty and Independence of Ukraine Sanctions Regulations 2014 (of Tynwald)¹⁰⁷;

(b) the Annexation of Crimea and Sevastopol Sanctions Regulations 2014 (of Tynwald)¹⁰⁸; and

(c) the Russia Sanctions (No. 3) Regulations 2014 (of Tynwald)¹⁰⁹;

~~“United Kingdom person” has the same meaning as in section 21 of the Act;~~

~~“working day” means any day other than—~~

~~(a) —Saturday or Sunday;~~

~~(b) —Christmas Day or Good Friday; or~~

~~(c) —a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom.~~

“working day” means any day other than –

(a) a Saturday or Sunday;

(b) Good Friday or Christmas Day; or

(c) a bank holiday within the meaning of section 1 of the Bank Holidays Act 1989 (of Tynwald)¹¹⁰.

¹⁰⁴ AT 11 of 2015.

¹⁰⁵ S.I. 2014/693, as modified by the Wales Act 2014 (c.29), section 4(4)(a) and amended by S.I. 2017/560, S.I. 2017/754 and S.I. 2018/682 and as prospectively amended by S.I. 2018/1149.

¹⁰⁶ S.I. 2014/2054, as amended by S.I. 2014/2445, S.I. 2014/3230, S.I. 2017/560, S.I. 2017/754, S.I. 2018/682 and as prospectively amended by S.I. 2018/1149.

¹⁰⁷ SD 2014/0107.

¹⁰⁸ SD 2014/0256.

¹⁰⁹ SD 2014/0309.

¹¹⁰ AT 5 of 1989.

(2) In these Regulations, all references to Manx legislation (within the meaning of section 9 of the Interpretation Act 2015 (of Tynwald)¹¹¹) shall be construed as references to that legislation as amended from time to time.

Application of prohibitions and requirements outside the ~~United Kingdom~~ Isle of Man

3. (1) ~~A United Kingdom person~~ **An Island person** may contravene a relevant prohibition by conduct wholly or partly outside ~~the United Kingdom~~ **the Isle of Man**.

(2) Any person may contravene a relevant prohibition by conduct in ~~the territorial sea~~ **the Isle of Man or in the territorial sea**.

(3) In this regulation a “relevant prohibition” means any prohibition imposed—

(a) by regulation 9(2) (confidential information),

(b) by Part 3 (Finance),

(c) by Part 5 (Trade),

[(d) under Part 6 (Ships),]¹¹²

[(da) by regulation 57L(6) (disclosure of confidential information), or]¹¹³

(e) by a condition of a Treasury licence or a trade licence.

(4) ~~A United Kingdom person~~ **An Island person** may comply, or fail to comply, with a relevant requirement by conduct wholly or partly outside ~~the United Kingdom~~ **the Isle of Man**.

(5) Any person may comply, or fail to comply, with a relevant requirement [or a requirement imposed by a direction under regulation 57J(3) (direction by air traffic control to operator or pilot of Russian aircraft),]¹¹⁴ [or a requirement imposed by a condition of an aircraft licence]¹¹⁵ by conduct in ~~the territorial sea~~ **the Isle of Man or in the territorial sea**.

(6) In this regulation a “relevant requirement” means any requirement imposed—

(a) by or under Part 8 (Information and records), or by reason of a request made under a power conferred by [that Part,]¹¹⁶

(b) by a condition of a Treasury licence or a [trade licence, or]¹¹⁷

[(c) by a direction under regulation 57C (movement of ships).]¹¹⁸

(7) ~~Nothing~~ **For the avoidance of doubt, nothing** in this regulation is to be taken to prevent a relevant prohibition or a relevant requirement from applying to conduct (by any person) in ~~the United Kingdom~~ **the Isle of Man**.

Purposes

¹¹¹ AT 11 of 2015.

¹¹² Substituted by SI 2022/241.

¹¹³ Inserted by SI 2022/241.

¹¹⁴ Inserted by SI 2022/241.

¹¹⁵ Inserted by SI 2022/395.

¹¹⁶ Substituted by SI 2022/203.

¹¹⁷ Substituted by SI 2022/203.

¹¹⁸ Inserted by SI 2022/203.

4. ~~The regulations contained in this instrument that are made under section 1 of the Act~~ **These Regulations** are for the purposes of [-]¹¹⁹

- [(a) encouraging Russia to cease actions destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine;]¹²⁰
- [(b) promoting the payment of compensation by Russia for damage, loss or injury suffered by Ukraine on or after 24th February 2022 as a result of Russia's invasion of Ukraine.]¹²¹

PART 2

Designation of persons

~~Power to designate persons~~

5. ~~(1) The Secretary of State may designate persons by name for the purposes of any of the following—~~

- ~~(a) regulations 11 to 15 (asset freeze etc.);~~
- ~~(b) regulation 20 (immigration).~~

~~(2) The Secretary of State may designate different persons for the purposes of different provisions mentioned in paragraph (1).~~

~~Designation criteria~~

6. ~~(1) The Secretary of State may not designate a person under regulation 5 unless the Secretary of State—~~

- ~~(a) has reasonable grounds to suspect that that person is an involved person, and~~
- ~~(b) considers that the designation of that person is appropriate, having regard to—~~
 - ~~(i) the purposes stated in regulation 4, and~~
 - ~~(ii) the likely significant effects of the designation on that person (as they appear to the Secretary of State to be on the basis of the information that the Secretary of State has).~~

~~(2) In this regulation an “involved person” means a person who—~~

- ~~(a) is or has been involved in destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine;~~
- ~~(b) is owned or controlled directly or indirectly (within the meaning of regulation 7) by a person who is or has been so involved;~~
- ~~(c) is acting on behalf of or at the direction of a person who is or has been so involved, or~~
- ~~(d) is a member of, or associated with, a person who is or has been so involved.~~

¹¹⁹ Inserted by SI 2023/665.

¹²⁰ Substituted by SI 2023/665.

¹²¹ Inserted by SI 2023/665.

~~—— (3) — For the purposes of this regulation a person is “involved in destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine” if —~~

- ~~(a) — the person is responsible for, engaging in, providing support for, or promoting any policy or action which destabilises Ukraine or undermines or threatens the territorial integrity, sovereignty or independence of Ukraine;~~
- ~~(b) — the person provides financial services, or makes available funds, economic resources, goods or technology that could contribute to destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine;~~
- ~~(c) — the person provides financial services, or makes available funds, economic resources, goods or technology, to —~~
 - ~~(i) — a person who is responsible for a policy or action which falls within paragraph (a); or~~
 - ~~(ii) — a person who provides financial services, or makes available funds, economic resources, goods or technology, as mentioned in sub-paragraph (b);~~
- ~~(d) — the person obstructs the work of international organisations in Ukraine;~~
- ~~(e) — the person conducts business with a separatist group in the Donbas region;~~
- ~~(f) — the person is a relevant person trading or operating in Crimea; or~~
- ~~(g) — the person assists with the contravention of a relevant provision.~~

~~—— (4) — In paragraph (3)(f), a person (“P”) “is a “relevant person” if —~~

- ~~(a) — P is not an individual;~~
- ~~(b) — the ownership or control of P has been transferred contrary to the law of Ukraine.~~

~~—— (5) — In paragraph (2)(d), being “associated with” a person includes obtaining a financial benefit or other material benefit from that person.~~

~~—— (6) — In this regulation “relevant provision” means —~~

- ~~(a) — any provision of Part 3 or Part 5;~~
- ~~(b) — any provision of the law of a country other than the United Kingdom made for purposes corresponding to a purpose of any provision of Part 3 or Part 5.~~

~~—— (7) — Nothing in any sub-paragraph of paragraph (3) is to be taken to limit the meaning of any of the other sub-paragraphs of that paragraph.~~

Meaning of “owned or controlled directly or indirectly”

7. (1) A person who is not an individual (“C”) is “owned or controlled directly or indirectly” by another person (“P”) if either of the following two conditions is met (or both are met).

(2) The first condition is that P—

- (a) holds directly or indirectly more than 50% of the shares in C,
 - (b) holds directly or indirectly more than 50% of the voting rights in C, or
 - (c) holds the right directly or indirectly to appoint or remove a majority of the board of directors of C.
- (3) Schedule 1 contains provision applying for the purpose of interpreting paragraph (2).
- (4) The second condition is that it is reasonable, having regard to all the circumstances, to expect that P would (if P chose to) be able, in most cases or in significant respects, by whatever means and whether directly or indirectly, to achieve the result that affairs of C are conducted in accordance with P's wishes.

~~Notification and publicity where designation power used~~

~~8. (1) Paragraph (2) applies where the Secretary of State—~~

- ~~(a) has made a designation under regulation 5, or~~
- ~~(b) has by virtue of section 22 of the Act varied or revoked a designation made under that regulation.~~

~~— (2) The Secretary of State—~~

- ~~(a) must without delay take such steps as are reasonably practicable to inform the designated person of the designation, variation or revocation, and~~
- ~~(b) must take steps to publicise the designation, variation or revocation.~~

~~— (3) The information given under paragraph (2)(a) where a designation is made must include a statement of reasons.~~

~~— (4) In this regulation a “statement of reasons”, in relation to a designation, means a brief statement of the matters that the Secretary of State knows, or has reasonable grounds to suspect, in relation to the designated person which have led the Secretary of State to make the designation.~~

~~— (5) Matters that would otherwise be required by paragraph (4) to be included in a statement of reasons may be excluded from it where the Secretary of State considers that they should be excluded—~~

- ~~(a) in the interests of national security or international relations,~~
- ~~(b) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or~~
- ~~(c) in the interests of justice.~~

~~— (6) The steps taken under paragraph (2)(b) must—~~

- ~~(a) unless one or more of the restricted publicity conditions is met, be steps to publicise generally—~~
 - ~~(i) the designation, variation or revocation, and~~
 - ~~(ii) in the case of a designation, the statement of reasons;~~

- (b) ~~if one or more of those conditions is met, be steps to inform only such persons as the Secretary of State considers appropriate of the designation, variation or revocation and (in the case of a designation) of the contents of the statement of reasons.~~

~~(7) The "restricted publicity conditions" are as follows—~~

- (a) ~~the designation is of a person believed by the Secretary of State to be an individual under the age of 18;~~
- (b) ~~the Secretary of State considers that disclosure of the designation, variation or revocation should be restricted—~~
 - (i) ~~in the interests of national security or international relations;~~
 - (ii) ~~for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere; or~~
 - (iii) ~~in the interests of justice.~~

~~(8) Paragraph (9) applies if—~~

- (a) ~~when a designation is made one or more of the restricted publicity conditions is met, but~~
- (b) ~~at any time when the designation has effect, it becomes the case that none of the restricted publicity conditions is met.~~

~~(9) The Secretary of State must—~~

- (a) ~~take such steps as are reasonably practicable to inform the designated person that none of the restricted publicity conditions is now met, and~~
- (b) ~~take steps to publicise generally the designation and the statement of reasons relating to it.~~

Requirement to publish a list of designated persons

8. (1) Subject to paragraph (2), the Treasury must –

- (a) publish a list of designated persons; and
- (b) keep the list up to date.

(2) Where, in accordance with [regulation 8 (notification and publicity where designation power used) or regulation 9A (notification and publicity where power to designate by description is used) (as those regulations have effect in the United Kingdom)]¹²² the Secretary of State is not required to publicise generally a designation, variation or revocation, the Treasury must not include in the list under paragraph (1) any details of that designation, variation or revocation.

(3) The Treasury may publish the list under paragraph (1) in any form the Treasury considers appropriate, including by means of a website.

(4) For the purpose of this regulation, “designated person” means any person for the time being designated by the Secretary of State under regulation 5 of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament).

Confidential information in certain cases ~~where designation power used~~

9. (1) ~~Where the Secretary of State in accordance with regulation 8(6)(b) informs only certain persons of a designation, variation or revocation and (in the case of a designation) of the contents of the statement of reasons, the Secretary of State may specify that any of that information is to be treated as confidential.~~

(2) A person (“P”) who—

- (a) is provided with information ~~that is to be treated as confidential in accordance with paragraph (1)~~ **which the Secretary of State has specified is to be treated as confidential under regulation 9(1) [or regulation 9B(1)]¹²³ of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament),** or
- (b) otherwise obtains such information,

must not, subject to paragraph (3), disclose it if P knows, or has reasonable cause to suspect, that the information is to be treated as confidential.

(3) The prohibition in paragraph (2) does not apply to any disclosure made by P with lawful authority.

(4) For this purpose information is disclosed with lawful authority only if and to the extent that—

- (a) the disclosure is by, or is authorised by, the Secretary of State,
- (b) the disclosure is by or with the consent of the person who is or was the subject of the designation,
- (c) the disclosure is necessary to give effect to a requirement imposed under or by virtue of these Regulations or any other enactment **Manx legislation**

¹²² Substituted by SI 2022/395.

¹²³ Inserted by SI 2022/395.

(within the meaning of section 9 of the Interpretation Act 2015 (of Tynwald)¹²⁴), or

- (d) the disclosure is required, under rules of court, tribunal rules or a court or tribunal order, for the purposes of legal proceedings of any description.

(5) This regulation does not prevent the disclosure of information that is already, or has previously been, available to the public from other sources.

(6) A person who contravenes the prohibition in paragraph (2) commits an offence.

~~—— (7) The High Court (in Scotland, the Court of Session) may, on the application of —~~

~~(a) — the person who is the subject of the information, or~~

~~(b) — the Secretary of State,~~

~~grant an injunction (in Scotland, an interdict) to prevent a breach of the prohibition in paragraph (2).~~

~~—— (8) In paragraph (4)(c), “enactment” has the meaning given by section 54(6) of the Act.~~

PART 3

Finance

CHAPTER 1

Asset-freeze etc.¹²⁵

~~Meaning of “designated person”~~

~~10. — In this Chapter a “designated person” means a person who is designated under regulation 5 for the purposes of regulations 11 to 15.~~

Meaning of “designated person” in Part 3

10. In this Part a “designated person” means a person who is designated by the Secretary of State from time to time under regulation 5 of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament)¹²⁶ for the purposes of regulations 11 to 15 of those Regulations.

Note:

Under provisions of the Sanctions and Anti-Money Laundering Act 2018 (of Parliament)¹²⁷, a person’s designation may be varied or revoked. Any such variation or revocation would have effect in the Isle of Man.

Asset-freeze in relation to designated persons

11. (1) A person (“P”) must not deal with funds or economic resources owned, held or controlled by a designated person if P knows, or has reasonable cause to suspect, that P is dealing with such funds or economic resources.

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

(3) A person who contravenes the prohibition in paragraph (1) commits an offence.

(4) For the purposes of paragraph (1) a person “deals with” funds if the person—

¹²⁴ AT 11 of 2015.

¹²⁵ Substituted by SI 2022/194.

¹²⁶ SI 2019/855.

¹²⁷ 2018 Chapter 13.

- (a) uses, alters, moves, transfers or allows access to the funds,
 - (b) deals with the funds in any other way that would result in any change in volume, amount, location, ownership, possession, character or destination, or
 - (c) makes any other change, including portfolio management, that would enable use of the funds.
- (5) For the purposes of paragraph (1) a person "deals with" economic resources if the person—
 - (a) exchanges the economic resources for funds, goods or services, or
 - (b) uses the economic resources in exchange for funds, goods or services (whether by pledging them as security or otherwise).
- (6) The reference in paragraph (1) to funds or economic resources that are "owned, held or controlled" by a person includes, in particular, a reference to—
 - (a) funds or economic resources in which the person has any legal or equitable interest, regardless of whether the interest is held jointly with any other person and regardless of whether any other person holds an interest in the funds or economic resources;
 - (b) any tangible property (other than real property), or bearer security, that is comprised in funds or economic resources and is in the possession of the person.
- (7) For the purposes of paragraph (1) funds or economic resources are to be treated as owned, held or controlled by a designated person if they are owned, held or controlled by a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.
- (8) For the avoidance of doubt, the reference in paragraph (1) to a designated person includes P if P is a designated person.

Making funds available to designated person

- 12. (1) A person ("P") must not make funds available directly or indirectly to a designated person if P knows, or has reasonable cause to suspect, that P is making the funds so available.
 - (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).
 - (3) A person who contravenes the prohibition in paragraph (1) commits an offence.
 - (4) The reference in paragraph (1) to making funds available indirectly to a designated person includes, in particular, a reference to making them available to a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.

Making funds available for benefit of designated person

- 13. (1) A person ("P") must not make funds available to any person for the benefit of a designated person if P knows, or has reasonable cause to suspect, that P is making the funds so available.
 - (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

- (3) A person who contravenes the prohibition in paragraph (1) commits an offence.
- (4) For the purposes of this regulation—
 - (a) funds are made available for the benefit of a designated person only if that person thereby obtains, or is able to obtain, a significant financial benefit, and
 - (b) “financial benefit” includes the discharge (or partial discharge) of a financial obligation for which the designated person is wholly or partly responsible.

Making economic resources available to designated person

14. (1) A person (“P”) must not make economic resources available directly or indirectly to a designated person if P knows, or has reasonable cause to suspect—
- (a) that P is making the economic resources so available, and
 - (b) that the designated person would be likely to exchange the economic resources for, or use them in exchange for, funds, goods or services.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).
- (3) A person who contravenes the prohibition in paragraph (1) commits an offence.
- (4) The reference in paragraph (1) to making economic resources available indirectly to a designated person includes, in particular, a reference to making them available to a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.

Making economic resources available for benefit of designated person

15. (1) A person (“P”) must not make economic resources available to any person for the benefit of a designated person if P knows, or has reasonable cause to suspect, that P is making the economic resources so available.
- (2) Paragraph (1) is subject to Part 7 (Exceptions and licences).
 - (3) A person who contravenes the prohibition in paragraph (1) commits an offence.
 - (4) For the purposes of paragraph (1)—
 - (a) economic resources are made available for the benefit of a designated person only if that person thereby obtains, or is able to obtain, a significant financial benefit, and
 - (b) “financial benefit” includes the discharge (or partial discharge) of a financial obligation for which the designated person is wholly or partly responsible.

CHAPTER 2

Other financial and investment restrictions

Dealing with transferable securities or money-market instruments

16. (1) A person ("P") must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (2) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(2) A transferable security or money-market instrument falls within this paragraph if it has a maturity exceeding 30 days and is issued after 1 August 2014 by—

- (a) a person mentioned in any of paragraphs 1 to 5 of Schedule 2;
- (b) a person, other than an individual, which is—
 - (i) incorporated or constituted under the law of a ~~non-UK~~ **non-IOM** country, and
 - (ii) owned by a person within sub-paragraph (a); or
- (c) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a) or sub-paragraph (b).

(3) A person ("P") must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (4) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(4) A transferable security or money-market instrument falls within this paragraph if it has a maturity exceeding 30 days and is issued after 12 September 2014 by—

- (a) a person mentioned in any of paragraphs 6 to 11 of Schedule 2;
- (b) a person, other than an individual, which is—
 - (i) incorporated or constituted under the law of a ~~non-UK~~ **non-IOM** country, and
 - (ii) owned by a person within sub-paragraph (a); or
- (c) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a) or sub-paragraph (b).

[(4A) A person ("P") must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (4B) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(4B) A transferable security or money-market instrument falls within this paragraph if it has a maturity exceeding 30 days and is issued on or after 1st March 2022 by –

- (a) a person, other than an individual, which is –
 - (i) incorporated or constituted under the law of any part of the ~~United Kingdom~~ **Isle of Man**, and
 - (ii) owned by a person falling within Schedule 2; or

- (b) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a).

(4C) A person ("P") must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (4D) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(4D) A transferable security or money-market instrument falls within this paragraph if it is issued on or after 1st March 2022 by –

- (a) a person connected with Russia, which is not –
 - (i) a person falling within Schedule 2,
 - (ii) a person, other than an individual, which on 1st March 2022 is domiciled in a country other than Russia, or
 - (iii) a person, other than an individual, which on 1st March 2022 is a branch or subsidiary, wherever located, of a person mentioned in paragraph (ii);
- (b) a person, other than an individual, which is owned by a person falling within sub-paragraph (a); or
- (c) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a) or sub-paragraph (b).

(4E) A person ("P") must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (4F) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(4F) A transferable security or money-market instrument falls within this paragraph if it is issued on or after 1st March 2022 by, or on behalf of, the Government of Russia.¹²⁸

[(4G) A person ("P") must not, directly or indirectly, deal with a transferable security or money-market instrument falling within paragraph (4H) if P knows, or has reasonable cause to suspect, that P is dealing with such a transferable security or money-market instrument.

(4H) A transferable security or money-market instrument falls within this paragraph if it is issued –

- (a) on or after 16th December 2022,
- (b) by a person, other than an individual, which is not a person connected with Russia, and
- (c) for the purposes of an activity mentioned in regulation 18B(2).¹²⁹

[(5) Paragraphs (1), (3), (4A), (4C)[, (4E) and (4G)]¹³⁰ are subject to Part 7 (Exceptions and licences).]¹³¹

¹²⁸ Inserted by SI 2022/194.

¹²⁹ Inserted by SI 2022/1331.

¹³⁰ Substituted by SI 2022/1331.

¹³¹ Substituted by SI 2022/194.

(6) A person who contravenes a prohibition in paragraph [(1), (3), (4A), (4C)[, (4E) or (4G)]^{132]}¹³³ commits an offence.

(7) For the purposes of this regulation, and regulations 17 (loans and credit arrangements)[, 59 (exceptions relating to loans and credit arrangements) and 60ZZA (exceptions relating to investments in relation to Russia)]¹³⁴, a person ("C") is "owned" by another person ("P") if P—

- (a) holds directly or indirectly more than 50% of the shares in C, or
- (b) holds directly or indirectly more than 50% of the voting rights in C.

(8) Schedule 1 applies for the purpose of interpreting paragraph (7).

(9) For the purposes of this regulation, a reference to "dealing with" a transferable security or money-market instrument includes a reference to purchasing or selling the security or instrument, providing investment services relating to the security or instrument or assisting in the issuance of the security or instrument.

(10) In this regulation—

"investment services" means—

- (a) the reception and transmission of orders in relation to one or more financial instruments,
- (b) the execution of orders on behalf of clients,
- (c) dealing on own account,
- (d) portfolio management,
- (e) the provision of investment advice,
- (f) the underwriting of financial instruments or placing of financial instruments on a firm commitment basis,
- (g) the placing of financial instruments without a firm commitment basis, or
- (h) any service in relation to the admission to trading on a regulated market or trading on a multilateral trading facility;

"money-market instrument" means an instrument of a kind normally dealt in on the money market, such as treasury bills, certificates of deposit and commercial papers, excluding instruments of payment;

~~"non-UK country" means a country that is not the United Kingdom;~~

"non-IOM country" means a country that is not the Isle of Man;

"transferable security" means a security, negotiable on the capital market, of any of the following kinds, but excluding instruments of payment—

¹³² Substituted by SI 2022/1331.

¹³³ Substituted by SI 2022/194.

¹³⁴ Substituted by SI 2022/801.

- (a) shares in companies and other securities equivalent to shares in companies, partnerships or other entities, and depositary receipts in respect of shares;
- (b) bonds or other forms of securitised debt, including depositary receipts in respect of such securities;
- (c) any other securities giving the right to purchase or sell any security of a kind mentioned in paragraph (a) or (b).

Loans and credit arrangements

17. (1) A person ("P") must not directly or indirectly grant a relevant loan if P knows, or has reasonable cause to suspect, that P is granting a relevant loan.

(2) A person must not directly or indirectly enter into any arrangement to grant a relevant loan if the person knows, or has reasonable cause to suspect, that the arrangement relates to a relevant loan.

[(2A) A person must not make funds or economic resources available to a relevant entity ("E") where the purposes of making those funds or economic resources available is to enable E to grant a relevant loan on or after 16th December 2022.]¹³⁵

(3) Paragraphs (1)[, (2) and (2A)]¹³⁶ are subject to [Part 7 (Exceptions and licences)]¹³⁷.

(4) A person who contravenes a prohibition in paragraph (1)[, (2) or (2A)]¹³⁸ commits an offence.

(5) In this regulation—

~~["the Amendment (No. 15) Regulations" means the Russia (Sanctions) (EU Exit) (Amendment) (No. 15) Regulations 2022, as they have effect in the Island;]~~¹³⁹

["category 1 loan" means a loan or credit –

- (a) with a maturity exceeding 30 days,
- (b) made or granted to –
 - (i) a person falling within Schedule 2,
 - (ii) a person, other than an individual, which is –
 - (aa) incorporated or constituted under the law of a ~~non-UK country~~ **non-IOM country**, and
 - (bb) owned [~~(within the meaning of regulation 16(7))~~]¹⁴⁰ by a person within paragraph (i), or
 - (iii) a person, other than an individual, acting on behalf or at the direction of a person within paragraph (i) or paragraph (ii), and

¹³⁵ Inserted by SI 2022/1331.

¹³⁶ Substituted by SI 2022/1331.

¹³⁷ Substituted by SI 2022/194.

¹³⁸ Substituted by SI 2022/1331.

¹³⁹ Omitted by SI 2022/1331.

¹⁴⁰ Omitted by SI 2022/1110.

(c) which is first made or granted at any time after IP completion day;

“category 2 loan” means a loan or credit –

(a) with a maturity exceeding 30 days,

(b) made or granted to a person, other than an individual, which is –

(i) incorporated or constituted under the law of any part of the ~~United Kingdom~~ **Isle of Man**, and

(ii) owned [~~(within the meaning of regulation 16(7))~~]¹⁴¹ by a person falling within Schedule 2, and

(c) which is first made or granted at any time on or after 1st March 2022;

“category 3 loan” means a loan or credit –

(a) with a maturity exceeding 30 days,

(b) made or granted to a person, other than an individual, which is –

(i) connected with Russia,

(ii) owned [~~(within the meaning of regulation 16(7))~~]¹⁴² by a person within sub-paragraph (i), or

(iii) a person, other than an individual, acting on behalf or at the direction of a person within paragraph (i) or paragraph (ii),

[(c) which is first made or granted at any time on or after 1st March 2022 but before [29th October 2022]¹⁴³, and]¹⁴⁴

(d) which is not –

(i) a category 1 loan, a category 2 loan or a category 4 loan, or

(ii) a loan made or granted to –

(aa) a person, other than an individual, which on 1st March 2022 is domiciled in a country other than Russia,

(bb) a person, other than an individual, which is owned by a person falling within sub-paragraph (aa), or

(cc) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (aa) or sub-paragraph (bb);

“category 4 loan” means a loan or credit –

(a) made or granted to the Government of Russia,

¹⁴¹ Omitted by SI 2022/1110.

¹⁴² Omitted by SI 2022/1110.

¹⁴³ Substituted by SI 2022/1331.

¹⁴⁴ Substituted by SI 2022/1110.

(b) which is first made or granted at any time on or after 1st March 2022;]¹⁴⁵

["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 [29th October 2022]¹⁴⁶ 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 [29th October 2022]¹⁴⁷, and

(d) which is not a category 1 loan, a category 2 loan, a category 3 loan or a category 4 loan;]¹⁴⁸

["category 6 loan" means a loan or credit –

(a) made or granted to a relevant entity,

(b) which is for the purposes of an activity mentioned in regulation 18B(2),

(c) which is first made or granted at any time on or after 16th December 2022, and

(d) which is not a category 1 loan, a category 2 loan, a category 3 loan, a category 4 loan or a category 5 loan;]¹⁴⁹

~~"non-UK country" means a country that is not the United Kingdom;~~

"non-IOM country" means a country that is not the Isle of Man;

["owned" means owned within the meaning of regulation 16(7);]¹⁵⁰

["relevant entity" has the meaning given in regulation 18B(8);]¹⁵¹

¹⁴⁵ Inserted by SI 2022/194.

¹⁴⁶ Substituted by SI 2022/1331.

¹⁴⁷ Substituted by SI 2022/1331.

¹⁴⁸ Inserted by SI 2022/1110.

¹⁴⁹ Inserted by SI 2022/1331.

¹⁵⁰ Inserted by SI 2022/1110.

¹⁵¹ Inserted by SI 2022/1331.

[“relevant loan” means a category 1 loan, a category 2 loan, a category 3 loan[, a category 4 loan[, a category 5 loan or a category 6 loan]^{152]}¹⁵³;¹⁵⁴

[“relevant person” means—

(a) ~~a person falling within Schedule 2;~~

(b) ~~a person, other than an individual, which is—~~

(i) ~~incorporated or constituted under the law of a non-UK country **non-IOM country**, and~~

(ii) ~~owned (within the meaning of regulation 16(7)) by a person within sub-paragraph (a); or~~

(c) ~~a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a) or sub-paragraph (b).]¹⁵⁵~~

[Correspondent banking relationships [and processing payments]]¹⁵⁶

17A. (1) ~~A UK~~ **An Isle of Man** credit or financial institution (“C”) (“the correspondent”) must not establish or continue a correspondent banking relationship with the following (“the respondent”) —

- (a) a designated person (“D”),
- (b) ~~a UK~~ **an Isle of Man** credit or financial institution, which is owned or controlled directly or indirectly (within the meaning of regulation 7) by D, or
- (c) ~~a non-UK~~ **non-IOM** credit or financial institution, which is owned or controlled directly or indirectly (within the meaning of regulation 7) by D,

if C knows, or has reasonable cause to suspect, that the correspondent banking relationship is with a designated person.

(2) C must not process a ~~[sterling]~~¹⁵⁷ payment to, from or via —

- (a) D,
- (b) ~~a UK~~ **an Isle of Man** credit or financial institution, which is owned or controlled directly or indirectly (within the meaning of regulation 7) by D, or
- (c) ~~a non-UK~~ **non-IOM** credit or financial institution, which is owned or controlled directly or indirectly (within the meaning of regulation 7) by D,

if C knows, or has reasonable cause to suspect, that the sterling payment is to, from or via such a person.

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

(4) A person who contravenes a prohibition in paragraph (1) or (2) commits an offence.

¹⁵² Substituted by SI 2022/1331.

¹⁵³ Substituted by SI 2022/1110.

¹⁵⁴ Substituted by SI 2022/194.

¹⁵⁵ Omitted by SI 2022/194.

¹⁵⁶ Substituted by SI 2023/1364.

¹⁵⁷ Omitted by SI 2023/1364.

- [(5) For the purposes of this regulation, a reference to “processing” a payment –
- (a) includes the clearing and settlement of a payment; but
 - (b) does not include the act of initially crediting a payment to an account which is in the name of C but which is not in the name of a customer of C.]¹⁵⁸
- (6) In this regulation –
- “correspondent banking relationship” means the provision of banking services by a correspondent to a respondent including providing a current or other liability account and related services, such as cash management, international funds transfers, cheque clearing, providing customers of the respondent with direct access to accounts with the correspondent (and vice versa) and providing foreign exchange services;
- ~~“designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of this regulation;~~
- ~~“non-UK credit or financial institution” means –~~
- ~~(a) — a person, other than an individual, which would satisfy the threshold conditions for permission under Part 4A of the Financial Services and Markets Act 2000 if it had its registered office (or if it does not have one, its head office) in the United Kingdom, or~~
 - ~~(b) — an undertaking, other than a UK credit or financial institution, which by way of business –~~
 - ~~(i) — operates a currency exchange office;~~
 - ~~(ii) — transmits money (or any representation of monetary value) by any means, or~~
 - ~~(iii) — cashes cheques that are made payable to customers;~~
- ~~“a UK credit or financial institution” means –~~
- ~~(a) — a person that has permission under Part 4A of the Financial Services and Markets Act 2000 (permission to carry on regulated activities), or~~
 - ~~(b) — an undertaking domiciled in the United Kingdom which by way of business –~~
 - ~~(i) — operates a currency exchange office;~~
 - ~~(ii) — transmits money (or any representation of monetary value) by any means, or~~
 - ~~(iii) — cashes cheques that are made payable to customers.~~
- “designated person” means a person who is designated by the Secretary of State from time to time under regulation 5 of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament) for the purposes of this regulation;**

¹⁵⁸ Substituted by SI 2023/1364.

“non-IOM credit or financial institution” means a person, other than an individual, who if they were acting in or from the Isle of Man would be –

- (a) carrying on a regulated activity within the meaning of the Financial Services Act 2008 (of Tynwald)¹⁵⁹;**
- (b) carrying on an insurance business, acting as an insurance intermediary or acting as an insurance manager within the meaning of the Insurance Act 2008 (of Tynwald)¹⁶⁰;**
- (c) acting as a trustee or an administrator of a retirement benefits scheme within the meaning of the Retirement Benefits Schemes Act 2000 (of Tynwald)¹⁶¹;**
- (d) carrying on the business of lending money within the meaning of the Moneylenders Act 1991 (of Tynwald)¹⁶²;**

“Isle of Man credit or financial institution” means a person –

- (a) licensed to carry on a regulated activity within the meaning of the Financial Services Act 2008 (of Tynwald)¹⁶³;**
- (b) authorised or registered under the Insurance Act 2008 (of Tynwald)¹⁶⁴, and permit holders, other than EU permit holders, under that Act;**
- (c) acting as a trustee or an administrator of a retirement benefits scheme within the meaning of the Retirement Benefits Schemes Act 2000 (of Tynwald)¹⁶⁵;**
- (d) registered to carry on the business of lending money within the meaning of the Moneylenders Act 1991 (of Tynwald)¹⁶⁶.]¹⁶⁷**

Investments in relation to [non-government controlled Ukrainian territory]¹⁶⁸

18. (1) A person (“P”) must not carry on an activity mentioned in paragraph (2) if P knows, or has reasonable cause to suspect, that P is carrying on such an activity.

(2) The activities in this paragraph are—

- (a) directly or indirectly acquiring or extending a participation, or acquiring any ownership interest, in land located in [non-government controlled Ukrainian territory]¹⁶⁹;**
- (b) directly or indirectly acquiring or extending a participation, or acquiring any ownership interest in or control over, a relevant entity;**

¹⁵⁹ AT 8 of 2008.

¹⁶⁰ AT 16 of 2008.

¹⁶¹ AT 14 of 2000.

¹⁶² AT 6 of 1991.

¹⁶³ AT 8 of 2008.

¹⁶⁴ AT 16 of 2008.

¹⁶⁵ AT 14 of 2000.

¹⁶⁶ AT 6 of 1991.

¹⁶⁷ Inserted by SI 2022/194.

¹⁶⁸ Substituted by SI 2022/395.

¹⁶⁹ Substituted by SI 2022/395.

- (c) directly or indirectly granting any loan or credit, entering into any arrangement to grant any loan or credit, or otherwise providing funds, including for example equity capital—
 - (i) to a relevant entity, or
 - (ii) for the documented purpose of financing any such entity;
 - (d) directly or indirectly establishing any joint venture—
 - (i) in [non-government controlled Ukrainian territory]¹⁷⁰, or
 - (ii) with a relevant entity;
 - (e) providing investment services directly related to an activity referred to in sub-paragraphs (a) to (d) above.
- (3) Paragraph (1) is subject to Part 7 (Exceptions and licences).
 - (4) A person who contravenes a prohibition in paragraph (1) commits an offence.
 - (5) In this regulation—

“investment services” has the same meaning as it has in regulation 16;

“relevant entity” means a person, other than an individual, which has a place of business located in [non-government controlled Ukrainian territory]¹⁷¹.

[Provision of financial services relating to foreign exchange reserve and asset management]

- 18A. (1) A person (“P”) must not provide financial services to a person mentioned in paragraph (2) where –
- (a) the financial services are for the purpose of foreign exchange reserve and asset management; and
 - (b) P knows, or has reasonable cause to suspect, that the financial services are provided to such a person.
- (2) The persons mentioned in this paragraph are –
- (a) the Central Bank of the Russian Federation,
 - (b) the National Wealth Fund of the Russian Federation,
 - (c) the Ministry of Finance of the Russian Federation,
 - (d) a person owned or controlled directly or indirectly (within the meaning of regulation 7) by a person mentioned in sub-paragraphs (a) to (c), or
 - (e) a person acting on behalf of or at the direction of a person mentioned in sub-paragraphs (a) to (c).
- (3) Paragraph (1) is subject to Part 7 (Exceptions and licences).

¹⁷⁰ Substituted by SI 2022/395.

¹⁷¹ Substituted by SI 2022/395.

- (4) A person who contravenes the prohibition in paragraph (1) commits an offence.]¹⁷²

[Investments in relation to Russia]

18B. (1) A person ("P") must not carry out an activity mentioned in paragraph (2) if P knows, or has reasonable cause to suspect, that P is carrying on such an activity.

(2) The activities in this paragraph are –

- (a) directly acquiring any ownership interest in land located in Russia;
- (b) indirectly acquiring any ownership interest in land located in Russia for the purpose mentioned in paragraph (3);
- (c) directly acquiring any ownership interest in or control over a person, other than an individual, connected with Russia;
- (d) indirectly acquiring any ownership interest in or control over a person, other than an individual, connected with Russia for the purpose mentioned in paragraph (3);
- (e) directly or indirectly acquiring any ownership interest in or control over a relevant entity for the purpose mentioned in paragraph (3);
- (f) directly or indirectly establishing any joint venture with a person connected with Russia;
- (g) opening a representative office or establishing a branch or subsidiary located in Russia; or
- (h) providing investment services directly related to an activity referred to in sub-paragraphs (a) to (g).

(3) The purpose mentioned in paragraph (2)(b), (d) and (e) above is making funds or economic resources available –

- (a) directly or indirectly to a person connected with Russia; or
- (b) for the benefit of a person connected with Russia.

(4) For the purposes of paragraph (3) –

- (a) economic resources are made available to a person connected with Russia only if that person would be likely to exchange the economic resources for, or use them in exchange for, funds, goods or services;
- (b) making funds or economic resources indirectly available to a person connected with Russia includes, in particular, a reference to making them available to a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by a person connected with Russia; and
- (c) funds or economic resources are made available for the benefit of a person connected with Russia only if that person thereby obtains, or is able to obtain, a significant financial benefit, and "financial benefit" includes the

¹⁷² Inserted by SI 2022/205.

discharge (or partial discharge) of a financial obligation for which the person connected with Russia is wholly or partly responsible.

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

(6) A person who contravenes a prohibition in paragraph (1) commits an offence.

(7) In this regulation, the reference to a person ("P") directly or indirectly acquiring any ownership interest in or control over a person or entity means –

- (a) P directly or indirectly acquiring any share in the person or entity;
- (b) P directly or indirectly acquiring any voting rights in the person or entity;
- (c) P directly or indirectly acquiring any right to appoint or remove a majority of the board of directors of the person or entity; or
- (d) P directly or indirectly acquiring any means of ensuring that the affairs of the person or entity are conducted in accordance with the wishes of P where it is reasonable, having regard to all of the circumstances, to expect that P would (if P chose to) in most cases or significant respects, by whatever means, be able to do so.

(8) In this regulation –

"branch" means, in relation to a person other than an individual, a place of business which forms a legally dependent part of that person and which carries out all or some of the transactions inherent in the business of that person;

"investment services" has the same meaning as it has in regulation 16 (dealing with transferable securities or money-market instruments);

"relevant entity" means a person, other than an individual, which ~~[has a place of business located in Russia but]~~¹⁷³ is not a person connected with Russia.¹⁷⁴

[Trust services

18C. (1) A person must not provide trust services to or for the benefit of a designated person.

(2) A person ("P") must not provide trust services to or for the benefit of a person connected with Russia ("C") unless pursuant to an ongoing arrangement pursuant to which P provided those trust services to or for the benefit of C immediately before 16th December 2022.

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

(4) A person who contravenes a prohibition in paragraph (1) or (2) commits an offence.

(5) For the purposes of paragraphs (1) and (2), trust services are provided for the benefit of a person ("B") where –

- (a) B is a beneficiary of a trust or similar arrangement,
- (b) B is referred to as a potential beneficiary in a document from the settlor relating to a trust or similar arrangement (such as a letter of wishes), or

¹⁷³ Omitted by SI 2022/1331.

¹⁷⁴ Inserted by SI 2022/801.

- (c) having regard to all the circumstances, B might reasonably be expected to obtain, or to be able to obtain, a significant financial benefit from the trust or similar arrangement.

(6) For the purposes of paragraph (5), “beneficiary”, “potential beneficiary” and “settlor”, in relation to an arrangement similar to a trust, means those persons who hold equivalent or similar positions to those described in sub-paragraphs (a) to (c) of that paragraph in respect of a trust.

(7) In this regulation –

“designated person” means a person who is designated **by the Secretary of State from time to time** under regulation 5 (power to designate persons) **of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament)** for the purposes of this regulation;

“trust services” means –

- (a) the creation of a trust or similar arrangement,
- (b) the provision of a registered office, business address, correspondence address or administrative address for a trust or similar arrangement,
- (c) the operation or management of a trust or similar arrangement, or
- (d) acting or arranging for another person to act as trustee of a trust or similar arrangement, where “trustee”, in relation to an arrangement similar to a trust, means a person who holds an equivalent or similar position to a trustee of a trust.]¹⁷⁵

CHAPTER 3

Further provision

Circumventing etc. prohibitions

19. (1) A person must not intentionally participate in activities knowing that the object or effect of them is (whether directly or indirectly)—

- (a) to circumvent any of the prohibitions in [regulations 11 to [18C]¹⁷⁶]¹⁷⁷, or
- (b) to enable or facilitate the contravention of any such prohibition.

(2) A person who contravenes the prohibition in paragraph (1) commits an offence.

[Interpretation of Part 3

19A. (1) In this Part –

“branch” means, in relation to a credit or financial institution, a place of business which forms a legally dependent part of that institution and which carries out all or some of the transactions inherent in the business of that institution;

“credit or financial institution” means a “~~UK~~ **Isle of Man** credit or financial institution” or a “~~non-UK~~ **non-IOM** credit or financial institution”;

¹⁷⁵ Inserted by SI 2022/1331.

¹⁷⁶ Substituted by SI 2022/1331.

¹⁷⁷ Substituted by SI 2022/801.

["foreign exchange reserve and asset management" means activities relating to the reserves or assets of the persons mentioned in paragraph (2) of regulation 18A, such reserves or assets to include the following –

- (a) money market instruments (including cheques, bills and certificates of deposit);
- (b) foreign exchange;
- (c) derivative products (including futures and options);
- (d) exchange rate and interest rate instruments (including products such as swaps and forward rate agreements);
- (e) transferable securities;
- (f) other negotiable instruments and financial assets (including bullion);
- (g) special drawing rights.]¹⁷⁸

"Government of Russia" has the same meaning as in regulation 6 **of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament), as it has effect in the United Kingdom from time to time;**

"subsidiary" has the meaning given by ~~section 1159 of the Companies Act 2006~~ **section 220 of the Companies Act 2006 (of Tynwald)**¹⁷⁹.

(2) For the purposes of this Part, a person is to be regarded as "connected with Russia" if the person is –

- (a) an individual who is, or an association or combination of individuals who are, ordinarily resident in Russia,
- (b) an individual who is, or an association or combination of individuals who are, located in Russia,
- (c) a person, other than an individual, which is incorporated or constituted under the law of Russia, or
- (d) a person, other than an individual, which is domiciled in Russia.

~~(3) — In this Part, the definitions of —~~

- ~~(a) — "non-UK credit or financial institution", and~~
- ~~(b) — "UK credit or financial institution,~~

~~are to be read with section 22 of the Financial Services and Markets Act 2000, any relevant order under that section and Schedule 2 to that Act.]~~¹⁸⁰

¹⁷⁸ Inserted by SI 2022/205.

¹⁷⁹ AT 13 of 2006.

¹⁸⁰ Inserted by SI 2022/194.

PART 4

Immigration

Immigration

~~20. — A person who is designated under regulation 5 for the purposes of this regulation is an excluded person for the purposes of section 8B of the Immigration Act 1971.~~

Immigration

20. A person who is designated by the Secretary of State from time to time under regulation 5 of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament)¹⁸¹ for the purposes of regulation 20 of those Regulations is an excluded person for the purposes of section 8B of the Immigration Act 1971 (of Parliament)¹⁸² (as it has effect in the Isle of Man)¹⁸³.

PART 5

Trade

CHAPTER 1

Interpretation

Interpretation of this Part

21. (1) In this Part—

goods, technology or land are “acquired” by a person if the person buys, leases, hires, borrows or accepts as a gift the goods, technology or land (as the case may be), and “acquisition” is to be construed accordingly;

“aircraft” includes unmanned aircraft and aircraft capable of spaceflight activities;

[“aviation and space goods” means –

- (a) any thing specified in Schedule 2C, other than any thing which is aviation and space technology, and
- (b) any tangible storage medium on which aviation and space technology is recorded or from which it can be derived;

“aviation and space technology” means any thing described in Schedule 2C as software or technology;]¹⁸⁴

“brokering service” means any service to secure, or otherwise in relation to, an arrangement, including (but not limited to)—

- (a) the selection or introduction of persons as parties or potential parties to the arrangement,
- (b) the negotiation of the arrangement,

¹⁸¹ SI 2019/855.

¹⁸² 1971 Chapter 77.

¹⁸³ The Immigration Act 1971 (of Parliament) was extended to the Isle of Man by SI 2008/680 (as amended).

¹⁸⁴ Inserted by SI 2022/241.

- (c) the facilitation of anything that enables the arrangement to be entered into, and
- (d) the provision of any assistance that in any way promotes or facilitates the arrangement;

["coal and coal products" means any thing specified in Schedule 3H;]¹⁸⁵

["critical-industry goods" means –

- (a) any thing specified in Schedule 2A, other than –
 - (i) any thing which is critical-industry technology, or
 - (ii) any thing for the time being specified in –
 - (aa) Schedule 2 ~~[or 3]~~¹⁸⁶ to the Export Control Order 2008¹⁸⁷,
[~~or~~]¹⁸⁸
 - (bb) Annex I of the Dual-Use Regulation, [~~or~~]¹⁸⁹
 - [(cc) Part 3 of Schedule 3C, and]¹⁹⁰
- (b) any tangible storage medium on which critical-industry technology is recorded or from which it can be derived;

"critical-industry technology" means any thing described in Schedule 2A as software or technology, other than any thing for the time being specified in –

- (a) Schedule 2 ~~[or 3]~~¹⁹¹ to the Export Control Order 2008, [~~or~~]¹⁹²
- (b) Annex I of the Dual-Use Regulation;]¹⁹³ [~~or~~]¹⁹⁴
- [(c) Part 3 of Schedule 3C,]¹⁹⁵

["defence and security goods" means –

- (a) interception and monitoring goods,
- (b) internal repression goods, and
- (c) goods relating to chemical and biological weapons;

"defence and security technology" means –

¹⁸⁵ Inserted by SI 2022/850.

¹⁸⁶ Omitted by SI 2023/1364.

¹⁸⁷ 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 and S.I. 2021/586. There are other instruments which amend other parts of the Order.

¹⁸⁸ Omitted by SI 2022/792.

¹⁸⁹ Substituted by SI 2022/792.

¹⁹⁰ Inserted by SI 2022/792.

¹⁹¹ Omitted by SI 2023/1364.

¹⁹² Omitted by SI 2022/792.

¹⁹³ Inserted by SI 2022/195.

¹⁹⁴ Inserted by SI 2022/792.

¹⁹⁵ Inserted by SI 2022/792.

- (a) interception and monitoring technology,
- (b) internal repression technology, and
- (c) technology relating to chemical and biological weapons;]¹⁹⁶

“dual-use goods” means—

- (a) any thing for the time being specified in Annex I of the Dual-Use Regulation, other than any thing which is dual-use technology, and
- (b) any tangible storage medium on which dual-use technology is recorded or from which it can be derived;

“the Dual-Use Regulation” means Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items **as it forms part of Manx law by virtue of section 7 of the European Union and Trade Act 2019 (of Tynwald)**¹⁹⁷;

“dual-use technology” means any thing for the time being specified in Annex I of the Dual-Use Regulation which is described as software or technology;

“energy-related goods” means any thing falling within Part 2 of Schedule 3;

“export” means –

- (a) **export from the Isle of Man;**
- (b) **goods removed to the United Kingdom from the Isle of Man are not to be regarded as exported; and**
- (c) **goods transported out of the Isle of Man by aircraft or ship as stores within the meaning of CEMA (see section 184(1) and (4) of that Act) are to be regarded as exported;**

[“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~~]¹⁹⁸ to the Export Control Order 2008,
- (b) Annex 1 of the Dual-Use Regulation, or
- (c) Schedule 2A;]¹⁹⁹

[“gold” means the gold and products related to gold specified in [Part 2 of]²⁰⁰ Schedule 3G;]²⁰¹

[“gold jewellery” means the gold products specified in Part 3 of Schedule 3G;]²⁰²

[“goods relating to chemical and biological weapons” means –

¹⁹⁶ Inserted by SI 2022/792.

¹⁹⁷ AT 2 of 2019. Council Regulation (EC) No 428/2009 was prescribed for the purposes of section 7 of the European Union and Trade Act 2019 by SD 2019/0064.

¹⁹⁸ Omitted by SI 2023/1364.

¹⁹⁹ Substituted by SI 2022/1110.

²⁰⁰ Inserted by SI 2022/1110.

²⁰¹ Inserted by SI 2022/850.

²⁰² Inserted by SI 2022/1110.

- (a) any thing specified in Part 4 of Schedule 3C, other than technology relating to chemical and biological weapons (but see paragraph (4A))²⁰³, and
- (b) any tangible storage medium on which technology relating to chemical and biological weapons is recorded or from which it can be derived[,]²⁰⁴²⁰⁵

[other than any thing for the time being specified in Schedule 2 to the Export Control Order 2008 or in Annex 1 of the Dual-Use Regulation;]²⁰⁶

“import” means –

- (a) import into the Isle of Man, but**
- (b) goods removed to the Isle of Man from the United Kingdom are not to be regarded as imported;**

“infrastructure-related goods” means any thing falling within Part 3 of Schedule 3;

[“interception and monitoring goods” means any item mentioned in paragraph (a) or (b), provided that it may be used for interception and monitoring services –

- (a) a relevant Part 2 item²⁰⁷,
- (b) any tangible storage medium on which interception and monitoring technology is recorded or from which it can be derived;

“interception and monitoring technology” means any thing –

- (a) which is described as software in paragraph 2 of Part 2 of Schedule 3C provided that it may be used for interception and monitoring services, and
- (b) which is described as other software or other technology in paragraph 3 of Part 2 of Schedule 3C (but see paragraph (4C));

“internal repression goods” means –

- (a) any thing specified in Part 3 of Schedule 3C, other than –
 - (i) any thing which is internal repression technology,
 - (ii) any thin for the time being specified in Schedule 2 to the Export Control Order 2008²⁰⁸, or
 - (iii) any thing for the time being specified in Annex I of the Dual-Use Regulation, and
- (b) any tangible storage medium on which internal repression technology is recorded or from which it can be derived;

²⁰³ Inserted by paragraph (7) of this regulation.

²⁰⁴ Substituted by SI 2023/1364.

²⁰⁵ Inserted by SI 2022/792.

²⁰⁶ Inserted by SI 2023/1364.

²⁰⁷ “Relevant Part 2 item” is defined in regulation 21(4B) which is inserted by paragraph (7) of this regulation.

²⁰⁸ S.I. 2008/3231.

“internal repression technology” means any thing which is described in Part 3 of Schedule 3C as software or technology;]²⁰⁹

[“luxury goods” means any thing specified in Schedule 3A, other than any thing for the time being specified in –

- (a) [Schedule 2]²¹⁰ to the Export Control Order 2008,
- (b) Annex 1 of the Dual-Use Regulation, or
- (c) Schedule 2A;]²¹¹

[“maritime goods” and “maritime technology” mean respectively any goods and technology specified in Chapter 4 (Navigation Equipment) and Chapter 5 (Radio-Communication Equipment) of Annex 1 of the Merchant Shipping Notice 1874²¹² but not including any thing in those Chapters which is specified in –

- (a) [Schedule 2]²¹³ to the Export Control Order 2008,
- (b) Annex I to the Dual Use Regulation, or
- (c) Schedule 2A;]²¹⁴

~~“medical device” means—~~

- ~~(a) — a medical device within the meaning given in regulation 2 of the Medical Devices Regulations 2002 in so far as those Regulations apply to England, Wales and Scotland, and~~
- ~~(b) — a medical device within the meaning given in—~~
 - ~~(i) — article 2 of Regulation (EU) 2017/745 of the European Parliament and of the Council of 5 April 2017 on medical devices, amending Directive 2001/83/EC, Regulation (EC) No 178/2002 and Regulation (EC) No 1223/2009 and repealing Council Directives 90/385/EEC and 93/42/EEC, and~~
 - ~~(ii) — article 2 of Regulation (EU) 2017/746 of the European Parliament and of the Council of 5 April 2017 on in vitro diagnostic medical devices and repealing Directive 98/79/EC and Commission Decision 2010/227/EU,~~

~~in so far as those Regulations apply to Northern Ireland;~~

“medical device” has the meaning given by regulation 2 of the Medical Devices Regulations 2002 (of Parliament)²¹⁵;]²¹⁶

“military goods” means—

²⁰⁹ Inserted by SI 2022/792.

²¹⁰ Substituted by SI 2023/1364.

²¹¹ Inserted by SI 2022/452.

²¹²

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1042678/MSN_1874_Amendment_5.pdf

²¹³ Substituted by SI 2023/1364.

²¹⁴ Inserted by SI 2022/792.

²¹⁵ SI 2002/618.

²¹⁶ Inserted by SI 2022/689.

- (a) any thing for the time being specified in Schedule 2 to the Export Control Order 2008, other than any thing which is military technology, and
- (b) any tangible storage medium on which military technology is recorded or from which it can be derived;

“military technology” means any thing for the time being specified in Schedule 2 to the Export Control Order 2008 which is described as software or technology;

[“oil and oil products” means any thing specified in Schedule 3F;]²¹⁷

[“oil refining goods” means –

- (a) any thing specified in Schedule 2D, other than –
 - (i) any thing which is oil refining technology, or
 - (ii) any thing for the time being specified in –
 - (aa) Schedule [2]²¹⁸ to the Export Control Order 2008²¹⁹,
 - (bb) Annex 1 of the Dual-Use Regulation²²⁰,
 - (cc) Schedule 2A, or
 - (dd) Part 2 of Schedule 3, and
- (b) any tangible storage medium on which oil refining technology is recorded or from which it can be derived;

“oil refining technology” means any thing described in Schedule 2D as software or technology, other than any thing for the time being specified in –

- (a) Schedule [2]²²¹ to the Export Control Order 2008,
- (b) Annex 1 of the Dual-Use Regulation, or
- (c) Schedule 2A;

~~“professional and business services” means the services described in regulation 54B;~~²²²

“quantum computing and advanced materials goods” means –

- (a) any thing specified in Schedule 2E, other than –
 - (i) any thing which is quantum computing and advanced materials technology, or

²¹⁷ Inserted by SI 2022/850.

²¹⁸ Substituted by SI 2023/1364.

²¹⁹ S.I. 2008/3231. Schedule 2 was substituted by S.I. 2017/85; and Schedule 3 was substituted by S.I. 2010/2007. Relevant amending instruments are 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. 2020/1520 and S.I. 2021/586.

²²⁰ See regulation 21 of the 2019 Regulations for the definition of “the Dual Use Regulation”.

²²¹ Substituted by SI 2023/1364.

²²² Omitted by SI 2022/1110.

- (ii) any thing for the time being specified in –
 - (aa) Schedule 2 [~~or 3~~]²²³ to the Export Control Order 2008,
 - (bb) Annex 1 of the Dual-Use Regulation,
 - (cc) Schedule 2A,
 - (dd) Schedule 2C,
 - (ee) Schedule 2D, or
 - (ff) Part 2 of Schedule 3, and
- (b) any tangible storage medium on which quantum computing and advanced materials technology is recorded or from which it can be derived;

“quantum computing and advanced materials technology” means any thing described in Schedule 2E as software or technology, other than anything for the time being specified in –

- (a) Schedule 2 [~~or 3~~]²²⁴ to the Export Control Order 2008,
- (b) Annex 1 of the Dual-Use Regulation,
- (c) Schedule 2A,
- (d) Schedule 2C, or
- (e) Schedule 2D;]²²⁵

[“restricted goods” means –

- (a) critical-industry goods;
- (b) dual-use goods;
- (c) military goods;
- [(d) aviation and space goods;]²²⁶
- [(e) oil refining goods;
- (f) quantum computing and advanced materials goods;]²²⁷
- [(g) defence and security goods;
- (h) maritime goods;]²²⁸

“restricted technology” means –

²²³ Omitted by SI 2023/1364.

²²⁴ Omitted by SI 2023/1364.

²²⁵ Inserted by SI 2022/452.

²²⁶ Inserted by SI 2022/241.

²²⁷ Inserted by SI 2022/452.

²²⁸ Inserted by SI 2022/792.

- (a) critical-industry technology;
- (b) dual-use technology;
- (c) military technology;]²²⁹
- [(d) aviation and space technology;]²³⁰
- [(e) oil refining technology;
- (f) quantum computing and advanced materials technology;]²³¹
- [(g) defence and security technology;
- (h) maritime technology;]²³²

a references to goods which “originate” in a country includes a reference to goods which are manufactured or produced in that country;

“place” includes –

- (a) any vehicle, ship or aircraft;**
- (b) any installation (including a floating installation or one resting on the seabed or its subsoil or on other land covered with water or its subsoil); or**
- (c) any tent or movable structure;**

[“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~~]²³³ to the Export Control Order 2008,
- (b) Annex 1 to the Dual-Use Regulation, or
- (c) Schedule 2A;]²³⁴

“ship” includes every description of vessel (including a hovercraft) used in navigation;

“technical assistance”, in relation to goods or technology, means—

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

[“technology relating to chemical and biological weapons” means any thing specified as technology or software in Part 4 of Schedule 3C [(except any thing for the time

²²⁹ Inserted by SI 2022/195.

²³⁰ Inserted by SI 2022/241.

²³¹ Inserted by SI 2022/452.

²³² Inserted by SI 2022/792.

²³³ Omitted by SI 2023/1364.

²³⁴ Inserted by SI 2022/1110.

being specified in Schedule 2 to the Export Control Order 2008 or in Annex 1 of the Dual-Use Regulation)]²³⁵, 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;]²³⁶

~~“transfer” has the meaning given in paragraph 37 of Schedule 1 to the Act.~~

“transfer”, in relation to any technology, means a transfer by any means (or combination of means), including oral communication and the transfer of goods on which technology is recorded or from which it can be derived, other than the export of such goods.

(2) For the purposes of this Part, a person is to be regarded as “connected with” Russia if the person is—

- (a) an individual who is, or an association or combination of individuals who are, ordinarily resident in Russia,
- (b) an individual who is, or an association or combination of individuals who are, located in Russia,
- (c) a person, other than an individual, which is incorporated or constituted under the law of Russia, or
- (d) a person, other than an individual, which is domiciled in Russia.

(3) For the purposes of this Part, a person is to be regarded as “connected with” Crimea if the person is—

- (a) an individual who is, or an association or combination of individuals who are, ordinarily resident in [non-government controlled Ukrainian territory]²³⁷,
- (b) an individual who is, or an association or combination of individuals who are, located in [non-government controlled Ukrainian territory]²³⁸, or
- (c) a person, other than an individual, which has its registered office, central administration or principal place of business located in [non-government controlled Ukrainian territory]²³⁹.

~~(4) Paragraphs 32 to 36 of Schedule 1 to the Act (trade sanctions) apply for the purpose of interpreting expressions in this Part.~~

²³⁵ Inserted by SI 2023/1364.

²³⁶ Inserted by SI 2022/792.

²³⁷ Substituted by SI 2022/395.

²³⁸ Substituted by SI 2022/395.

²³⁹ Substituted by SI 2022/395.

[(4A) The definition of “goods relating to chemical and biological weapons” does not apply to anything specified in Part 4 of Schedule 3C –

- (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.

(4B) For the purposes of the definition of “interception and monitoring goods” in paragraph (1) “a relevant Part 2 item” means any thing described in Part 2 of Schedule 3C, other than –

- (a) any thing which is interception and monitoring technology, or
- (b) any thing for the time being specified in –
 - (i) Schedule 2 to the Export Control Order 2008, or
 - (ii) Annex I of the Dual-Use Regulation.

(4C) The definition of “interception and monitoring technology” does not apply to software which is –

- (a) generally available to the public, or
- (b) in the public domain.

(4D) For the purposes of this Part, the following terms have the meaning given to them in the Dual-Use Regulation –

“basic scientific research”;

“in the public domain”.]²⁴⁰

(5) In this Part, any reference to the ~~United Kingdom~~ **Isle of Man** includes a reference to the territorial sea.

[Definition of interception and monitoring services

21A. (1) For the purposes of this Part, “interception and monitoring services” means any service that has as its object or effect the interception of a communication in the course of its transmission by means of a telecommunication system.

(2) A person intercepts a communication in the course of its transmission by means of a telecommunication system if, and only if –

- (a) the person does a relevant act in relation to the system; and

²⁴⁰ Paragraphs (4A) to (4C) inserted by SI 2022/792.

- (b) the effect of the relevant act is to make any content of the communication available, at a relevant time, to a person who is not the sender or intended recipient of the communication.

(3) In paragraph (2) a "relevant act", in relation to a telecommunication system, means

- (a) modifying, or interfering with, the system or its operation;
- (b) monitoring transmissions made by means of the system;
- (c) monitoring transmissions made by wireless telegraphy to or from apparatus that is part of the system.

(4) In paragraph (2), a "relevant time", in relation to a communication transmitted by means of a telecommunication system, means –

- (a) any time while the communication is being transmitted; and
- (b) any time when the communication is stored in or by the system (whether before or after its transmission).

(5) For the purpose of paragraph (2), the cases in which any content of a communication is to be taken to be made available to a person at a relevant time include any case in which any of the communication is diverted or recorded at a relevant time so as to make the content of the communication available to a person after that time.

(6) In paragraph (3), references to modifying a telecommunication system include references to attaching any apparatus to, or otherwise modifying or interfering with –

- (a) any part of the system; or
- (b) any wireless telegraphy apparatus used for making transmissions to or from apparatus that is part of the system.

(7) For the purposes of this regulation, the following definitions also apply –

"apparatus" includes any equipment, machinery or device (whether physical or logical) and any wire or cable;

"communication", for the purpose of a telecommunication system, includes –

- (a) anything comprising speech, music, sounds, visual images or data of any description; and
- (b) signals serving for the impartation of anything between persons, between a person and a thing or between things, for the actuation or control of an apparatus;

"content", in relation to a communication and a telecommunication system, means any element of the communication, or any data attached to or logically associated with the communication, which reveals anything of what might reasonably be considered to be the meaning (if any) of the communication, but –

- (a) any meaning arising from the fact of the communication or from any data relating to the transmission of the communication is to be disregarded; and

(b) anything which is systems data is not content;

"systems data" means any data that enables or facilitates, or identifies or describes anything connected with enabling or facilitating, the functioning of a telecommunication system (including any apparatus forming part of the system);

"a telecommunication system" means a system (including the apparatus comprised in it) that exists for the purpose of facilitating the transmission of communications by any means involving the use of electrical or electromagnetic energy;

"wireless telegraphy" and "wireless telegraphy apparatus" have the same meaning as in sections 116 and 117 of the Wireless Telegraphy Act 2006²⁴¹ **(of Parliament) (as it has effect in the Isle of Man)**^{242, 243}

CHAPTER 2

[Restricted goods, restricted technology]²⁴⁴ and related activities

Export of [restricted goods]²⁴⁵

22. (1) The export of [restricted goods]²⁴⁶ to, or for use in, Russia is prohibited.

[(1A) The export of maritime goods and maritime technology for the placing on board of a Russian-flagged vessel is prohibited.]²⁴⁷

(2) [Paragraphs (1) and (1A) are]²⁴⁸ subject to Part 7 (Exceptions and licences).

Import of arms and related materiel

23. (1) The import of arms and related materiel which are consigned from Russia is prohibited.

(2) The import of arms and related materiel which originate in Russia is prohibited.

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

(4) In this regulation "arms and related materiel" means—

(a) military goods, and

(b) any thing which falls within chapter 93 of the Goods Classification Table, other than military goods.

(5) For the purposes of the definition of "arms and related materiel", whether a thing "falls within chapter 93 of the Goods Classification Table" is to be interpreted in accordance with paragraph 1 of Schedule 3.

Supply and delivery of [restricted goods]²⁴⁹

24. (1) A person must not—

²⁴¹ 2006 c.36.

²⁴² The Wireless Telegraphy Act 2006 was extended to the Island by SI 2007/278.

²⁴³ Regulation 21A was inserted by SI 2022/792.

²⁴⁴ Substituted by SI 2022/195.

²⁴⁵ Substituted by SI 2022/195.

²⁴⁶ Substituted by SI 2022/195.

²⁴⁷ Inserted by SI 2022/792.

²⁴⁸ Substituted by SI 2022/792.

²⁴⁹ Substituted by SI 2022/195.

- (a) directly or indirectly supply or deliver [restricted goods]²⁵⁰ from a third country to a place in Russia;
- (b) directly or indirectly supply or deliver military goods from a place in Russia to a third country.
- [(c) directly or indirectly supply or deliver maritime goods or maritime technology from a third country for the placing on board of a Russian-flagged vessel.]²⁵¹
- (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 goods were destined (or ultimately destined) for 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 supply or delivery was from a place in Russia, whether directly or indirectly.
 - [(c) it is a defence for a person charged with the offence of contravening paragraph (1)(c) to show that the person did not know and had no reasonable cause to suspect that the supply or delivery was for the placing on board of a Russian-flagged vessel, whether directly or indirectly.]²⁵²

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

Making available or acquiring [restricted goods]²⁵³ and [restricted technology]²⁵⁴

25. (1) A person must not—
- (a) directly or indirectly make [restricted goods]²⁵⁵ or [restricted technology]²⁵⁶ available to a person connected with Russia;
 - (b) directly or indirectly make [restricted goods]²⁵⁷ or [restricted technology]²⁵⁸ available for use in Russia;
 - (c) directly or indirectly acquire military goods or military technology from a person connected with Russia;
 - (d) ...omitted;
 - (e) directly or indirectly acquire military goods or military technology located in Russia.

²⁵⁰ Substituted by SI 2022/195.

²⁵¹ Inserted by SI 2022/792.

²⁵² Inserted by SI 2022/792.

²⁵³ Substituted by SI 2022/195.

²⁵⁴ Substituted by SI 2022/195.

²⁵⁵ Substituted by SI 2022/195.

²⁵⁶ Substituted by SI 2022/195.

²⁵⁷ Substituted by SI 2022/195.

²⁵⁸ Substituted by SI 2022/195.

- [(f) directly or indirectly make maritime goods or maritime technology available for the placing on board of a Russian-flagged vessel.]²⁵⁹
- (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) or (c) ("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 (1)(b) to show that the person did not know and had no reasonable cause to suspect that the goods or technology were for use in Russia;
 - (c)omitted;
 - (d) it is a defence for a person charged with the offence of contravening paragraph (1)(e) to show that the person did not know and had no reasonable cause to suspect that the goods or technology were located in Russia.
 - [(e) it is a defence for a person charged with the offence of contravening paragraph (1)(f) to show that the person did not know and had no reasonable cause to suspect that the goods or technology were to be made available for the placing on board of a Russian-flagged vessel.]²⁶⁰

Transfer of [restricted technology]²⁶¹

- 26. (1) A person must not—
 - (a) transfer [restricted technology]²⁶² to a place in Russia;
 - (b) transfer [restricted technology]²⁶³ to a person connected with Russia;
 - (c) transfer military technology to persons outside the ~~United Kingdom~~ **Isle of Man** or to a place outside the ~~United Kingdom~~ **Isle of Man**, where the transfer is from a place in Russia.
 - [(d) transfer maritime technology to a Russian-flagged vessel.]²⁶⁴
- (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 transfer was to a place in Russia;

²⁵⁹ Inserted by SI 2022/792.

²⁶⁰ Inserted by SI 2022/792.

²⁶¹ Substituted by SI 2022/195.

²⁶² Substituted by SI 2022/195.

²⁶³ Substituted by SI 2022/195.

²⁶⁴ Inserted by SI 2022/792.

- (b) it is a defence for a person charged with the offence of contravening paragraph (1)(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 (1)(c) to show that the person did not know and had no reasonable cause to suspect that the transfer was from a place in Russia.
- [(d) it is a defence for a person charged with the offence of contravening paragraph (1)(d) to show that the person did not know and had no reasonable cause to suspect that the transfer was to a Russian-flagged vessel.]²⁶⁵

Technical assistance relating to [restricted goods]²⁶⁶ and [restricted technology]²⁶⁷

27. (1) A person must not directly or indirectly provide technical assistance relating to [restricted goods]²⁶⁸ or [restricted technology]²⁶⁹—

- (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 or technology were for use in Russia.

Financial services and funds relating to [restricted goods]²⁷⁰ and [restricted technology]²⁷¹

28. (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 [restricted goods]²⁷²,
- (b) the direct or indirect supply or delivery of [restricted goods]²⁷³,
- (c) directly or indirectly making [restricted goods]²⁷⁴ or [restricted technology]²⁷⁵ available to a person,

²⁶⁵ Inserted by SI 2022/792.

²⁶⁶ Substituted by SI 2022/195.

²⁶⁷ Substituted by SI 2022/195.

²⁶⁸ Substituted by SI 2022/195.

²⁶⁹ Substituted by SI 2022/195.

²⁷⁰ Substituted by SI 2022/195.

²⁷¹ Substituted by SI 2022/195.

²⁷² Substituted by SI 2022/195.

²⁷³ Substituted by SI 2022/195.

²⁷⁴ Substituted by SI 2022/195.

²⁷⁵ Substituted by SI 2022/195.

- (d) the transfer of [restricted technology]²⁷⁶, or
- (e) the direct or indirect provision of technical assistance relating to [restricted goods]²⁷⁷ or [restricted technology]²⁷⁸.

(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 [restricted goods]²⁷⁹ to, or for use in, Russia;
- (b) the direct or indirect supply or delivery of [restricted goods]²⁸⁰ to a place in Russia;
- (c) directly or indirectly making [restricted goods]²⁸¹ or [restricted technology]²⁸² available—
 - (i) to a person connected with Russia, or
 - (ii) for use in Russia;
- (d) the transfer of [restricted technology]²⁸³—
 - (i) to a person connected with Russia, or
 - (ii) to a place in Russia; or
- (e) the direct or indirect provision of technical assistance relating to [restricted goods]²⁸⁴ or [restricted technology]²⁸⁵—
 - (i) to a person connected with Russia, or
 - (ii) for use in Russia.

(4) ...omitted.

(5) ...omitted.

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

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

²⁷⁶ Substituted by SI 2022/195.

²⁷⁷ Substituted by SI 2022/195.

²⁷⁸ Substituted by SI 2022/195.

²⁷⁹ Substituted by SI 2022/195.

²⁸⁰ Substituted by SI 2022/195.

²⁸¹ Substituted by SI 2022/195.

²⁸² Substituted by SI 2022/195.

²⁸³ Substituted by SI 2022/195.

²⁸⁴ Substituted by SI 2022/195.

²⁸⁵ Substituted by SI 2022/195.

- (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: ~~non-UK~~ non-IOM activity relating to [restricted goods]²⁸⁶ and [restricted technology]²⁸⁷

29. (1) A person must not directly or indirectly provide brokering services in relation to an arrangement ("arrangement A") whose object or effect is—

- (a) the direct or indirect supply or delivery of [restricted goods]²⁸⁸ from a third country to a place in Russia;
- (b) directly or indirectly making [restricted goods]²⁸⁹ available in a third country for direct or indirect supply or delivery—
 - (i) to a person connected with Russia, or
 - (ii) to a place in Russia;
- (c) directly or indirectly making [restricted technology]²⁹⁰ available in a third country for transfer—
 - (i) to a person connected with Russia, or
 - (ii) to a place in Russia;
- (d) the transfer of [restricted technology]²⁹¹ from a place in a third country—
 - (i) to a person connected with Russia, or
 - (ii) to a place in Russia;
- (e) the direct or indirect provision, in a ~~non-UK~~ **non-IOM** country, of technical assistance relating to [restricted goods]²⁹² or [restricted technology]²⁹³—
 - (i) to a person connected with Russia, or
 - (ii) for use in Russia;
- (f) the direct or indirect provision, in a ~~non-UK~~ **non-IOM** country, of financial services—

²⁸⁶ Substituted by SI 2022/195.

²⁸⁷ Substituted by SI 2022/195.

²⁸⁸ Substituted by SI 2022/195.

²⁸⁹ Substituted by SI 2022/195.

²⁹⁰ Substituted by SI 2022/195.

²⁹¹ Substituted by SI 2022/195.

²⁹² Substituted by SI 2022/195.

²⁹³ Substituted by SI 2022/195.

- (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 28(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 28(3);
 - (g) 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 28(1); or
 - (h) 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 28(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 that is not the United Kingdom;~~
- “non-IOM country” means a country that is not the Isle of Man;**
- “third country” means—
- (a) for the purposes of paragraph (1)(a) and (b), a country that is not the United Kingdom, the Isle of Man or Russia,
 - (b) for the purposes of any other provision of paragraph (1), a country that is not the ~~United Kingdom~~ **Isle of Man** or Russia.

[Insurance and reinsurance services relating to aviation and space goods and aviation and space technology

- 29A. (1) A person must not directly or indirectly provide insurance or reinsurance services relating to aviation and space goods or aviation and space technology –
- (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 or technology were for use in Russia.]²⁹⁴

Enabling or facilitating military activities

30. (1) A person must not directly or indirectly provide—
- (a) technical assistance,
 - (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~~ **non-IOM** country, anything mentioned in subparagraphs (a) to (c),

where such provision enables or facilitates the conduct of military activities carried on or proposed to be carried on by the Russian military or any other military end-user who is a person connected with Russia.

- (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 provision as mentioned in paragraph (1) would enable or facilitate the conduct of military activities carried on or proposed to be carried on by the Russian military or any other military end-user who is a person connected with Russia.

- (4) In this regulation—

~~“non-UK country” means a country that is not the United Kingdom;~~

“non-IOM country” means a country that is not the Isle of Man;

“technical assistance” means the provision of technical support or any other technical service.

(5) Nothing in this regulation is to be taken to limit the meaning of any of the prohibitions contained in this Part.

[CHAPTER 2A

Goods and technology relating to non-government controlled Ukrainian territory

Interpretation

30A. In this Chapter —

“relevant restricted goods” means only those restricted goods which are not infrastructure-related goods but which are military goods;

²⁹⁴ Inserted by SI 2022/241.

“relevant restricted technology” means only that restricted technology with is military technology.

Export of relevant restricted goods and relevant restricted technology

[30B. (1) The export of relevant restricted goods to, or for use in, Crimea is prohibited.

(2) The export of relevant restricted goods to, or for use in, non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts is prohibited.

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

(4) It is a defence for a person charged with the offence under ~~section 68(1)~~ **section 69(1)** (offences in relation to exportation of prohibited or restricted goods) of CEMA in relation to the prohibition in paragraph (2) to show that they did not know and had no reasonable cause to suspect that the export was, or would have been, to, or the goods were for use in, non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts.]²⁹⁵

Supply and delivery of relevant restricted goods and relevant restricted technology

30C. (1) A person must not directly or indirectly supply or deliver relevant restricted goods and relevant restricted technology from a third country to a place in non-government controlled Ukrainian territory.

(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 goods or technology were destined (or ultimately destined) for non-government controlled Ukrainian territory.

(4) In this regulation, “third country” means a country that is not the United Kingdom or the Isle of Man.

Making available relevant restricted goods and relevant restricted technology

30D. (1) A person must not –

- (a) directly or indirectly make relevant restricted goods or relevant restricted technology available to a person connected with non-government controlled Ukrainian territory; or
- (b) directly or indirectly make relevant restricted goods or relevant restricted technology available for use in non-government controlled Ukrainian territory.

(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 non-government controlled Ukrainian territory;

²⁹⁵ Substituted by SI 2023/665.

- (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 goods or technology were for use in non-government controlled Ukrainian territory.

Transfer of relevant restricted technology

- 30E. (1) A person must not –
- (a) transfer relevant restricted technology to a place in non-government controlled Ukrainian territory; or
 - (b) transfer relevant restricted technology to a person connected with non-government controlled Ukrainian territory.
- (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 transfer was to a place in non-government controlled Ukrainian territory;
 - (b) it is a defence for a person charged with an offence of contravening paragraph (1)(b) ("P") to show that P did not know and had no reasonable cause to suspect that the person was connected with non-government controlled Ukrainian territory.

Technical assistance relating to relevant restricted goods and relevant restricted technology

- 30F. (1) A person must not directly or indirectly provide technical assistance relating to relevant restricted goods or relevant restricted technology –
- (a) to a person connected with non-government controlled Ukrainian territory; or
 - (b) for use in non-government controlled Ukrainian territory.
- (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 non-government controlled Ukrainian territory;
 - (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 or technology were for use in non-government controlled Ukrainian territory.

Financial services and funds relating to relevant restricted goods and relevant restricted technology

30G. (1) A person must not directly or indirectly provide, to a person connected with non-government controlled Ukrainian territory, financial services in pursuance of or in connection with an arrangement whose object or effect is –

- (a) the export of relevant restricted goods;
- (b) the direct or indirect supply or delivery of relevant restricted goods;
- (c) directly or indirectly making relevant restricted goods or relevant restricted technology available to a person;
- (d) the transfer of relevant restricted technology; or
- (e) the direct or indirect provision of technical assistance relating to relevant restricted goods or relevant restricted technology.

(2) A person must not directly or indirectly provide funds to a person connected with non-government controlled Ukrainian territory 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 relevant restricted goods to, or for use in, non-government controlled Ukrainian territory;
- (b) the direct or indirect supply or delivery of relevant restricted goods to a place in non-government controlled Ukrainian territory;
- (c) directly or indirectly making relevant restricted goods or relevant restricted technology available –
 - (i) to a person connected with non-government controlled Ukrainian territory, or
 - (ii) for use in non-government controlled Ukrainian territory;
- (d) the transfer of relevant restricted technology –
 - (i) to a person connected with non-government controlled Ukrainian territory; or
 - (ii) to a place in non-government controlled Ukrainian territory; or
- (e) the direct or indirect provision of technical assistance relating to relevant restricted goods or relevant restricted technology –
 - (i) to a person connected with non-government controlled Ukrainian territory, or
 - (ii) for use in non-government controlled Ukrainian territory.

(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 non-government controlled Ukrainian territory;
- (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 relevant restricted goods and relevant restricted technology

30H. (1) A person must not directly or indirectly provide brokering services to a person connected with non-government controlled Ukrainian territory in relation to an arrangement whose object or effect is –

- (a) the export of relevant restricted goods;
- (b) the direct or indirect supply or delivery of relevant restricted goods;
- (c) directly or indirectly making relevant restricted goods or relevant restricted technology available to a person;
- (d) the transfer of relevant restricted technology; or
- (e) the direct or indirect provision of technical assistance relating to relevant restricted goods or relevant restricted technology.

(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.]²⁹⁶

²⁹⁶ Chapter 2A inserted by SI 2022/792.

**[CHAPTER 3
Dual-use goods, dual-use technology and related activities]**

Interpretation of this Chapter

31. — For the purposes of this Chapter —

(a) — goods are “for military use” if they are —

(i) — for use by the Russian military or any other military end-user, or

(ii) — for any military use;

(b) — technology is “for military use” if it —

(i) — relates to military activities carried on or proposed to be carried on by the Russian military or any other military end-user, or

(ii) — is for any military use.

Export of dual-use goods

32. — (1) — The export to Russia of dual-use goods for military use is prohibited.

— (2) — The export of dual-use goods for military use in Russia is prohibited.

— (3) — The export of dual-use goods to or for use by a person mentioned in Schedule 4 is prohibited.

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

Supply and delivery of dual-use goods

33. — (1) — A person must not —

(a) — directly or indirectly supply or deliver dual-use goods for military use from a third country to a place in Russia;

(b) — directly or indirectly supply or deliver dual-use goods from a third country to or for use by a person mentioned in Schedule 4.

— (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 —

(i) — the goods were destined (or ultimately destined) for Russia, or

(ii) — the goods were for military use;

(b) — it is a defence for a person charged with the offence of contravening paragraph (1)(b) (“P”) to show that P did not know and had no reasonable cause to suspect that the person to whom, or for whose use, the goods were supplied or delivered was a person mentioned in Schedule 4.

~~—— (4) —— In this regulation “third country” means a country that is not the United Kingdom, the Isle of Man or Russia.~~

Making dual-use goods and dual-use technology available

~~34. (1) A person must not ——~~

- ~~(a) —— directly or indirectly make available, to a person connected with Russia, dual-use goods for military use or dual-use technology for military use;~~
- ~~(b) —— directly or indirectly make available dual-use goods for military use in Russia or dual-use technology for military use in Russia;~~
- ~~(c) —— directly or indirectly make dual-use goods available to or for use by a person mentioned in Schedule 4.~~

~~—— (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 ——
 - ~~(i) —— the person was connected with Russia, or~~
 - ~~(ii) —— the goods or technology were for military use;~~~~
- ~~(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 or technology were for military use in Russia;~~
- ~~(c) —— it is a defence for a person charged with an offence of contravening paragraph (1)(c) (“P”) to show that P did not know and had no reasonable cause to suspect that the person to whom or for whose benefit the goods were made available was a person mentioned in Schedule 4.~~

Transfer of dual-use technology

~~35. (1) A person must not ——~~

- ~~(a) —— transfer dual-use technology for military use to a place in Russia;~~
- ~~(b) —— transfer dual-use technology for military use to a person connected with Russia;~~
- ~~(c) —— transfer dual-use technology to a person mentioned in Schedule 4.~~

~~—— (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 ——~~

- (i) — the transfer was to a place in Russia, or
- (ii) — the technology was for military use;
- (b) — it is a defence for a person charged with the offence of contravening paragraph (1)(b) ("P") to show that P did not know and had no reasonable cause to suspect that—
 - (i) — the person was connected with Russia, or
 - (ii) — the technology was for military use;
- (c) — it is a defence for a person charged with an offence of contravening paragraph (1)(c) ("P") to show that P did not know and had no reasonable cause to suspect that the person to whom the technology was transferred was a person mentioned in Schedule 4.

Technical assistance relating to dual-use goods and dual-use technology

36. — (1) — A person must not directly or indirectly—
- (a) — provide technical assistance relating to dual-use goods for military use or dual-use technology for military use to a person connected with Russia;
 - (b) — provide technical assistance relating to dual-use goods for military use in Russia or dual-use technology for military use in Russia;
 - (c) — provide technical assistance relating to dual-use goods or dual-use technology to a person mentioned in Schedule 4;
 - (d) — provide technical assistance relating to dual-use goods or dual-use technology for use by a person mentioned in Schedule 4.
- (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) ("P") to show that P did not know and had no reasonable cause to suspect that—
 - (i) — the person was connected with Russia, or
 - (ii) — the goods or technology were for military use;
 - (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 goods or technology were for military use in Russia;
 - (c) — it is a defence for a person charged with the offence of contravening paragraph (1)(c) ("P") to show that P did not know and had no reasonable cause to suspect that the person was a person mentioned in Schedule 4;
 - (d) — it is a defence for a person charged with the offence of contravening paragraph (1)(d) to show that the person did not know and had no

reasonable cause to suspect that the goods or technology were for use by a person mentioned in Schedule 4.

Financial services and funds relating to dual-use goods and dual-use technology

37. (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 dual-use goods for military use;
- (b) the direct or indirect supply or delivery of dual-use goods for military use;
- (c) directly or indirectly making dual-use goods for military use or dual-use technology for military use available to a person;
- (d) the transfer of dual-use technology for military use; or
- (e) the direct or indirect provision of technical assistance relating to dual-use goods for military use or dual-use technology for military use.

(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, to a person mentioned in Schedule 4, financial services or funds in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of dual-use goods;
- (b) the direct or indirect supply or delivery of dual-use goods;
- (c) directly or indirectly making dual-use goods or technology available to a person;
- (d) the transfer of dual-use technology; or
- (e) the direct or indirect provision of technical assistance relating to dual-use goods or dual-use technology.

(4) 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 to Russia of dual-use goods for military use;
- (b) the export of dual-use goods for military use in Russia;
- (c) the export of dual-use goods to or for use by a person mentioned in Schedule 4;
- (d) the direct or indirect supply or delivery of dual-use goods for military use to a place in Russia;
- (e) the direct or indirect supply or delivery of dual-use goods to or for use by a person mentioned in Schedule 4;
- (f) directly or indirectly making available, to a person connected with Russia, dual-use goods for military use or dual-use technology for military use;

- (g) ~~directly or indirectly making available dual-use goods for military use in Russia or dual-use technology for military use in Russia;~~
- (h) ~~directly or indirectly making dual-use goods or dual-use technology available to or for use by a person mentioned in Schedule 4.~~
- (i) ~~the transfer of dual-use technology for military use—~~
 - (i) ~~to a person connected with Russia, or~~
 - (ii) ~~to a place in Russia;~~
- (j) ~~the transfer of dual-use technology to a person mentioned in Schedule 4;~~
- (k) ~~the direct or indirect provision of technical assistance relating to dual-use goods for military use or dual-use technology for military use to a person connected with Russia;~~
- (l) ~~the direct or indirect provision of technical assistance relating to dual-use goods for military use in Russia or dual-use technology for military use in Russia;~~
- (m) ~~the direct or indirect provision of technical assistance relating to dual-use goods or dual-use technology to a person mentioned in Schedule 4;~~
- (n) ~~the direct or indirect provision of technical assistance relating to dual-use goods or dual-use technology for use by a person mentioned in Schedule 4.~~

~~— (5) Paragraphs (1) to (4) are subject to Part 7 (Exceptions and licences).~~

~~— (6) A person who contravenes a prohibition in any of paragraphs (1) to (4) commits an offence, but—~~

- (a) ~~it is a defence for a person charged with an offence of contravening a prohibition in 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 an offence of contravening a prohibition in paragraph (3) ("P") to show that P did not know and had no reasonable cause to suspect that the person was a person mentioned in Schedule 4;~~
- (c) ~~it is a defence for a person charged with an offence of contravening a prohibition in paragraph (4) 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: non-UK non-IOM activity relating to dual-use goods and dual-use technology~~

~~38. (1) A person ("P") must not directly or indirectly provide brokering services in relation to an arrangement ("arrangement A") whose object or effect is—~~

- (a) ~~the direct or indirect supply or delivery of dual-use goods for military use from a third country to a place in Russia;~~

- (b) ~~the direct or indirect supply or delivery of dual-use goods to or for use by a person mentioned in Schedule 4;~~
- (c) ~~directly or indirectly making dual-use goods for military use available in a third country for direct or indirect supply or delivery—~~
 - (i) ~~to a person connected with Russia, or~~
 - (ii) ~~to a place in Russia;~~
- (d) ~~directly or indirectly making dual-use technology for military use available in a third country for transfer—~~
 - (i) ~~to a person connected with Russia, or~~
 - (ii) ~~to a place in Russia;~~
- (e) ~~directly or indirectly making dual-use goods or dual-use technology available to or for use by a person mentioned in Schedule 4;~~
- (f) ~~the transfer of dual-use technology for military use from a place in a third country—~~
 - (i) ~~to a person connected with Russia, or~~
 - (ii) ~~to a place in Russia;~~
- (g) ~~the transfer of dual-use technology from a place in a third country to a person mentioned in Schedule 4;~~
- (h) ~~the direct or indirect provision, in a non-UK **non-IOM** country, of technical assistance relating to dual-use goods for military use or dual-use technology for military use—~~
 - (i) ~~to a person connected with Russia, or~~
 - (ii) ~~for use in Russia;~~
- (i) ~~the direct or indirect provision, in a non-UK **non-IOM** country, of technical assistance relating to dual-use goods or dual-use technology to a person mentioned in Schedule 4;~~
- (j) ~~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 37(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 37(3);~~
- (k) ~~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 37(1); or

- (1) ~~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 37(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 that is not the United Kingdom;~~

~~“**non-IOM country**” means a country that is not the Isle of Man;~~

~~“third country” means—~~

~~(a) for the purposes of paragraph (1)(a) and (c), a country that is not the United Kingdom, the Isle of Man or Russia;~~

~~(b) for the purposes of any other provision of paragraph (1), a country that is not the United Kingdom **Isle of Man** or Russia.]²⁹⁷~~

CHAPTER 4

Energy-related goods and related activities

Interpretation of this Chapter

39. For the purposes of this Chapter “Russia” includes Russia’s exclusive economic zone and continental shelf (which terms are to be interpreted in accordance with the United Nations Convention on the Law of the Sea)²⁹⁸.

Export of energy-related goods

40. [(1) The export of energy-related goods to, or for use in, Russia is prohibited.]²⁹⁹

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

[Supply and delivery of energy-related goods

41. (1) A person must not directly or indirectly supply or deliver energy-related goods from a third country to a place in Russia.

(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 the offence of contravening paragraph (1) to show that the

²⁹⁷ Omitted by SI 2022/195.

²⁹⁸ Command 8941.

²⁹⁹ Substituted by SI 2022/850.

person did not know and had no reasonable cause to suspect that the goods were destined (or ultimately destined) for Russia.

(4) In this regulation “third country” means a country that is not the United Kingdom, the Isle of Man or Russia.]³⁰⁰

Making energy-related goods available

42. (1) A person must not directly or indirectly make energy-related goods available for use in Russia.

[(1A) A person must not directly or indirectly make energy-related goods available to a person connected with Russia.]³⁰¹

(2) [Paragraphs (1) and (1A) are]³⁰² 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 goods were for use in Russia.

[(4) A person who contravenes a prohibition in paragraph (1A) commits an offence, but it is a defence for a person charged with that offence (“P”) to show that P did not know and had no reasonable cause to suspect that the person was connected with Russia.]³⁰³

[Technical assistance relating to energy-related goods

43. (1) A person must not directly or indirectly provide technical assistance relating to energy-related 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 the offence in 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 the offence in 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.]³⁰⁴

Financial services and funds relating to energy-related goods [~~and energy-related technology~~]³⁰⁵

44. (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—

³⁰⁰ Substituted by SI 2022/850.

³⁰¹ Inserted by SI 2022/850.

³⁰² Substituted by SI 2022/850.

³⁰³ Inserted by SI 2022/850.

³⁰⁴ Substituted by SI 2022/850.

³⁰⁵ Omitted by SI 2022/850.

- (a) the export of energy-related goods,
- (b) the direct or indirect supply or delivery of energy-related goods,
- (c) directly or indirectly making energy-related goods available to a person, or
- (d) the direct or indirect provision of technical assistance relating to energy-related 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 energy-related goods to, or for use in, Russia;
- (b) the direct or indirect supply or delivery of energy-related goods to a place in Russia;
- (c) directly or indirectly making energy-related goods available –
 - (i) to a person connected with Russia; or
 - (ii) for use in Russia;
- (d) the direct or indirect provision of technical assistance relating to energy related goods –
 - (i) to a person connected with Russia, or
 - (ii) for use in Russia.]³⁰⁶

(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 a prohibition in 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 an offence of contravening a prohibition in 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: ~~non-UK~~ non-IOM activity relating to energy-related goods [and energy-related technology]³⁰⁷

45. (1) A person (“P”) must not directly or indirectly provide brokering services in relation to an arrangement (“arrangement A”) whose object or effect is—

³⁰⁶ Substituted by SI 2022/850.

³⁰⁷ Omitted by SI 2022/850.

- (a) the direct or indirect supply or delivery of energy-related goods ~~[for use in Russia]~~³⁰⁸ from a third country to a place in Russia;
- [(b) directly or indirectly making energy-related goods available in a third country for direct or indirect supply or delivery –
 - (i) to a person connected with Russia, or
 - (ii) to a place in Russia;]³⁰⁹
- (c) the direct or indirect provision, in a ~~non-UK~~ **non-IOM** country, of technical assistance relating to energy-related goods—
 - (i) to a person connected with Russia, or
 - (ii) for use in Russia;
- (d) 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 44(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 44(3);
- (e) 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 44(1); or
- (f) 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 44(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 that is not the United Kingdom;~~

“non-IOM country” means a country that is not the Isle of Man;

“third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

³⁰⁸ Omitted by SI 2022/850.

³⁰⁹ Substituted by SI 2022/850.

Prohibition on providing other energy-related services

46. (1) A person must not provide, directly or indirectly, relevant energy services.
- (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 person was providing relevant energy services.
- (4) In this regulation—
- [“relevant energy services” means specified services necessary for an oil or gas exploration or production project in Russia;]³¹⁰
- ~~[“relevant oil exploration or production project” means a project in Russia within any of the following descriptions—~~
- ~~(a) — oil exploration and production in waters deeper than 150 metres;~~
- ~~(b) — oil exploration and production in the offshore area north of the Arctic Circle;~~
 ~~or~~
- ~~(c) — a project that has the potential to produce oil from resources located in shale formations by way of hydraulic fracturing, excluding exploration and production through shale formations to locate or extract oil from non-shale reservoirs;]³¹¹~~
- “specified services” means any of the following—
- (a) drilling;
- (b) well testing;
- (c) logging and completion services;
- (d) supply of specialised floating vessels.

[CHAPTER 4A

Aircraft and ships

Technical assistance relating to aircraft and ships

- 46A. (1) A person must not directly or indirectly provide to, or for the benefit of, a designated person technical assistance relating to –
- (a) an aircraft, or
- (b) a ship.
- (2) [Paragraph (1)(b)]³¹² does not apply to any technical assistance which is prohibited under regulation 27 (technical assistance relating to restricted goods and restricted technology).

³¹⁰ Substituted by SI 2022/850.

³¹¹ Omitted by SI 2022/850.

³¹² Substituted by SI 2022/850.

(3) Paragraph (1) is 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 an offence of contravening paragraph (1) ("P") to show that P did not know and had no reasonable cause to suspect that the technical assistance was provided to, or for the benefit of, a designated person.

(5) In this regulation –

"aircraft" includes unmanned aircraft and aircraft capable of spaceflight activities;

"designated person" means a person designated under regulation 5 (power to designate persons) for the purposes of this regulation;

"designated person" means a person who is designated by the Secretary of State from time to time under regulation 5 of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament)³¹³ for the purposes of regulation 46A of those Regulations;

"ship" includes every description of vessel (including a hovercraft) used in navigation.]³¹⁴

[CHAPTER 4B Luxury goods

Luxury goods

46B. (1) The export of luxury goods to, or for use in, Russia is prohibited.

(2) A person must not directly or indirectly –

- (a) supply or deliver luxury goods from a third country to a place in Russia;
- (b) make luxury goods available to a person connected with Russia;
- (c) make luxury 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.

³¹³ SI 2019/855.

³¹⁴ Inserted by SI 2022/395.

(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 luxury goods]

46BA. (1) A person must not directly or indirectly provide technical assistance relating to luxury 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 luxury goods were for use in Russia.

Financial services and funds relating to luxury goods

46BB. (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 export of luxury goods to, or for use in, Russia;
- (b) the direct or indirect supply or delivery of luxury goods to a place in Russia;
- (c) directly or indirectly making luxury 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 luxury goods –
 - (i) to a person connected with Russia, or
 - (ii) 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 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 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 luxury goods

- 46BC. (1) A person must not directly or indirectly provide brokering services relating to luxury goods –
- (a) to a person connected with Russia; or
 - (b) for use in Russia.
- (2) A person must not directly or indirectly provide brokering services in pursuance of or in connection with an arrangement whose object or effect is –
- (a) the export of luxury goods to, or for use in, Russia;
 - (b) the direct or indirect supply or delivery of luxury goods to a place in Russia;
 - (c) directly or indirectly making luxury 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 luxury goods –
 - (i) to a person connected with Russia, or
 - (ii) 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 any of paragraph (1) or (2) commits an offence, but –
- (a) it is a defence for a person charged with an offence of contravening paragraph (1) ("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 (2) to show that the person did not know and had no reasonable cause to suspect that the brokering services were provided in pursuance of or in connection with an arrangement in that paragraph.]³¹⁵

CHAPTER 4C

Iron and steel products

[Interpretation

46C. In this Chapter –

"iron and steel products" means any thing specified in Schedule 3B;

"third country" means a country that is not the United Kingdom, the Isle of Man or Russia.]³¹⁶

³¹⁵ Inserted by SI 2023/1364.

³¹⁶ Substituted by SI 2022/792.

Import of iron and steel products

- 46D. (1) The import of iron and steel products which are consigned from Russia is prohibited.
- (2) The import of iron and steel products which originate in Russia is prohibited.
- (3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions and licences).

Acquisitions of iron and steel products

- 46E. (1) A person must not directly or indirectly acquire iron and steel products –
- (a) which originate in Russia;
- (b) which are located 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 the offence of contravening paragraph (1)(a) to show that the person did not know and had no reasonable cause to suspect that the goods 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 goods were located in Russia.

Supply and delivery of iron and steel products

- 46F. (1) A person must not directly or indirectly supply or deliver iron and steel products from a place in Russia to a third country.
- (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 supply or delivery was from a place in Russia, whether directly or indirectly.
- (4) In this regulation, “third country” means a country that is not the United Kingdom, the Isle of Man or Russia.]³¹⁷

[Technical assistance relating to iron and steel products

- 46G. (1) A person must not directly or indirectly provide technical assistance relating to –
- (a) the import of iron and steel products which –
- (i) originate in Russia; or
- (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of iron and steel products which –

³¹⁷ Inserted by SI 2022/452.

- (i) originate in Russia; or
 - (ii) are located in Russia; or
- (c) the direct or indirect supply or delivery of iron and steel products from a place in Russia to a third country.
- (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), 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) 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 technical assistance related to an acquisition described in that paragraph;
 - (c) it is a defence for a person charged with an offence of contravening paragraph (1)(c), to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to a supply or delivery described in that paragraph.

Financial services and funds relating to iron and steel products

- 46H. (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 iron and steel products which –
 - (i) originate in Russia; or
 - (ii) are consigned from Russia;
 - (b) the direct or indirect acquisition of iron and steel products which –
 - (i) originate in Russia; or
 - (ii) are located in Russia; or
 - (c) the direct or indirect supply or delivery of iron and steel products from a place in Russia to a third country.
 - (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 iron and steel products

- 46I. (1) A person must not directly or indirectly provide brokering services in relation to any arrangements described in regulation 46H(1)(a) to (c).

(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.³¹⁸

[CHAPTER 4CA

Iron and steel products processed in a third country [~~and associated provision~~]³¹⁹

Interpretation

46IA. (1) In this Chapter –

“iron or steel product” means anything specified in [Part 1, 2 or 3 of]³²⁰ Schedule 3B (Iron and steel products);

“relevant day” means 30th September 2023;

“relevant processed iron or steel product” means any iron or steel product which –

- (a) has been processed in a third country; and
- (b) which incorporates one or more iron or steel products originating in Russia;

“third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

(2) For the purposes of the definition of “relevant processed iron or steel product” in paragraph (1), an iron or steel product is processed where it is –

- (a) altered;
- (b) transformed in any way; or
- (c) subjected to any other type of operation or process.

Import of relevant processed iron or steel products

46IB. (1) The import of a relevant processed iron or steel product, on or after the relevant day, is prohibited.

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

Technical assistance relating to relevant processed iron or steel products

46IC. (1) A person must not directly or indirectly provide technical assistance relating to the import of a relevant processed iron or steel product.

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

³¹⁸ Sections 46G to 46I inserted by SI 2022/792.

³¹⁹ Omitted by SI 2023/1364.

³²⁰ Inserted by SI 2023/1364.

(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 technical assistance related to an import described in that paragraph.

Financial services and funds relating to relevant processed iron or steel products

46ID. (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 a relevant processed iron or steel product.

(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 relevant processed iron or steel products

46IE. (1) A person must not directly or indirectly provide brokering services in pursuance of, or in connection, with any arrangements described in regulation 46ID.

(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 brokering services were provided in relation to an arrangement mentioned in that paragraph.]³²¹

[CHAPTER 4CB

Metals

Interpretation

46IF. In this Chapter –

“metals” means any thing specified in Schedule 3BA;

“third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

Import of metals

46IG. (1) The import of metals which are consigned from Russia is prohibited.

(2) The import of metals which originate in Russia is prohibited.

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

Acquisition of metals

46IH. (1) A person must not directly or indirectly acquire metals which –

(a) originate in Russia; or

³²¹ Regulations 46IA to 46IE inserted by SI 2023/440 – not in force until 30th September 2023.

- (b) are located 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 the offence of contravening paragraph (1)(a) to show that the person did not know and had no reasonable cause to suspect that the metals 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 metals were located in Russia.

Supply and delivery of metals

- 46II. (1) A person must not directly or indirectly supply or deliver metals from a place in Russia to a third country.
- (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 supply or delivery was from a place in Russia, whether directly or indirectly.]³²²

[CHAPTER 4D

Interception and monitoring services

Interpretation

- 46J. In this Chapter, "Government of Russia" has the meaning given in regulation 6(7) **(as that regulation has effect in the United Kingdom)**.

³²² Chapter CB inserted by SI 2023/1364.

Interception and monitoring services

46K. (1) A person must not directly or indirectly provide interception and monitoring services to, or for the benefit of, the Government of Russia.

(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 ("P") charged with that offence to show that P did not know and had no reasonable cause to suspect that the services were provided to, or for the benefit of, the Government of Russia.

CHAPTER 4E

Banknotes

Banknotes

46L. (1) The export of banknotes to, or for use in, Russia is prohibited.

(2) A person must not directly or indirectly –

(a) supply or deliver banknotes to a person connected with Russia;

(b) make banknotes available to a person connected with Russia; or

(c) make banknotes 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.

(5) In this regulation, "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.

(c) **Government notes issued by the Isle of Man Treasury under the Currency Act 1992 (of Tynwald).**

CHAPTER 4F

Jet fuel and fuel additives

Interpretation

46M. In this Chapter, "jet fuel and fuel additives" means the goods listed under that heading in Part 8 of Schedule 2A³²³.

Jet fuel and fuel additives

46N. (1) The export of jet fuel and fuel additives to, or for use in, Russia is prohibited.

³²³ Those goods are inserted into Part 8 by regulation 11(5) and Schedule 2.

- (2) A person must not directly or indirectly –
 - (a) supply or deliver jet fuel and fuel additives from a third country to a place in Russia;
 - (b) make jet fuel and fuel additives available to a person connected with Russia;
 - (c) make jet fuel and fuel additives 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 jet fuel and fuel additives 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 jet fuel and fuel additives 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 jet fuel and fuel additives

46O. (1) A person must not directly or indirectly provide technical assistance relating to jet fuel and fuel additives –

- (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), to show that the person did not know and had no reasonable cause to suspect that the technical assistance was to be provided to a person 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 technical assistance related to jet fuel and fuel additives for use in Russia.

Financial services and funds relating to jet fuel and fuel additives

46P. (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 jet fuel and fuel additives;
- (b) the direct or indirect supply or delivery of jet fuel and fuel additives;
- (c) directly or indirectly making jet fuel and fuel additives available to a person connected with Russia; or
- (d) the direct or indirect provision of technical assistance relating to jet fuel and fuel additives.

(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 jet fuel and fuel additives to, or for use in, Russia;
- (b) the direct or indirect supply or delivery of jet fuel and fuel additives to a place in Russia;
- (c) directly or indirectly making jet fuel and fuel additives 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 jet fuel and fuel additives –
 - (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 jet fuel and fuel additives

46Q. (1) A person must not directly or indirectly provide brokering services to a person connected with Russia in relation to an arrangement whose object or effect is –

- (a) the export of jet fuel and fuel additives;

- (b) the direct or indirect supply or delivery of jet fuel and fuel additives;
- (c) directly or indirectly making jet fuel and fuel additives available to a person connected with Russia; or
- (d) the direct or indirect provision of technical assistance relating to jet fuel and fuel additives.

(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 4G

[Schedule 3D]³²⁴ Revenue generating goods

Interpretation

46R. In this Chapter –

“[Schedule 3D]³²⁵ revenue generating goods” means any thing specified in Schedule 3D³²⁶;

“third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

Import of [Schedule 3D]³²⁷ revenue generating goods

46S. (1) The import of [Schedule 3D]³²⁸ revenue generating goods which are consigned from Russia is prohibited.

(2) The import of [Schedule 3D]³²⁹ revenue generating goods which originate in Russia is prohibited.

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

Acquisition of [Schedule 3D]³³⁰ revenue generating goods

46T. (1) A person must not directly or indirectly acquire [Schedule 3D]³³¹ revenue generating goods which –

- (a) originate in Russia; or
- (b) are located in Russia,

with the intention of those goods entering the United Kingdom **or the Isle of Man**.

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

³²⁴ Inserted by SI 2023/440.

³²⁵ Inserted by SI 2023/440.

³²⁶ Schedule 3D is inserted by regulation 11(8) and Schedule 3.

³²⁷ Inserted by SI 2023/440.

³²⁸ Inserted by SI 2023/440.

³²⁹ Inserted by SI 2023/440.

³³⁰ Inserted by SI 2023/440.

³³¹ Inserted by SI 2023/440.

- (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 goods 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 goods were located in Russia.

~~[Supply and delivery of revenue-generating goods~~

~~46U. (1) A person must not directly or indirectly supply or deliver revenue-generating goods from a place in Russia into 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 the offence of contravening paragraph (1) to show that the person did not know and had no reasonable cause to suspect that the supply or delivery was from a place in Russia, whether directly or indirectly.]³³²~~

Technical assistance relating to [Schedule 3D]³³³ revenue generating goods

- 46V. (1) A person must not directly or indirectly provide technical assistance relating to –
- (a) the import of [Schedule 3D]³³⁴ revenue generating goods which –
 - (i) originate in Russia, or
 - (ii) are consigned from Russia;
 - (b) the direct or indirect acquisition of [Schedule 3D]³³⁵ revenue generating goods which –
 - (i) originate in Russia, or
 - (ii) are located in Russia,

with the intention of those goods entering the United Kingdom **or the Isle of Man**;
- ~~[(c) the direct or indirect supply or delivery of revenue-generating goods from a place in Russia into the United Kingdom or the Isle of Man.]³³⁶~~
- (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), to show that the person did not know and had no

³³² Omitted by SI 2023/440.

³³³ Inserted by SI 2023/440.

³³⁴ Inserted by SI 2023/440.

³³⁵ Inserted by SI 2023/440.

³³⁶ Omitted by SI 2023/440.

reasonable cause to suspect that the technical assistance related to an import described in that paragraph;

- (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 technical assistance related to an acquisition described in that paragraph;

~~[(c) it is a defence for a person charged with an offence of contravening paragraph (1)(c), to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to a supply or delivery described in that paragraph.]³³⁷~~

Financial services and funds relating to [Schedule 3D]³³⁸ revenue generating goods

46W. (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 [Schedule 3D]³³⁹ revenue generating goods which –
 - (i) originate in Russia, or
 - (ii) are consigned from Russia; or
- (b) the direct or indirect acquisition of [Schedule 3D]³⁴⁰ revenue generating goods which –
 - (i) originate in Russia, or
 - (ii) are located in Russia,

with the intention of those goods entering the United Kingdom **or the Isle of Man;**

~~[(c) the direct or indirect supply or delivery of revenue generating goods from a place in Russia into the United Kingdom **or the Isle of Man.**]³⁴¹~~

- (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 [Schedule 3D]³⁴² revenue generating goods

46X. (1) A person must not directly or indirectly provide brokering services in relation to any arrangements described in regulation [46W(1)(a) or (b)]³⁴³.

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

³³⁷ Omitted by SI 2023/440.

³³⁸ Inserted by SI 2023/440.

³³⁹ Inserted by SI 2023/440.

³⁴⁰ Inserted by SI 2023/440.

³⁴¹ Omitted by SI 2023/440.

³⁴² Inserted by SI 2023/440.

³⁴³ Substituted by SI 2023/440.

(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.]³⁴⁴

[CHAPTER 4GA

Schedule 3DA revenue generating goods

Interpretation

46XA. In this Chapter –

“Schedule 3DA revenue generating goods” means any thing specified in Schedule 3DA;

“third country” means a country that is not the United Kingdom, the Isle of Man or Russia.

Import of Schedule 3DA revenue generating goods

46XB. (1) The import of Schedule 3DA revenue generating goods which are consigned from Russia is prohibited.

(2) The import of Schedule 3DA revenue generating goods which originate in Russia is prohibited.

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

Acquisition of Schedule 3DA revenue generating goods

46XC. (1) A person must not directly or indirectly acquire Schedule 3DA revenue generating goods which –

(a) originate in Russia; or

(b) are located 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 the offence of contravening paragraph (1)(a) to show that the person did not know and had no reasonable cause to suspect that the goods 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 goods were located in Russia.

Supply and delivery of Schedule 3DA revenue generating goods to a third country

46XD. (1) A person must not directly or indirectly supply or delivery Schedule 3DA revenue generating goods from a place in Russia to a third country.

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

³⁴⁴ Inserted by SI 2022/792.

(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 supply or delivery was from a place in Russia, whether directly or indirectly.

Technical assistance relating to Schedule 3DA revenue generating goods

- 46XE. (1) A person must not directly or indirectly provide technical assistance relating to –
- (a) the import of Schedule 3DA revenue generating goods which –
 - (i) originate in Russia; or
 - (ii) are consigned from Russia;
 - (b) the direct or indirect acquisition of Schedule 3DA revenue generating goods which –
 - (i) originate in Russia; or
 - (ii) are located in Russia;
 - (c) the direct or indirect supply or delivery of Schedule 3DA revenue generating goods from a place in Russia to a third country.
- (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), 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) 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 technical assistance related to an acquisition described in that paragraph;
 - (c) it is a defence for a person charged with an offence of contravening paragraph (1)(c), to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to a supply or delivery described in that paragraph.

Financial services and funds relating to Schedule 3DA revenue generating goods

- 46XF. (1) A person must not directly or indirectly provide financial services or funds in pursuance of or in connection with an arrangement whose object of effect is –
- (a) the import of Schedule 3DA revenue generating goods which –
 - (i) originate in Russia; or
 - (ii) are consigned from Russia;
 - (b) the direct or indirect acquisition of Schedule 3DA revenue generating goods which –

- (i) originate in Russia; or
- (ii) are located in Russia;
- (c) the direct or indirect supply or delivery of Schedule 3DA revenue generating goods from a place in Russia to a third country.
- (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 Schedule 3DA revenue generating goods

46XG. (1) A person must not directly or indirectly provide brokering services in relation to any arrangements described in regulation 46XF(1)(a) to (c).

- (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.]³⁴⁵

[CHAPTER 4H [G7 dependency and further goods]³⁴⁶

[G7 dependency and further goods]³⁴⁷

46Y. (1) The export of [G7 dependency and further goods]³⁴⁸ to, or for use in, Russia is prohibited.

- (2) A person must not directly or indirectly –
 - (a) supply or deliver [G7 dependency or further goods]³⁴⁹ from a third country to a place in Russia;
 - (b) make [G7 dependency and further goods]³⁵⁰ available to a person connected with Russia;
 - (c) make [G7 dependency and further goods]³⁵¹ 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 has no

³⁴⁵ Chapter GA inserted by SI 2023/440.

³⁴⁶ Substituted by SI 2022/1110.

³⁴⁷ Substituted by SI 2022/1110.

³⁴⁸ Substituted by SI 2022/1110.

³⁴⁹ Substituted by SI 2022/1110.

³⁵⁰ Substituted by SI 2022/1110.

³⁵¹ Substituted by SI 2022/1110.

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 [G7 dependency and further goods]³⁵²

46Z. (1) A person must not directly or indirectly provide technical assistance relating to [G7 dependency and further goods]³⁵³ –

- (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 [G7 dependency and further goods]³⁵⁴

46Z1. (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 [G7 dependency and further goods]³⁵⁵;
- (b) the direct or indirect supply or delivery of [G7 dependency and further goods]³⁵⁶;
- (c) directly or indirectly making [G7 dependency and further goods]³⁵⁷ available to a person; or
- (d) the direct or indirect provision of technical assistance relating to [G7 dependency and further goods]³⁵⁸.

³⁵² Substituted by SI 2022/1110.

³⁵³ Substituted by SI 2022/1110.

³⁵⁴ Substituted by SI 2022/1110.

³⁵⁵ Substituted by SI 2022/1110.

³⁵⁶ Substituted by SI 2022/1110.

³⁵⁷ Substituted by SI 2022/1110.

³⁵⁸ Substituted by SI 2022/1110.

(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 [G7 dependency and further goods]³⁵⁹ to, or for use in, Russia;
- (b) the direct or indirect supply or delivery of [G7 dependency and further goods]³⁶⁰ to a place in Russia;
- (c) directly or indirectly making [G7 dependency and further goods]³⁶¹ 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 [G7 dependency and further goods]³⁶² –
 - (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 [G7 dependency and further goods]³⁶³

46Z2. (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 [G7 dependency and further goods]³⁶⁴;
- (b) the direct or indirect supply or delivery of [G7 dependency and further goods]³⁶⁵;

³⁵⁹ Substituted by SI 2022/1110.

³⁶⁰ Substituted by SI 2022/1110.

³⁶¹ Substituted by SI 2022/1110.

³⁶² Substituted by SI 2022/1110.

³⁶³ Substituted by SI 2022/1110.

³⁶⁴ Substituted by SI 2022/1110.

³⁶⁵ Substituted by SI 2022/1110.

- (c) directly or indirectly making [G7 dependency and further goods]³⁶⁶ available to a person;
- (d) the direct or indirect provision of technical assistance relating to [G7 dependency and further goods]³⁶⁷;
- (f) the direct or indirect provision, in a non-UK 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 46Z1(1), or
 - (ii) where arrangement A, or any other arrangement in connection with arrangement A is entered into, is an arrangement mentioned in regulation 46Z1(3);
- (g) directly or indirectly making funds available, in a non-UK 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 46Z1(1); or
- (h) the direct or indirect provision of funds from a non-UK country, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 46Z1(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 which is not the United Kingdom.~~

(4) In this regulation, “non-IOM country” means a country which is not the Isle of Man.]³⁶⁸

CHAPTER 4I Oil and Oil Products

Meaning of “relevant day”

46Z3. In this Chapter, “relevant day” means [5th December 2022]³⁶⁹.

Import of oil and oil products

46Z4. (1) The import of oil and oil products, on or after the relevant day, which are consigned from Russia is prohibited.

(2) The import of oil and oil products, on or after the relevant day, which originate in Russia is prohibited.

³⁶⁶ Substituted by SI 2022/1110.

³⁶⁷ Substituted by SI 2022/1110.

³⁶⁸ Inserted by SI 2022/1110.

³⁶⁹ Substituted by SI 2022/1122.

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

Acquisition of oil and oil products

46Z5. (1) A person must not, on or after the relevant day, directly or indirectly acquire oil and oil products –

- (a) which originate in Russia; or
- (b) which are located in Russia,

with the intention of those goods 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 goods originated in 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 located in Russia.

~~[Supply and delivery of oil and oil products~~

~~46Z6. (1) A person must not, on or after the relevant day, directly or indirectly supply or deliver oil and oil products from a place in Russia to 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 the offence of contravening paragraph (1) to show that the person did not know and had no reasonable cause to suspect that the supply or delivery was from a place in Russia, whether directly or indirectly.]³⁷⁰~~

Technical assistance relating to oil and oil products

46Z7. [(1) A person must not, on or after the relevant day, directly or indirectly provide technical assistance relating to –

- (a) the import of oil and oil products which –
 - (i) originate in Russia, or
 - (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of oil and oil products which –
 - (i) originate in Russia, or
 - (ii) are located in Russia,

³⁷⁰ Omitted by SI 2023/440.

with the intention of those goods entering the United Kingdom **or the Isle of Man**;

~~(c) — the direct or indirect supply or delivery of oil and oil products from a place in Russia into the United Kingdom **or the Isle of Man**.~~³⁷¹³⁷²

(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;

~~[(c) — paragraph (1)(c), to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to a supply or delivery described in that paragraph.]~~³⁷³

Financial services and funds relating to oil and oil products

46Z8. [(1) A person must not, on or after the relevant day, 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 oil and oil products which –

(i) originate in Russia, or

(ii) are consigned from Russia;

(b) the direct or indirect acquisition of oil and oil products which –

(i) originate in Russia, or

(ii) are located in Russia,

with the intention of those goods entering the United Kingdom **or the Isle of Man**;

~~[(c) — the direct or indirect supply or delivery of oil and oil products from a place in Russia into the United Kingdom **or the Isle of Man**.]~~³⁷⁴³⁷⁵

[(2)]³⁷⁶ [Paragraph (1) is]³⁷⁷ subject to Part 7 (Exceptions and licences).

³⁷¹ Omitted by SI 2023/440.

³⁷² Substituted by SI 2022/1331.

³⁷³ Omitted by SI 2023/440.

³⁷⁴ Omitted by SI 2023/440.

³⁷⁵ Substituted by SI 2022/1331.

³⁷⁶ Substituted by SI 2022/1110.

³⁷⁷ Substituted by SI 2022/1110.

[(3)]³⁷⁸ 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 oil and oil products

46Z9. (1) A person must not, on or after the relevant day, directly or indirectly provide brokering services in relation to any arrangements described in regulation [46Z8(1)(a) or (b)]³⁷⁹.

(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 4IA Maritime transportation of certain oil and oil products

Interpretation

46Z9A. (1) In this Chapter –

“2709 oil and oil products” means those oil and oil products –

- (a) falling within commodity code 2709; and
- (b) which originate in or are consigned from Russia;

“2710 oil and oil products” means those oil and oil products –

- (a) falling within commodity code 2710; and
- (b) which originate in or are consigned from Russia;

“first relevant day” means 5th December 2022;

“second relevant day” means 5th February 2023;

“ship” includes every description of vessel (including a hovercraft) used in navigation, except the naval, military or air-force ships of any country;

“third country” means any country other than the United Kingdom, the Isle of Man or Russia.

(2) Paragraph 1 of Schedule 3 applies for determining whether oil and oil products fall within the commodity codes specified in paragraph (1).

Maritime transportation of certain oil and oil products to and between third countries

46Z9B. (1) A person must not directly or indirectly, on or after the first relevant day, supply or deliver by ship, 2709 oil and oil products –

- (a) from a place in Russia to a third country; or

³⁷⁸ Substituted by SI 2022/1110.

³⁷⁹ Substituted by SI 2023/440.

(b) from one third country to another third country.

(2) A person must not directly or indirectly, on or after the second relevant day, supply or deliver by ship, 2710 oil and oil products –

(a) from a place in Russia to a third country; or

(b) from one third country to another third country.

(3) For the purposes of paragraphs (1) and (2), “supply or deliver by ship” includes any transfer of the goods concerned between ships on which those goods are being supplied or delivered as specified in those paragraphs.

(4) For the purposes of paragraphs (1) and (2), a person supplying or delivering the goods concerned by ship includes a person who owns, controls, charters or operates a ship –

(a) on which those goods are being carried; or

(b) from or to which those goods are being transferred.

(5) For the purposes of paragraph (4), whether a person –

(a) owns a ship is to be determined in accordance with regulation 57I(1)(a);

(b) controls a ship is to be determined in accordance with regulation 57I(1)(b);

(c) has chartered a ship is to be determined in accordance with regulation 57E(3)(c).

(6) Regulation 57I(2) does not apply for the purposes of paragraph (5)(b).

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

(8) 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 that prohibition to show that the person did not know and had no reasonable cause to suspect that the supply or delivery related to oil and oil products –

(a) which fell within commodity code 2709; or

(b) which were consigned from or originated in Russia.

(9) A person who contravenes a prohibition in paragraph (2) commits an offence, but it is a defence for a person charged with an offence of contravening that prohibition to show that the person did not know and had no reasonable cause to suspect that the supply or delivery related to oil and oil products –

(a) which fell within commodity code 2710; or

(b) which were consigned from or originated in Russia.

Financial services and funds relating to maritime transportation of certain oil and oil products

46Z9C. (1) A person must not directly or indirectly, on or after the first relevant day, provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is the supply or delivery by ship of 2709 oil and oil products –

- (a) from a place in Russia to a third country; or
- (b) from one third country to another third country.

(2) A person must not directly or indirectly, on or after the second relevant day, provide financial services or funds in pursuance of or in connection with an arrangement whose object or effect is the supply or delivery by ship of 2710 oil and oil products –

- (a) from a place in Russia to a third country; or
- (b) from one third country to another third country.

(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 an offence of contravening that prohibition 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 the supply or delivery of oil and oil products –

- (a) which fell within commodity code 2709; or
- (b) which were consigned from or originated 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 an offence of contravening that prohibition 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 the supply or delivery of oil and oil products –

- (a) which fell within commodity code 2710; or
- (b) which were consigned from or originated in Russia.

Brokering services relating to maritime transportation of certain oil and oil products

46Z9D. (1) A person must not directly or indirectly, on or after the first relevant day, provide brokering services in relation to any arrangements described in regulation 46Z9C(1).

(2) A person must not directly or indirectly, on or after the second relevant day, provide brokering services in relation to any arrangements described in regulation 46Z9C(2).

(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 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 described in that paragraph.

(5) A person who contravenes a prohibition in paragraph (2) 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 described in that paragraph.]³⁸⁰

CHAPTER 4J

Gold

Meaning of “relevant day”

46Z10. In this Chapter, “relevant day” means the day on which this Chapter comes into force.

Prohibition on the import of gold from Russia

46Z11. (1) The import of gold [originating in]³⁸¹ Russia is prohibited, where that gold has been exported from Russia on or after the relevant day.

- (2) For the purposes of these Regulations, gold has been exported from Russia when –
 - (a) it has completed the applicable export formalities; and
 - (b) where the gold 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) Paragraph (1) is subject to Part 7 (Exceptions and licences).

Acquisition of gold from Russia

46Z12. (1) A person must not directly or indirectly acquire gold which on or after the relevant day –

- (a) originated in Russia; and
- (b) is located in Russia,

with the intention of those goods 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 gold 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 gold was located in Russia.

³⁸⁰ Chapter 4IA inserted by SI 2022/1122.

³⁸¹ Substituted by SI 2022/1110.

Supply and delivery of gold from Russia

46Z13. (1) ~~— A person must not directly or indirectly supply or deliver gold, which originated in Russia on or after the relevant day—~~

~~(a) — from a place in Russia; or~~

~~(b) — from a third country,~~

~~to 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 the offence of contravening paragraph (1) to show that the person did not know and had no reasonable cause to suspect that the supply or delivery from a place in Russia or from a third country was of gold which originated in Russia on or after the relevant day, whether directly or indirectly.~~

~~— (4) — In this regulation “third country” means a country that is not the United Kingdom, the Isle of Man or Russia.]³⁸²~~

Technical assistance relating to gold

46Z14. (1) A person must not directly or indirectly provide technical assistance relating to –

(a) the import of gold which on or after the relevant day –

(i) originated in Russia; or

(ii) is consigned from Russia;

(b) the direct or indirect acquisition of gold which on or after the relevant day –

(i) originated in Russia; and

(ii) is located in Russia,

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

~~[(c) — the direct or indirect supply or delivery of gold, which originated in Russia on or after the relevant day—~~

~~(i) — from a place in Russia; or~~

~~(ii) — from a third country,~~

~~to the United Kingdom or the Isle of Man.]³⁸³~~

(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 –

³⁸² Omitted by SI 2023/440.

³⁸³ Omitted by SI 2023/440.

- (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;
- ~~[(c) paragraph (1)(c), to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to a supply or delivery described in that paragraph.]~~³⁸⁴

Financial services and funds relating to gold

46Z15. [(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 which on or after the relevant day –
 - (i) originated in Russia, or
 - (ii) is consigned from Russia;
- (b) the direct or indirect acquisition of gold which on or after the relevant day –
 - (i) originated in Russia, and
 - (ii) is located in Russia,

with the intention of that gold entering the United Kingdom **or the Isle of Man**;
- ~~[(c) the direct or indirect supply or delivery of gold, which originated in Russia on or after the relevant day –~~
 - ~~(i) from a place in Russia, or~~
 - ~~(ii) from a third country,~~

~~to the United Kingdom **or the Isle of Man**.]~~³⁸⁵³⁸⁶

(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

46Z16. (1) A person must not directly or indirectly provide brokering services in relation to any arrangements described in regulation [46Z15(1)(a) or (b)]³⁸⁷.

³⁸⁴ Omitted by SI 2023/440.

³⁸⁵ Omitted by SI 2023/440.

³⁸⁶ Substituted by SI 2022/1331.

³⁸⁷ Substituted by SI 2023/440.

(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 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) originated in Russia, or
- (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.**]³⁸⁸

(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 which on or after the relevant day –
 - (i) originated in Russia, or
 - (ii) is located in Russia,

with the intention or that gold jewellery entering the United Kingdom **or the Isle of Man.**]³⁸⁹

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

³⁸⁸ Substituted by SI 2022/1331.

³⁸⁹ Substituted by SI 2022/1331.

(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 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.]³⁹⁰

[CHAPTER 4JB Diamonds and diamond jewellery

Interpretation

46Z16J. (1) In this Chapter –

“diamonds” means the products specified in Part 2 of Schedule 3GA;

“diamond jewellery” means the products specified in Part 3 of Schedule 3GA;

“third country” means a country which is not the United Kingdom, the Isle of Man or Russia.

Import of diamonds and diamond jewellery

46Z16K. (1) The import of diamonds and diamond jewellery which are consigned from Russia is prohibited.

(2) The import of diamonds and diamond jewellery which originate in Russia is prohibited.

³⁹⁰ Regulations 46Z16A to 46Z16I were inserted by SI 2022/1110.

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

Acquisition of diamonds and diamond jewellery

- 46Z16L. (1) A person must not directly or indirectly acquire diamonds or diamond jewellery which –
- (a) originate in Russia; or
 - (b) are located 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 the offence of contravening paragraph (1)(a) to show that the person did not know and had no reasonable cause to suspect that the goods 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 goods were located in Russia.

Supply and delivery of diamonds and diamond jewellery

- 46Z16M. (1) A person must not directly or indirectly supply or deliver diamonds or diamond jewellery from a place in Russia to a third country.
- (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 supply or delivery was from a place in Russia, whether directly or indirectly.

Technical assistance relating to diamonds and diamond jewellery

- 46Z16N. (1) A person must not directly or indirectly provide technical assistance relating to –
- (a) the import of diamonds or diamond jewellery which –
 - (i) originate in Russia, or
 - (ii) are consigned from Russia;
 - (b) the direct or indirect acquisition of diamonds or diamond jewellery –
 - (i) originate in Russia, or
 - (ii) are located in Russia; or
 - (c) the direct or indirect supply or delivery of diamonds or diamond jewellery from a place in Russia to a third country.
- (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 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;
- (c) paragraph (1)(c), to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to a supply or delivery described in that paragraph.

Financial services and funds relating to diamonds and diamond jewellery

46Z16O. (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 diamonds or diamond jewellery which –
 - (i) originate in Russia, or
 - (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of diamonds or diamond jewellery which –
 - (i) originate in Russia, or
 - (ii) are located in Russia; or
- (c) the direct or indirect supply or delivery of diamonds or diamond jewellery from a place in Russia to a third country.

(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 that paragraph 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 diamonds and diamond jewellery

46Z16P. (1) A person must not directly or indirectly provide brokering services in the pursuance of, or in connection with, any arrangements described in regulation 46Z16O(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 that paragraph 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.]³⁹¹

³⁹¹ Chapter 4JB inserted by SI 2023/1367.

CHAPTER 4K

Coal and Coal Products

Meaning of relevant day

46Z17. In this Chapter, “relevant day” means 10th August 2022.

Import of coal and coal products

46Z18. (1) The import of coal and coal products, on or after the relevant day, which are consigned from Russia is prohibited.

(2) The import of coal and coal products, on or after the relevant day, which originate in Russia is prohibited.

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

Acquisition of coal and coal products

46Z19. (1) A person must not directly or indirectly, on or after the relevant day, acquire coal and coal products –

(a) which originate in Russia; or

(b) which are located in Russia,

with the intention of those goods 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 goods 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 goods were located in Russia.

~~[Supply and delivery of coal and coal products~~

~~46Z20. (1) — A person must not, on or after the relevant day, supply or deliver directly or indirectly coal and coal products from a place in Russia to 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 supply or delivery was from a place in Russia, whether directly or indirectly.]³⁹²~~

³⁹² Omitted by SI 2023/440.

Technical assistance relating to coal and coal products

46Z21. [(1) A person must not, on or after the relevant day, directly or indirectly provide technical assistance relating to –

- (a) the import of coal and coal products which –
 - (i) originate in Russia, or
 - (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of coal and coal products which –
 - (i) originate in Russia, or
 - (ii) are located in Russia,with the intention of those goods entering the United Kingdom;
- ~~[(c) the direct or indirect supply or delivery of coal and coal products from a place in Russia into the United Kingdom or the Isle of Man.]~~³⁹³³⁹⁴

(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 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;
- ~~[(c) paragraph (1)(c), to show that the person did not know and had no reasonable cause to suspect that the technical assistance related to a supply or delivery described in that paragraph.]~~³⁹⁵

Financial services and funds relating to coal and coal products

46Z22. [(1) A person must not, on or after the relevant day, 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 coal or coal products which –
 - (i) originate in Russia, or
 - (ii) are consigned from Russia;
- (b) the direct or indirect acquisition of coal and coal products which –
 - (i) originate in Russia, or

³⁹³ Omitted by SI 2023/440.

³⁹⁴ Substituted by SI 2022/1331.

³⁹⁵ Omitted by SI 2023/440.

(ii) are located in Russia,

with the intention of those goods entering the United Kingdom **or the Isle of Man**;

~~[(c) the direct or indirect supply or delivery of coal and coal products from a place in Russia into the United Kingdom **or the Isle of Man**.]~~^{396]}³⁹⁷

(2) Paragraphs (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 coal and coal products

46Z23. (1) A person must not, on or after the relevant day, directly or indirectly provide brokering services in relation to any arrangements described in regulation [46Z22(1)(a) or (b)]³⁹⁸.

(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.]³⁹⁹

[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

³⁹⁶ Omitted by SI 2023/440.

³⁹⁷ Substituted by SI 2022/1331.

³⁹⁸ Substituted by SI 2023/440.

³⁹⁹ Regulations 46Y to 46Z23 inserted by SI 2022/850.

- (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;
- (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**.]⁴⁰⁰

- (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.

⁴⁰⁰ Substituted by SI 2022/1331.

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;
- (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.]⁴⁰¹

(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;

⁴⁰¹ Substituted by SI 2022/1331.

- (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.]⁴⁰²

CHAPTER 5

Exports and imports, and related activities, in relation to [non-government controlled Ukrainian territory]⁴⁰³

Imports from [non-government controlled Ukrainian territory]⁴⁰⁴

47. (1) The import of goods which originate in [non-government controlled Ukrainian territory]⁴⁰⁵ is prohibited.

⁴⁰² Chapter 4L and 4M inserted by SI 2022/1110.

⁴⁰³ Substituted by SI 2022/395.

⁴⁰⁴ Substituted by SI 2022/395.

⁴⁰⁵ Substituted by SI 2022/395.

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

Export of infrastructure-related goods to [non-government controlled Ukrainian territory]⁴⁰⁶

- [48. (1) The export of infrastructure-related goods to, or for use in, Crimea is prohibited.

(2) The export of infrastructure-related goods to, or for use in, non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts is prohibited.

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

(4) It is a defence for a person charged with the offence under ~~section 68(1)~~ **section 69(1)** (offences in relation to exportation of prohibited or restricted goods) of CEMA in relation to the prohibition in paragraph (2) to show that they did not know and had no reasonable cause to suspect that the export was, or would have been, to, or the goods were for use in, non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts.]⁴⁰⁷

Supply and delivery of infrastructure-related goods

49. (1) A person must not directly or indirectly supply or deliver infrastructure-related goods from a third country to a place in [non-government controlled Ukrainian territory]⁴⁰⁸.

- (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 goods were destined (or ultimately destined) for [non-government controlled Ukrainian territory]⁴⁰⁹.

(4) In this regulation, “third country” means a country that is not the United Kingdom, the Isle of Man or [non-government controlled Ukrainian territory]⁴¹⁰.

Making infrastructure-related goods available

50. (1) A person must not—

- (a) directly or indirectly make infrastructure-related goods available to a person connected with [non-government controlled Ukrainian territory]⁴¹¹;
- (b) directly or indirectly make infrastructure-related goods available for use in [non-government controlled Ukrainian territory]⁴¹².

- (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) (“P”) to show that P did not know and had no reasonable

⁴⁰⁶ Substituted by SI 2022/395.

⁴⁰⁷ Substituted by SI 2023/665.

⁴⁰⁸ Substituted by SI 2022/395.

⁴⁰⁹ Substituted by SI 2022/395.

⁴¹⁰ Substituted by SI 2022/395.

⁴¹¹ Substituted by SI 2022/395.

⁴¹² Substituted by SI 2022/395.

cause to suspect that the person was connected with [non-government controlled Ukrainian territory]⁴¹³;

- (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 goods were for use in [non-government controlled Ukrainian territory]⁴¹⁴.

Technical assistance relating to infrastructure-related goods

51. (1) A person must not directly or indirectly provide technical assistance relating to infrastructure-related goods—

- (a) to a person connected with [non-government controlled Ukrainian territory]⁴¹⁵, or
 - (b) for use in [non-government controlled Ukrainian territory]⁴¹⁶.
- (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) ("P") to show that P did not know and had no reasonable cause to suspect that the person was connected with [non-government controlled Ukrainian territory]⁴¹⁷;
 - (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 goods were for use in [non-government controlled Ukrainian territory]⁴¹⁸.

Financial services and funds relating to infrastructure-related goods etc.

52. (1) A person must not directly or indirectly provide, to a person connected with [non-government controlled Ukrainian territory]⁴¹⁹, financial services in pursuance of or in connection with an arrangement whose object or effect is—

- (a) the export of infrastructure-related goods,
- (b) the direct or indirect supply or delivery of infrastructure-related goods,
- (c) directly or indirectly making infrastructure-related goods available to a person, or
- (d) the direct or indirect provision of technical assistance relating to infrastructure-related goods.

⁴¹³ Substituted by SI 2022/395.

⁴¹⁴ Substituted by SI 2022/395.

⁴¹⁵ Substituted by SI 2022/395.

⁴¹⁶ Substituted by SI 2022/395.

⁴¹⁷ Substituted by SI 2022/395.

⁴¹⁸ Substituted by SI 2022/395.

⁴¹⁹ Substituted by SI 2022/395.

(2) A person must not directly or indirectly make funds available to a person connected with [non-government controlled Ukrainian territory]⁴²⁰ 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 import of goods which originate in [non-government controlled Ukrainian territory]⁴²¹;
- (b) the export of infrastructure-related goods to, or for use in, [non-government controlled Ukrainian territory]⁴²²,
- (c) the direct or indirect supply or delivery of infrastructure-related goods to a place in [non-government controlled Ukrainian territory]⁴²³,
- (d) directly or indirectly making infrastructure-related goods available—
 - (i) to a person connected with [non-government controlled Ukrainian territory]⁴²⁴, or
 - (ii) for use in [non-government controlled Ukrainian territory]⁴²⁵,
- (e) the direct or indirect provision of technical assistance relating to infrastructure-related goods—
 - (i) to a person connected with [non-government controlled Ukrainian territory]⁴²⁶, or
 - (ii) for use in [non-government controlled Ukrainian territory]⁴²⁷.

(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 [non-government controlled Ukrainian territory]⁴²⁸;
- (b) it is a defence for a person charged with an offence of contravening a prohibition in 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.

⁴²⁰ Substituted by SI 2022/395.

⁴²¹ Substituted by SI 2022/395.

⁴²² Substituted by SI 2022/395.

⁴²³ Substituted by SI 2022/395.

⁴²⁴ Substituted by SI 2022/395.

⁴²⁵ Substituted by SI 2022/395.

⁴²⁶ Substituted by SI 2022/395.

⁴²⁷ Substituted by SI 2022/395.

⁴²⁸ Substituted by SI 2022/395.

Brokering services: ~~non-UK~~ non-IOM activity relating to infrastructure-related goods and goods from [non-government controlled Ukrainian territory]⁴²⁹

53. (1) A person must not directly or indirectly provide brokering services in relation to an arrangement ("arrangement A") whose object or effect is—
- (a) the import of goods which originate in [non-government controlled Ukrainian territory]⁴³⁰;
 - (b) the direct or indirect supply or delivery of infrastructure-related goods from a third country to a place in [non-government controlled Ukrainian territory]⁴³¹,
 - (c) directly or indirectly making infrastructure-related goods available in a third country for direct or indirect supply or delivery—
 - (i) to a person connected with [non-government controlled Ukrainian territory]⁴³², or
 - (ii) to a place in [non-government controlled Ukrainian territory]⁴³³,
 - (d) the direct or indirect provision, in a ~~non-UK~~ **non-IOM** country, of technical assistance relating to infrastructure-related goods—
 - (i) to a person connected with [non-government controlled Ukrainian territory]⁴³⁴, or
 - (ii) for use in [non-government controlled Ukrainian territory]⁴³⁵,
 - (e) the direct or indirect provision, in a ~~non-UK~~ **non-IOM** country, of financial services—
 - (i) to a person connected with [non-government controlled Ukrainian territory]⁴³⁶, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 52(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 52(3) in relation to infrastructure-related goods,
 - (f) directly or indirectly making funds available, in a ~~non-UK~~ **non-IOM** country, to a person connected with [non-government controlled Ukrainian territory]⁴³⁷, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 52(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

⁴²⁹ Substituted by SI 2022/395.

⁴³⁰ Substituted by SI 2022/395.

⁴³¹ Substituted by SI 2022/395.

⁴³² Substituted by SI 2022/395.

⁴³³ Substituted by SI 2022/395.

⁴³⁴ Substituted by SI 2022/395.

⁴³⁵ Substituted by SI 2022/395.

⁴³⁶ Substituted by SI 2022/395.

⁴³⁷ Substituted by SI 2022/395.

arrangement A is entered into, is an arrangement mentioned in regulation 52(3) in relation to infrastructure-related goods.

(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 that is not the United Kingdom;~~

“non-IOM country” means a country that is not the Isle of Man;

“third country” means a country that is not the United Kingdom, the Isle of Man or [non-government controlled Ukrainian territory]⁴³⁸.

[Application of prohibitions and requirements in Chapter 2 of Part 5 to non-government controlled Ukrainian territory]

53A. [(1)]⁴³⁹ Where it is specified in Schedule 2A, 3 or 3C or in any table in those Schedules that this regulation applies in relation to an item, any prohibition or requirement in Chapter 2 of this Part which applies to Russia in relation to that item also applies to non-government controlled Ukrainian territory.]⁴⁴⁰

[(2) Paragraph (3) applies where the person is charged with the offence under ~~section 68(1)~~ **section 69(1)** (offences in relation to exportation of prohibited or restricted goods) of CEMA in relation to exportation of goods to, or for use in, non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts which is or would be contrary to the prohibition in regulation 22(1) (export of restricted goods), as it has effect by virtue of this regulation.

(3) It is a defence for a person charged with the offence mentioned in paragraph (2) to show that the person did not know and had no reasonable cause to suspect that the export was, or would have been, to, or the goods were for use in, non-government controlled areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts.]⁴⁴¹

CHAPTER 6

Other services relating to [non-government controlled Ukrainian territory]⁴⁴²

Prohibition on providing certain services relating to [non-government controlled Ukrainian territory]⁴⁴³

54. (1) A person must not provide—

(a) services relating to a relevant infrastructure sector in [non-government controlled Ukrainian territory]⁴⁴⁴; or

⁴³⁸ Substituted by SI 2022/395.

⁴³⁹ Inserted by SI 2023/665.

⁴⁴⁰ Inserted by SI 2022/792.

⁴⁴¹ Inserted by SI 2023/665.

⁴⁴² Substituted by SI 2022/395.

⁴⁴³ Substituted by SI 2022/395.

⁴⁴⁴ Substituted by SI 2022/395.

- (b) services relating to tourism in [non-government controlled Ukrainian territory]⁴⁴⁵.
- (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—
 - (a) it is a defence for a person charged with the offence in paragraph (1)(a) (“P”) to show that P did not know and had no reasonable cause to suspect that P was providing services relating to a relevant infrastructure sector in [non-government controlled Ukrainian territory]⁴⁴⁶;
 - (b) it is a defence for a person charged with the offence in paragraph (1)(b) (“P”) to show that P did not know and had no reasonable cause to suspect that P was providing services relating to tourism in [non-government controlled Ukrainian territory]⁴⁴⁷.
- (4) In this regulation—

“services relating to a relevant infrastructure sector in [non-government controlled Ukrainian territory]⁴⁴⁸” means technical assistance, brokering, construction or engineering services directly relating to infrastructure in [non-government controlled Ukrainian territory]⁴⁴⁹ in any of the following sectors—

 - (a) transport;
 - (b) telecommunications;
 - (c) energy;
 - (d) the prospection, exploration and production of oil, gas and mineral resources;

“technical assistance” means the provision of technical support or any other technical service.

[CHAPTER 6A

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

- 54A. (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~~ **Isle of Man**.
- (2) A person who provides an internet access service must take reasonable steps to prevent a user of the service in the ~~United Kingdom~~ **Isle of Man** 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~~ **Isle of Man** from downloading or otherwise accessing, by means of that application store, an internet service provided by a designated person.

⁴⁴⁵ Substituted by SI 2022/395.

⁴⁴⁶ Substituted by SI 2022/395.

⁴⁴⁷ Substituted by SI 2022/395.

⁴⁴⁸ Substituted by SI 2022/395.

⁴⁴⁹ Substituted by SI 2022/395.

(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;~~

“designated person” means a person who is designated by the Secretary of State from time to time under regulation 5 of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament) 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;~~

“social media service” means an online service that meets the following conditions –

- (a) the main purpose, or one of the main purposes, of the service is to promote interaction between users (including interaction between users and user generated content); and**
- (b) making content generated by users available to other users is a significant feature of the service.]⁴⁵⁰**

[CHAPTER 6B Professional and Business Services

Interpretation of this Chapter

54B. In this Chapter –

- [(a) “accounting services” has the meaning given in paragraph 2 of Schedule 3J;
- (b) “advertising services” has the meaning given in paragraph 3 of Schedule 3J;
- (c) “architectural services” has the meaning given in paragraph 4 of Schedule 3J;
- (d) “auditing services” has the meaning given in paragraph 5 of Schedule 3J;
- (e) “business and management consulting services” has the meaning given in paragraph 6 of Schedule 3J;

⁴⁵⁰ Inserted by SI 2022/477.

- (f) "engineering services" has the meaning given in paragraph 7 of Schedule 3J;
- (g) "IT consultancy and design services" has the meaning given in paragraph 8 of Schedule 3J;
- [(ga) "legal advisory services" has the meaning given in paragraph 8A of Schedule 3J;]⁴⁵¹
- (h) "public relations services" has the meaning given in paragraph 9 of Schedule 3J.]⁴⁵²

Professional and business services

54C. (1) A person must not directly or indirectly provide, to a person connected with Russia –

- [(a) accounting services,
- (b) advertising services,
- (c) architectural services,
- (d) auditing services,
- (e) business and management consulting services,
- (f) engineering services,
- (g) IT consultancy and design services, or
- (h) public relations services.]⁴⁵³

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

(3) A person who contravenes any of the prohibitions in paragraph (1) ("P") commits an offence, but it is a defence for P to show that P did not know and had no reasonable cause to suspect that the person to whom the services were provided was connected with Russia.]⁴⁵⁴

[Legal advisory services

54D. (1) A person must not directly or indirectly provide legal advisory services to any person who is not a ~~United Kingdom person~~ **an Island person** in relation to, or in connection with, any activity ("the relevant activity") which satisfies the condition in paragraph (2), whether or not those services are provided to a person in the ~~United Kingdom~~ **Isle of Man**.

(2) The condition is that the relevant activity would –

- (a) be prohibited under any of regulations 11 to 18C of Part 3 (Finance)⁴⁵⁵, Chapters 2 to 6 or Chapter 6B of Part 5 (Trade)⁴⁵⁶ if –
 - (i) the relevant activity was done by a ~~United Kingdom person~~ **an Island person**, or

⁴⁵¹ Inserted by SI 2023/665.

⁴⁵² Substituted by SI 2022/1331.

⁴⁵³ Substituted by SI 2022/1331.

⁴⁵⁴ Chapter 6B inserted by SI 2022/850.

⁴⁵⁵ Regulation 18C was inserted by SI 2022/1331.

⁴⁵⁶ Chapter 6B was inserted by SI 2022/850.

- (ii) the relevant activity was taking place in the ~~United Kingdom~~ **Isle of Man**, or
- (b) contravene regulation 19 or 55 if –
 - (i) the relevant activity was done by a ~~United Kingdom person~~ **an Island person**, or
 - (ii) the relevant activity was taking place in the ~~United Kingdom~~ **Isle of Man**.
- (3) Paragraph (1) is subject to Part 7 (exceptions and licences).
- (4) A person who contravenes any of the prohibitions in paragraph (1) (“P”) commits an offence, but it is a defence for P to show that P did not know and had no reasonable cause to suspect that the relevant activity satisfied the condition in paragraph (2).⁴⁵⁷

CHAPTER 7

Further provision

Circumventing etc. prohibitions

55. (1) A person must not intentionally participate in activities knowing that the object or effect of them is, whether directly or indirectly—
- (a) to circumvent any of the prohibitions in [Chapters 2 to 6 and Chapter 6B of this Part]⁴⁵⁸, or
 - (b) to enable or facilitate the contravention of any such prohibition.
- (2) A person who contravenes a prohibition in paragraph (1) commits an offence.

Defences

56. (1) Paragraph (2) applies where a person relies on a defence under any of [Chapters 2 to 6 and Chapter 6B of this Part]⁴⁵⁹.
- (2) If evidence is adduced which is sufficient to raise an issue with respect to the defence, the court must assume that the defence is satisfied unless the prosecution proves beyond reasonable doubt that it is not.

PART 6

Ships

~~[Crimean ports direction]~~⁴⁶⁰

57. ~~(1) The Secretary of State may give a Crimean ports direction to a master or pilot of a British ship which is a cruise ship.~~
- ~~(2) In this regulation, a “Crimean ports direction” is a direction prohibiting a ship from entering a port or any ports located in Crimea.~~

⁴⁵⁷ Regulation 54D was inserted by SI 2023/713.

⁴⁵⁸ Substituted by SI 2022/850.

⁴⁵⁹ Substituted by SI 2022/850.

⁴⁶⁰ Substituted by SI 2022/203.

~~—— (3) — It is an offence for a person to whom a direction under this regulation is given to fail to comply with the direction.~~

~~—— (4) — A Crimean ports direction —~~

~~(a) — may be given to any master or pilot of a British ship which is a cruise ship, or to masters and pilots of British ships which are cruise ships generally;~~

~~(b) — may be of indefinite duration or a defined duration.~~

~~—— (5) — The Secretary of State may vary, revoke or suspend a Crimean ports direction at any time.~~

~~—— (6) — In this regulation, “cruise ship” means a ship providing cruise services.~~

~~—— (7) — Any expression used in this Part and in section 7 of the Act (shipping sanctions) has the same meaning in this Part as it has in that section.~~

[Prohibition on port entry

57A. (1) A person must not provide a ship to which this paragraph applies with access to a port in the ~~United Kingdom~~ **Isle of Man**, if the person knows, or has reasonable cause to suspect, that the ship is a ship to which this paragraph applies.

(2) The master or pilot of a ship to which this paragraph applies must not cause or permit the ship to enter a port in the ~~United Kingdom~~ **Isle of Man** if the master or pilot knows, or has reasonable cause to suspect, that the ship is a ship to which this paragraph applies.

(3) Paragraphs (1) and (2) are subject to Part 7 (Exceptions) (see, in particular, regulation 61A (ships: exceptions from prohibitions on port entry)).

(4) A person who contravenes a prohibition in paragraph (1) or (2) commits an offence.

(5) Paragraphs (1) and (2) apply to –

- (a) a ship owned, controlled, chartered or operated by a designated person,
- (b) a ship owned, controlled, chartered or operated by persons connected with Russia,
- (c) a ship flying the flag of Russia,
- (d) a ship registered in Russia, or
- (e) a specified ship.

~~(6) — In paragraph (5), a “designated person” means a person who is designated under regulation 5 for the purposes of the relevant regulations under this Part.~~

(6) In paragraph (5), a “designated person” means a person who is designated by the Secretary of State from time to time under regulation 5 of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament) for the purposes of the relevant regulations under Part 8 of those Regulations.

Directions prohibiting port entry

57B. (1) A port barring direction may be given to the master or pilot of a specified ship.

(2) A port barring direction may be given by –

- (a) the Secretary of State, or
- (b) a harbour authority.

(3) The Secretary of State may direct a harbour authority to take such steps as are reasonably practicable to secure that a ship mentioned in a port barring direction does not enter a port or ports specified in the direction, or any port in the ~~United Kingdom~~ **Isle of Man**.

(4) It is an offence for a person to whom a direction is given under this regulation to fail to comply with the direction.

(5) The Secretary of State may notify a person that the existence of a port barring direction, any part of the content of the direction, or anything done under the direction, is to be treated as confidential.

(6) It is an offence for a person to disclose information if the Secretary of State has notified that person under paragraph (5) that the information is to be treated as confidential.

(7) In this regulation, a “port barring direction” means a direction prohibiting a ship from entering a port or ports specified in the direction, or any port in the ~~United Kingdom~~ **Isle of Man**.

Movement of ships

57C. (1) A port entry direction or a movement direction may be given by the Secretary of State to the master or pilot of –

- (a) a ship owned, controlled, chartered or operated by a designated person,
- (b) a ship owned, controlled, chartered or operated by persons connected with Russia,
- (c) a ship registered in Russia,
- (d) a ship flying the flag of Russia, or
- (e) a specified ship.

(2) The Secretary of State may direct a harbour authority to take such steps as are reasonably practicable to secure that a ship mentioned in paragraph (1) –

- (a) proceeds to or enters a port specified in the direction,
- (b) leaves a port specified in the direction,
- (c) proceeds to a place specified in the direction, or
- (d) remains where it is.

(3) It is an offence for a person to whom a direction is given under this regulation to fail to comply with the direction.

(4) The Secretary of State may notify a person that the existence of a port entry direction or a movement direction, any part of the content of the direction, or anything done under the direction, is to be treated as confidential.

(5) It is an offence for a person to disclose information if the Secretary of State has notified that person under paragraph (4) that the information is to be treated as confidential.

(6) In this regulation –

~~a “designated person” means a person who is designated under regulation 5 for the purposes of the relevant regulations under this Part;~~

a “designated person” has the same meaning as in regulation 57A(6);

a “movement direction” means a direction requiring a ship –

- (a) to leave a port specified in the direction,
- (b) to proceed to a place specified in the direction, or
- (c) to remain where it is;

a “port entry direction” means a direction requiring a ship to proceed to or enter a port specified in the direction.

Detention of ships

57D. (1) A detention direction may be given to the master of a ship referred to in paragraph (3) by –

- (a) the Secretary of State, or
- (b) a harbour authority.

(2) A detention direction under paragraph (1)(b) may only be given by a harbour authority to the master of a specified ship if it has received a direction from the Secretary of State in accordance with paragraph (3)(d).

(3) The Secretary of State may direct a harbour authority to give a detention direction to the master of –

- (a) a ship owned, controlled, chartered or operated by a designated person,
- (b) a ship owned, controlled, chartered or operated by persons connected with Russia,
- [(ba) a ship registered in Russia,]⁴⁶¹
- (c) a ship flying the flag of Russia, or
- (d) a specified ship.

(4) A “detention direction” means a direction requiring the detention of a ship at a port or anchorage in the ~~United Kingdom~~ **Isle of Man**.

(5) A detention direction given in relation to a ship –

- (a) must be in writing,

⁴⁶¹ Inserted by SI 2022/241.

- (b) must be delivered to the master of the ship by the person who detains the ship,
 - (c) must state the grounds on which the ship is detained, and
 - (d) must state that –
 - (i) it is given under this regulation, and
 - (ii) any requirements imposed by the direction must be complied with.
- (6) [Paragraph (7)]⁴⁶² applies if –
- (a) the ship is not a British ship, and
 - (b) there is in the United Kingdom a consular officer for the country to which the ship belongs.

(7) A copy of the detention direction must be sent as soon as practicable to the nearest consular officer for the country to which the ship belongs.

~~(8) Section 284(1), (2), (2A), (2B), (3) and (8) of the Merchant Shipping Act 1995 (enforcement of detention of ships) applies in the case of detention under a detention direction as it applies in the case of detention authorised or ordered by that Act, but as if –~~

- ~~(a) any reference in that section to a notice of detention were to the detention direction, and~~
- ~~(b) the reference in subsection (2A) of that section to a direction given under subsection (1A)(a) of that section were to any requirement imposed by the detention direction.~~

(9) In this regulation, “consular officer”, in relation to a foreign country, means the officer recognised by Her Majesty as a consular officer of that foreign country.

~~(10) In this regulation, “designated person” means a person who is designated under regulation 5 for the purposes of the relevant regulations under this Part.~~

(10) In this regulation, “designated person” has the same meaning as in regulation 57A(6).

(11) Where a ship is to be detained, a maritime enforcement officer may detain the ship.

(12) If a ship which is subject to a detention direction proceeds to sea on the direction of its master before it is released by the Secretary of State, then the master of the ship shall be guilty of an offence.

(13) If the master of a ship fails to comply with a detention direction given under paragraph (1) or (2) to which his ship is subject to then the master of the ship shall be guilty of an offence.

⁴⁶² Substituted by SI 2022/241.

(14) The owner of the ship, and any person who sends to sea a ship, as respects which an offence is committed under paragraph (12) or (13) shall, if party or privy to the offence, be guilty of an offence.

(15) Any reference in this section to proceeding to sea includes a reference to going on a voyage or excursion that does not involve going to sea, and references to sending or taking to sea shall be construed accordingly.

(16) In this regulation, "maritime enforcement officer" has the same meaning as regulation 90(1).

Registration of ships in the ~~United Kingdom~~ Isle of Man

57E. (1) The Registrar must refuse to register a ship if, on the basis of the information given to the Registrar by the Secretary of State or accompanying the application for registration, the ship appears to the Registrar to be owned, controlled, chartered or operated by –

- (a) designated persons, or
- (b) persons connected with Russia.

(2) The Secretary of State may direct the Registrar to terminate the registration of –

- (a) a ship that is owned, controlled, chartered or operated by:
 - (i) designated persons;
 - (ii) persons connected with Russia; or
- (b) a specified ship.

(3) For the purposes of this regulation –

- (a) any reference to registering a ship is to registering the ship in the register of ~~British ships~~ **Manx ships** maintained by the Registrar,
- ~~(b) "designated person" means a person who is designated under regulation 5 for the purposes of the relevant regulations under this Part, and~~
- (b) "designated persons" has the same meaning as "designated person" in regulation 57A(6);**
- (c) a ship is "chartered" by a person if it is chartered on bareboat charter terms within the meaning given by section 17(11) of the Merchant Shipping Act 1995 **(of Parliament)**.

~~Specification of ships~~

~~57F. (1) The Secretary of State may specify ships within the meaning of section 7 of the Act for the purposes of –~~

- ~~(a) regulation 57A (prohibition on port entry);~~
- ~~(b) regulation 57B (directions prohibiting port entry);~~
- ~~(c) regulation 57C (movement of ships);~~

(d) ~~regulation 57D (detention of ships),~~

(e) ~~regulation 57E (registration of ships in the United Kingdom).~~

~~(2) The Secretary of State must specify a ship by its International Maritime Organization number or, where it is not reasonably practicable to identify it by that number, by any other means that the Secretary of State considers appropriate.~~

~~(3) The Secretary of State may not specify a ship unless the Secretary of State—~~

~~(a) has reasonable grounds to suspect that the ship is, has been, or is likely to be, involved in a relevant activity, and~~

~~(b) considers that it is appropriate for that ship to be specified, having regard to the purposes stated in regulation 4.~~

~~(4) For the purposes of this regulation a ship is “involved in a relevant activity” if the ship is used for any activity whose object or effect is to contravene or circumvent, or to enable or facilitate the contravention of, any provision of these Regulations.~~

Notification and publicity where specification power used

~~57G. (1) Paragraph (2) applies where the Secretary of State—~~

~~(a) has specified a ship under regulation 57F(1) or (2) (specification of ships), or~~

~~(b) has by virtue of section 26 of the Act revoked a specification made under that regulation.~~

~~(2) The Secretary of State—~~

~~(a) must without delay take such steps as are reasonably practicable to inform such persons as the Secretary of State considers appropriate of the specification or revocation, and~~

~~(b) except where one or more of the restricted publicity conditions is met, must take steps to publicise the specification or revocation generally.~~

~~(3) The “restricted publicity conditions” are that the Secretary of State considers that disclosure of the specification or revocation should be restricted—~~

~~(a) in the interests of national security or international relations,~~

~~(b) for reasons connected with the prevention or detection of serious crime in the United Kingdom or elsewhere, or~~

~~(c) in the interests of justice.~~

~~(4) Paragraph (5) applies if—~~

~~(a) when a specification is made one or more of the restricted publicity conditions is met, but~~

~~(b) at any time when the specification has effect, it becomes the case that none of the restricted publicity conditions is met.~~

~~(5) The Secretary of State must take steps to publicise the specification generally.~~

Requirement to publish specification of ships

57G. (1) Subject to paragraph (2), the Treasury must publish the specification of a ship which has been specified by the Secretary of State from time to time under regulation 57F of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament).

(2) Where, in accordance with regulation 57G (notification and publicity where specification power used) (as it has effect in the United Kingdom) the Secretary of State is not required to publicise generally a specification or revocation, the Treasury must not publicise under paragraph (1) any details of that specification or revocation.

(3) The Treasury may publish the specification under paragraph (1) in any form the Treasury considers appropriate, including by means of a website.

(4) For the purpose of this regulation, "*specification*" means any ship for the time being specified by the Secretary of State under regulation 57F of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament).

Directions under this Part: general

57H. (1) Paragraphs (2) to (4) apply in relation to a direction given by the Secretary of State under this Part.

(2) A person to whom a direction is given has a duty to comply with it.

(3) A direction may be of indefinite duration or a defined duration.

(4) A person who gives a direction may vary, revoke or suspend it at any time.

(5) A direction under regulation 57C(2) (movement of ships) may be given to any harbour authority or to harbour authorities generally.

Interpretation of Part 6

57I. (1) For the purposes of regulations 57A to 57H, a ship is –

[(a) "owned" by a person if –

(i) the legal title to the ship, or to any share in the ship, is vested in the person, or in a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by that person, or

(ii) the person, or a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by that person, has a beneficial interest in the ship or in any share in the ship; and]⁴⁶³

(b) "controlled" by a person who is able to take decisions about its operation, including (but not limited to) decisions about the route the ship may take and the appointment of master or crew.

(2) For the purposes of paragraph (1)(b), a ship is not "controlled" by its master or crew, unless that master or crew are designated persons under the relevant regulations of this Part.

⁴⁶³ Substituted by SI 2022/814.

[(2A) For the purposes of regulations 57A to 57H, a ship is not "operated" by its master or crew unless that master or crew are designated persons under the relevant regulations of this Part.]⁴⁶⁴

(3) Any reference in this Part to a legal title or other interest includes one held jointly with any other person or persons.

~~———— (4) ——— For the purposes of this Part —~~

~~"beneficial interest" means any beneficial interest, however arising (whether held by trustee or nominee or arising under a contract or otherwise), other than an interest held by any person as mortgagee;~~

~~"specified ship" means a ship specified by the Secretary of State under regulation 57F (specification of ships);~~

~~"the relevant regulations of this Part" means regulations 57A, 57C, 57D and 57E.~~

(4) For the purposes of this Part —

"British ship" has the meaning given in section 19 of the Act;

"beneficial interest" means any beneficial interest, however arising (whether held by trustee or nominee or arising under a contract or otherwise), other than an interest held by any person as mortgagee;

"harbour authority" means the Department of Infrastructure of the Isle of Man established under section 1 of the Government Departments Act 1987 (of Tynwald);

"Manx ship" means a ship which —

- (a) is registered under Part I, II, III or IV of the Merchant Shipping Registration Act 1991 (of Tynwald)⁴⁶⁵, or**
- (b) is not registered under the law of a country outside the Isle of Man but is wholly owned by persons each of whom has an Isle of Man connection;**

"master" includes every person (except a pilot) having command or charge of a ship and, in relation to a fishing vessel, means the skipper;

"pilot", in relation to a ship, means any person not belonging to the ship who has the conduct of the ship;

"the Registrar" means the Department for Enterprise of the Isle of Man established under section 1 of the Government Departments Act 1987 (of Tynwald);

"registration" means registration in the register operated by the Registrar;

"ship" includes every description of vessel (including hovercraft) used in navigation, except the naval, military or air-force ships of any country;

⁴⁶⁴ Inserted by SI 2022/241.

⁴⁶⁵ AT 15 of 1991.

"specified ship" means a ship specified by the Secretary of State from time to time under regulation 57F of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament)⁴⁶⁶.

(5) For the purposes of this Part, a person is to be regarded as "connected with Russia" if the person is –

- (a) an individual who is, or an association or combination of individuals who are, ordinarily resident in Russia,
- (b) an individual who is, or an association or combination of individuals who are, located in Russia,
- (c) a person, other than an individual, which is incorporated or constituted under the law of Russia, or
- (d) a person, other than an individual, which is domiciled in Russia.

~~(6) Any expression used in this Part and in section 7 of the Act (shipping sanctions) has the same meaning in this Part as it has in that section.]⁴⁶⁷~~

[PART 6A Aircraft

Movement of aircraft

57J. (1) A Russian aircraft must not –

- (a) overfly the ~~United Kingdom~~ **Isle of Man**, or
- (b) land in the ~~United Kingdom~~ **Isle of Man**.

(2) Paragraph (1) is subject to [Part 7 (Exceptions and licences)]⁴⁶⁸.

(3) ~~Air traffic control~~ **An air traffic control unit** may direct the operator or pilot in command of a Russian aircraft –

- (a) not to enter the airspace over the ~~United Kingdom~~ **Isle of Man**, or
- (b) to leave the airspace over the ~~United Kingdom~~ **Isle of Man** by a specific route.

(4) The Secretary of State may direct ~~air traffic control~~ **an air traffic control unit** to give a direction under paragraph (3).

(5) An airport operator may direct the operator or pilot in command of a Russian aircraft –

- (a) not to take off, or not to permit the aircraft to take off, from an airport the operator manages,
- (b) to take off, or to require the aircraft to take off, from an airport the operator manages, or

⁴⁶⁶ Regulation 57F was inserted by SI 2022/203.

⁴⁶⁷ Regulations 57A to 57I were inserted by SI 2022/203.

⁴⁶⁸ Substituted by SI 2022/395.

- (c) not to land, or not to permit the aircraft to land, at an airport the operator manages.
- (6) The Secretary of State may direct an airport operator to –
 - (a) give a direction under paragraph (5),
 - (b) secure the detention of a Russian aircraft at an airport, or
 - (c) secure the movement of a Russian aircraft to an airport specified in the direction.
- (7) An airport operator giving a direction under paragraph (5)(a) must take such steps as are reasonably practicable to detain the aircraft.

~~[(8) The Secretary of State may issue directions providing for exceptions to paragraph (1), (3) or (5).]~~⁴⁶⁹

- (9) The Secretary of State may direct the ~~CAA~~ **Department for Enterprise** to –
 - (a) refuse permission under article ~~250~~ **139** of the ANO in respect of a Russian aircraft,
 - (b) refuse permission under article ~~252~~ **141** of the ANO in respect of a Russian aircraft,
 - (c) suspend or revoke any permission granted under article ~~250~~ **139** of the ANO in respect of a Russian aircraft, or
 - (d) suspend or revoke any permission granted under article ~~252~~ **141** of the ANO in respect of a Russian aircraft.
- (10) In this regulation, “Russian aircraft” means an aircraft –
 - (a) owned, chartered or operated by –
 - (i) a designated person, or
 - (ii) a person connected with Russia, or
 - (b) registered in Russia.

~~(11) In paragraph (10), a “designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of either this regulation or regulation 57M (registration of an aircraft in the United Kingdom).~~

(11) In paragraph (10), a “designated person” means a person who is designated by the Secretary of State from time to time under regulation 5 of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament) for the purposes of this regulation or regulation 57M (registration of an aircraft in the Isle of Man).

⁴⁶⁹ Substituted by SI 2022/395.

Directions under regulation 57J

57K. (1) Paragraphs (2) to (4) apply in relation to a direction given under regulation 57J (movement of aircraft).

(2) A person to whom a direction is given has a duty to comply with it.

(3) A direction may be of indefinite duration or a defined duration.

(4) A person who gives a direction may vary, revoke or suspend it at any time.

(5) A direction under regulation 57J(6) may be given to any airport operator or to airport operators generally.

(6) Any directions made by the Secretary of State under regulation 57J may make different provision for different purposes.

(7) Any directions in regulation 57J(3) to (9) are subject to the exceptions in regulation 61B (aircraft: exceptions from prohibitions).

Directions under regulation 57J: supplementary

57L. (1) Where a direction is given under regulation 57J(9)(c) or (d) (movement of aircraft: direction to ~~CAA~~ **Department for Enterprise**) –

(a) to the extent that the direction conflicts with the requirements of article ~~255~~ **145** of the ANO (revocation etc. of permissions), those requirements are to be disregarded, and

(b) article ~~255(4)~~ **145(3)** of the ANO does not apply in relation to [the suspension or]⁴⁷⁰ the revocation which is the subject of the direction.

(2) Where a direction is given under regulation 57J which conflicts with a permission under article [139 or 141]⁴⁷¹ of the ANO, the permission is to be disregarded.

~~———— (3) ——— In so far as a direction under regulation 57J conflicts with the requirements of section 93 of the Transport Act 2000 or an order under section 94 of that Act, the direction is to be disregarded.~~

~~———— (4) ——— In so far as a direction under regulation 57J conflicts with the requirements of an enactment other than section 93 of the Transport Act 2000 or an order made under section 94 of that Act, those requirements are to be disregarded.~~

(5) The Secretary of State may notify a person that the existence of, or any part of the content of, a direction under regulation 57J, or anything done under the direction, is to be treated as confidential.

(6) A person must not disclose any information if the Secretary of State notifies that person under paragraph (5) that the information is to be treated as confidential.

Registration of an aircraft in the United Kingdom

57M. (1) The ~~CAA~~ **Department for Enterprise** must refuse to register an aircraft if, on the basis of the information given to the ~~CAA~~ **Department for Enterprise** by the applicant, the Secretary of State or a third person, the aircraft appears to be a relevant aircraft.

⁴⁷⁰ Inserted by SI 2022/395.

⁴⁷¹ Substituted by SD 2023/0136.

(2) The Secretary of State may direct the ~~CAA~~ **Department for Enterprise** to terminate the registration of a relevant aircraft.

(3) In so far as a direction under paragraph (2) conflicts with the provisions of ~~Part 3~~ **Part 1** (Registration and marking) of the ANO, those provisions are to be disregarded.

(4) For the purposes of this regulation "relevant aircraft" means –

- (a) an aircraft owned or operated by a designated person, or
- (b) an aircraft chartered by demise by a designated person.

(5) Any reference in this regulation to registering an aircraft is a reference to registering an aircraft in the register kept by the CAA **Department for Enterprise**.

~~——— (6) In paragraph (4), a "designated person" means a person who is designated under regulation 5 (power to designate persons) for the purposes of either this regulation or regulation 57J (movement of aircraft).~~

(6) In paragraph (4), a "designated person" has the same meaning as in regulation 57J(11).

Offences

57N. (1) If a prohibition in regulation 57J(1) (movement of aircraft) is contravened by a flight or landing of a Russian aircraft, the operator and pilot in command of the aircraft commit an offence.

(2) It is an offence for an airport operator to fail, without reasonable cause, to comply with a direction given by the Secretary of State under regulation 57J(6).

(3) It is an offence for a person to whom a direction is given under regulation 57J(3) (direction by ~~air traffic control~~ **an air traffic control unit** to operator or pilot of Russian aircraft) to fail to comply with the direction.

(4) it is an offence for a person to whom a direction is given under regulation 57J(5) (direction by airport operator to operator or pilot of Russian aircraft) to fail to comply with the direction.

(5) A person who contravenes the prohibition in regulation 57L(6) (disclosure of direction) commits an offence.

[(6) In paragraph (1), "Russian aircraft" has the same meaning as in regulation 57J.]⁴⁷²

Interpretation of Part 6A

57O. (1) In this Part –

~~"air traffic control" means a person who holds a licence under section 5 of the Transport Act 2000;~~

"air traffic control unit" has the same meaning given in article 167 of the ANO;

"aircraft", includes –

⁴⁷² Inserted by SI 2022/395.

(a) **unmanned aircraft; and**

(b) **aircraft capable of spaceflight activities,**

but does not include the naval, military or air-force aircraft of any country;

"airport" has the meaning given in section 12(1) of the Airports and Civil Aviation Act 1987 (of Tynwald)⁴⁷³;

"airport operator", in relation to an airport, means the person by whom the airport is managed;

~~"the ANO" means the Air Navigation Order 2016;~~

"the ANO" means the Air Navigation (Isle of Man) Order 2015⁴⁷⁴;

"beneficial interest" means any beneficial interest, however arising (whether held by trustee or nominee or arising under a contract or otherwise), other than an interest held by any person as mortgagee;

"Department for Enterprise" means the Department for Enterprise of the Isle of Man established under section 1 of the Government Departments Act 1987 (of Tynwald)⁴⁷⁵;

"operator", in relation to an aircraft, has the same meaning given in article 169 of the ANO;

"pilot in command", in relation to an aircraft, has the same meaning given in article 167 of the ANO;

~~["Russian aircraft" means an aircraft—~~

~~(a) — owned, chartered or operated by—~~

~~(i) — a designated person, or~~

~~(ii) — a person connected with Russia, or~~

~~(b) — registered in Russia;]⁴⁷⁶~~

[(2) For the purposes of this Part an aircraft is "owned" by a person if –

(a) the legal title to the aircraft, or to any share in the aircraft, is vested in the person, or a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by that person, or

(b) the person, or a person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by that person, has a beneficial interest in the aircraft or in any share in the aircraft,

⁴⁷³ AT 10 of 1987.

⁴⁷⁴ SI 2015/870, as amended by SI 2016/155, SI 2016/765, SI 2020/1280 and SI 2021/751.

⁴⁷⁵ AT 13 of 1987.

⁴⁷⁶ Omitted by SI 2022/395.

and the reference to a legal title or other interest includes one held jointly with any other person or persons.]⁴⁷⁷

(3) For the purposes of this Part a person is to be regarded as “connected with” Russia if the person is –

- (a) an individual who is, or an association or combination of individuals who are, ordinarily resident in Russia,
- (b) an individual who is, or an association or combination of individuals who are, located in Russia,
- (c) a person, other than an individual, which is incorporated or constituted under the law of Russia, or
- (d) a person, other than an individual, which is domiciled in Russia.

~~(4) Any expression used in this Part and in section 6 of the Act (aircraft sanctions) has the same meaning in this Part as it has in that section.]⁴⁷⁸~~

PART 7

Exceptions and licences

Asset-freeze etc.: exceptions from prohibitions

58. (1) The prohibition in regulation 11 (asset-freeze in relation to designated persons) is not contravened by an independent person (“P”) transferring to another person a legal or equitable interest in funds or economic resources where, immediately before the transfer, the interest—

- (a) is held by P, and
- (b) is not held jointly with the designated person.

(2) In paragraph (1) “independent person” means a person who—

- (a) is not the designated person, and
- (b) is not owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.

(3) The prohibitions in regulations 11 to 13 (asset-freeze in relation to, and making funds available to or for the benefit of, designated persons) are not contravened by a relevant institution crediting a frozen account with interest or other earnings due on the account.

(4) The prohibitions in regulations 12 and 13 (making funds available to, or for the benefit of, designated persons) are not contravened by a relevant institution crediting a frozen account where it receives funds transferred to that institution for crediting to that account.

(5) The prohibitions in regulations 12 and 13 are not contravened by the transfer of funds to a relevant institution for crediting to an account held or controlled (directly or indirectly) by a designated person, where those funds are transferred in discharge (or partial discharge) of an obligation which arose before the date on which the person became a designated person.

~~(6) The prohibitions in regulations 11 to 13 are not contravened in relation to a designated person (“P”) by a transfer of funds from account A to account B, where—~~

⁴⁷⁷ Substituted by SI 2022/814.

⁴⁷⁸ Part 6A inserted by SI 2022/241.

~~(a) — account A is with a relevant institution which carries on an excluded activity within the meaning of section 142D of the Financial Services and Markets Act 2000,~~

~~(b) — account B is with a ring-fenced body within the meaning of section 142A of the Financial Services and Markets Act 2000, and~~

~~(c) — accounts A and B are held or controlled (directly or indirectly) by P.~~

(7) In this regulation—

“designated person” has the same meaning as it has in Chapter 1 Part 3 (Finance);

“frozen account” means an account with a relevant institution which is held or controlled (directly or indirectly) by a designated person;

~~“relevant institution” means a person that has permission under Part 4A of the Financial Services and Markets Act 2000 (permission to carry on regulated activity).~~

“relevant institution” means –

- (a) a person who is licensed under the Financial Services Act 2008 (of Tynwald)⁴⁷⁹ to carry on a regulated activity within the meaning of section 3 of that Act;**
- (b) a person who is authorised or registered under the Insurance Act 2008 (of Tynwald)⁴⁸⁰ or holds a permit under that Act;**
- (c) a person who is registered under the Moneylenders Act 1991 (of Tynwald)⁴⁸¹ to carry on the business of lending money;**
- (d) a person who is acting as a trustee or an administrator of a retirement benefits scheme within the meaning of the [Retirement Benefits Schemes Act 2000]⁴⁸² (of Tynwald)⁴⁸³.**

~~—— (8) — The definition of “relevant institution” in paragraph (7) is to be read with section 22 of the Financial Services and Markets Act 2000, any relevant order under that section and Schedule 2 to that Act.~~

Exceptions relating to loans and credit arrangements

59. (1) The prohibitions in regulation 17 (loans and credit arrangements) are not contravened by the grant of—

~~[(a) — a relevant loan that has a specific and documented objective of making funds available for non-restricted trade;]⁴⁸⁴~~

(b) a relevant loan that has a specific and documented objective of making emergency funds available to meet applicable solvency or liquidity criteria for a relevant subsidiary;

⁴⁷⁹ AT 8 of 2008.

⁴⁸⁰ AT 16 of 2008.

⁴⁸¹ AT 6 of 1991.

⁴⁸² Substituted by SD 2023/0136.

⁴⁸³ AT 14 of 2008.

⁴⁸⁴ Omitted by SI 2022/194.

[(c) a relevant loan consisting of a drawdown or disbursement made under an arrangement entered into before –

- (i) in the case of a category 1 loan, 15th September 2014;
- (ii) in the case of a category 2 loan, a category 3 loan or a category 4 loan, 1st March 2022;

[(iii) in the case of a category 5 loan, [29th October 2022]⁴⁸⁵;⁴⁸⁶

[(iv) in the case of a category 6 loan, 16th December 2022;]⁴⁸⁷

where the conditions in paragraph (2) are met.]⁴⁸⁸

(2) The conditions referred to in paragraph (1)(c) are that—

(a) all the terms and conditions of such drawdowns or disbursements—

[(i) were agreed before –

(aa) in the case of a category 1 loan, 15th September 2014;

(bb) in the case of a category 2 loan, a category 3 loan or a category 4 loan, 1st March 2022;]⁴⁸⁹

[(cc) in the case of a category 5 loan, [29th October 2022]⁴⁹⁰;⁴⁹¹

[(dd) in the case of a category 6 loan, 16th December 2022;]⁴⁹²

(ii) have not been modified on or after that date; and

(b) a contractual maturity date has been fixed for the repayment in full of all funds made available and for the cancellation of all the rights and obligations under the arrangement.

(3) In this regulation—

~~["the Amendment Regulations (No. 15) 2022" has the meaning given to it in regulation 17;]~~⁴⁹³

["category 1 loan" has the meaning given to it in regulation 17;

"category 2 loan" has the meaning given to it in regulation 17;

"category 3 loan" has the meaning given to it in regulation 17;

"category 4 loan" has the meaning given to it in regulation 17;]⁴⁹⁴

⁴⁸⁵ Substituted by SI 2022/1331.

⁴⁸⁶ Inserted by SI 2022/1110.

⁴⁸⁷ Inserted by SI 2022/1331.

⁴⁸⁸ Substituted by SI 2022/194.

⁴⁸⁹ Substituted by SI 2022/194.

⁴⁹⁰ Substituted by SI 2022/1331.

⁴⁹¹ Inserted by SI 2022/1110.

⁴⁹² Inserted by SI 2022/1331. <https://www.msn.com/en-gb/feed>

⁴⁹³ Omitted by SI 2022/1331.

⁴⁹⁴ Inserted by SI 2022/194.

["category 5 loan" has the meaning given to it in regulation 17;]⁴⁹⁵

["category 6 loan" has the meaning given to it in regulation 17;]⁴⁹⁶

~~["non-restricted trade" means trade falling within any of the following descriptions, except to the extent that such trade is prohibited under these Regulations—~~

~~(a) — the export of goods from the United Kingdom **Isle of Man**;~~

~~(b) — the import of goods to the United Kingdom **Isle of Man**;~~

~~(c) — services other than financial services which are provided—~~

~~(i) — from a place in the United Kingdom **Isle of Man** to a place in a non-UK **non-IOM** country; or~~

~~(ii) — from a place in a non-UK **non-IOM** country to a place in the United Kingdom **Isle of Man**;~~⁴⁹⁷

~~["non-UK country" means a country that is not the United Kingdom;]~~

~~**"non-IOM country" means a country that is not the Isle of Man;**~~⁴⁹⁸

"relevant loan" has the meaning given to it in regulation 17;

"relevant subsidiary" means a person, other than an individual, which is—

(a) incorporated or constituted under the law of any part of the ~~United Kingdom~~ **Isle of Man**, and

[(b) owned (within the meaning of regulation 16(7)) by a person, other than an individual, that is connected with Russia.]⁴⁹⁹

[[Exceptions relating to processing payment]⁵⁰⁰

59A. [(1)]⁵⁰¹ The prohibition in regulation 17A(2) (processing [sterling]⁵⁰² payments) does not apply to the processing of a [sterling]⁵⁰³ payment for any fee or charge required to permit an aircraft to overfly, land in or take off from Russia.]⁵⁰⁴

[(2) The prohibition in regulation 17A(2) is not contravened by a transfer (or, if necessary, more than one transfer) of funds by C from account A to account B where –

(a) neither account A nor account B are held I the name of a customer of C; and

(b) both account A and account B are held within the United Kingdom **or the Isle of Man**; and

⁴⁹⁵ Inserted by SI 2022/1110.

⁴⁹⁶ Inserted by SI 2022/1331.

⁴⁹⁷ Omitted by SI 2022/194.

⁴⁹⁸ Omitted by SI 2022/395.

⁴⁹⁹ Substituted by SI 2022/194.

⁵⁰⁰ Substituted by SI 2023/1364.

⁵⁰¹ Inserted by SI 2023/1364.

⁵⁰² Omitted by SI 2023/1364.

⁵⁰³ Omitted by SI 2023/1364.

⁵⁰⁴ Inserted by SI 2022/194.

- (c) the transfer (or transfers) from account A to account B is (or are) carried out for the purpose of compliance with regulation 17A(2).]⁵⁰⁵

Exceptions relating to investments in relation to [non-government controlled Ukrainian territory]⁵⁰⁶

60. (1) The prohibitions in [regulation 18 (investments in relation to non-government controlled Ukrainian territory)]⁵⁰⁷ are not contravened by any act done by a person ("P") in satisfaction of an obligation of P arising under a contract concluded before [the relevant date]⁵⁰⁸, or an ancillary contract necessary for the satisfaction of such a contract, provided that P has notified the Treasury no later than the day five working days before the day on which the act is carried out.

(2) The prohibitions in regulation 18 are not contravened by activities carried on by a person with entities outside [non-government controlled Ukrainian territory]⁵⁰⁹ where the related investment is not destined for an entity in [non-government controlled Ukrainian territory]⁵¹⁰.

[(3) In this regulation, "the relevant date" means –

- (a) in the case of investments in relation to Crimea, 20th December 2014;
- (b) in the case of investments in relation to non-government controlled areas of the Donetsk and Luhansk oblasts, 23rd February 2022.]⁵¹¹
- [(c) in the case of investments in relation to non-government controlled areas of the Kherson and Zaporizhzhia oblasts, 20th June 2023.]⁵¹²

[Exceptions relating to investments in relation to Russia

60ZZA. (1) The prohibitions in regulation 18B (investments in relation to Russia) are not contravened by any act done by a person ("P") in satisfaction of an obligation of P arising under a [contract –

- (a) concluded before 16th December 2022, in the case of a relevant activity, or
- (b) concluded before 19th July 2022, in any other case,]⁵¹³

or an ancillary contract necessary for the satisfaction of such a contract, provided that P has notified the Treasury no later than the day five working days before the day on which the act is carried out.

(2) The prohibitions in regulation 18B are not contravened by a person dealing, directly or indirectly, with –

- (a) a transferable security where such dealing is prohibited by regulation 16;
- (b) a relevant security issued by a person connected with Russia; or
- (c) a relevant security issued by a relevant entity.

(3) In this regulation –

⁵⁰⁵ Inserted by SI 2023/1364.

⁵⁰⁶ Substituted by SI 2022/395.

⁵⁰⁷ Substituted by SI 2022/395.

⁵⁰⁸ Substituted by SI 2022/395.

⁵⁰⁹ Substituted by SI 2022/395.

⁵¹⁰ Substituted by SI 2022/395.

⁵¹¹ Inserted by SI 2022/395.

⁵¹² Inserted by SI 2023/665.

⁵¹³ Substituted by SI 2022/1331.

“dealing with” a relevant security issued by a person connected with Russia or by a relevant entity includes a reference to purchasing or selling the security, providing investment services relating to the security or assisting in the issuance of the security;

[“person connected with Russia” is to be construed in accordance with regulation 19A(2);

“relevant activity” means directly or indirectly acquiring any ownership interest in or control over a person, other than an individual, which is not a person connected with Russia, for the purpose of making funds or economic resources available –

- (a) directly or indirectly to a person connected with Russia, or
- (b) for the benefit of a person connected with Russia;]⁵¹⁴

“relevant entity” shall have the same meaning as it has in regulation 18B (investments in relation to Russia);

“relevant security issued by a person connected with Russia” means a security issued by –

- (a) a person connected with Russia;
- (b) a person, other than an individual, which is owned by a person falling within sub-paragraph (a); or
- (c) a person, other than an individual, acting on behalf or at the direction of a person within sub-paragraph (a) or sub-paragraph (b);

which –

- (d) is negotiable on the capital market;
- (e) is any of the following kinds, but excluding instruments of payment –
 - (i) shares in companies and other securities equivalent to shares in companies, partnerships or other entities, and depositary receipts in respect of shares;
 - (ii) bonds or other forms of securitised debt, including depositary receipts in respect of such securities;
 - (iii) any other securities giving the right to purchase or sell any security of a kind mentioned in paragraph (i) or (ii); and
- (f) was admitted to trading on a regulated market or multilateral trading facility prior to [19th July 2022]⁵¹⁵;

[“relevant security issued by a relevant entity” means a security issued by a relevant entity for the purpose of an activity not prohibited by regulation 18B which –

- (a) is negotiable on the capital market, and

⁵¹⁴ Inserted by SI 2022/1331.

⁵¹⁵ Substituted by SI 2022/1331.

- (b) is of any of the following kinds but excluding instruments of payment –
 - (i) shares in companies and other securities equivalent to shares in companies, partnerships or other entities, and depositary receipts in respect of shares;
 - (ii) bonds or other forms of securitised debt, including depositary receipts in respect of such securities;
 - (iii) any other securities giving the right to purchase or sell any security of a kind mentioned in sub-paragraph (i) or (ii);⁵¹⁶

~~["the Amendment No. 12 Regulations" means the Russia (Sanctions) (EU Exit) (Amendment) (No. 12) Regulations 2022, as those Regulations have effect in the Island;]~~⁵¹⁷

"transferable security" has the same meaning as it has in regulation 16 (dealing with transferable securities or money-market instruments).⁵¹⁸

[Exceptions relating to trust services

60ZZB. (1) The prohibitions in regulation 18C (trust services) are not contravened by any act done by a person ("P") –

- (a) in satisfaction of an obligation in respect of the provision of trust services by P to or for the benefit of –
 - (i) a designated person, or
 - (ii) a person connected with Russia,
 where those services are provided in relation to the discharge of or compliance with UK **or Isle of Man** statutory or regulatory obligations;
- (b) for the purposes of complying with the prohibitions and obligations in Chapter 1 of Part 3 (asset freeze etc.);
- (c) in connection with transferable securities or money-market instruments where dealing with such securities or instruments is not prohibited by regulation 16 or 18B.

(2) The prohibitions in regulation 18C are not contravened by the provision of the following trust services where the condition in paragraph (3) is met –

- (a) trust services provided to a community amateur sports club ~~registered as such with His Majesty's Revenue and Customs;~~
- (b) trust services provided to a trust for charitable services which –
 - (i) in Scotland or Northern Ireland, is registered as a charity, ~~or~~

⁵¹⁶ Substituted by SI 2022/1331.

⁵¹⁷ Omitted by SI 2022/1331.

⁵¹⁸ Regulation 60ZZA inserted by SI 2022/801.

- (ii) in England and Wales, is registered as a charity or is not required to register by virtue of section 30(2) of the Charities Act 2011 (charities required to be registered: general)⁵¹⁹; **or**
- (iii) **in the Isle of Man is a registered charity or is not required to register by virtue of section 10 of the Charities Registration and Regulation Act 2019;**
- (c) trust services provided to a pension scheme that is a registered pension scheme under Chapter 2 of Part 4 of the Finance Act 2004 (registration of pension schemes)⁵²⁰ **or is registered as an authorised scheme under section 3 of the Retirement Benefits Schemes Act 2000;**
- (d) trust services for the purposes of a trust –
 - (i) created under, or for the purposes of, the default arrangements of a designated system or the default rules of a recognised body, or for the purpose of any action or proceedings taken by, or for, such a system or body under such arrangements or rules;
 - (ii) relating to the creation of a beneficial interest in securities belonging to a person whose name and address are maintained on a register of securities;
 - (iii) created by, or for, a segregating entity for the purpose of –
 - (aa) protecting funds or economic resources belonging to the segregating entity's clients, or
 - (bb) complying with a legal obligation to safeguard and segregate funds or economic resources belonging to the segregating entity's clients or to keep separate client records and accounts;
- (e) trust services provided by the operator or trustee of an authorised unit trust scheme in relation to that scheme;
- (f) trust services provided in the course of, or in connection with, carrying on by way of business the activity specified in the following articles of the Finance Services and Markets Act 2000 (Regulated Activities) Order 2001⁵²¹ (of Parliament) –
 - (i) article 40 (safeguarding and administering investments),
 - (ii) article 512B (acting as trustee or depositary of a UK UCTIS), or
 - (iii) article 512D (acting as trustee or depositary of an AIF),
 except in so far as the activity relates to an unauthorised unit trust scheme;
- (g) trust services provided in the course of, or in connection with, the acting by way of business as an agent holding funds, economic resources or documents in escrow until the performance of a contractual condition agreed

⁵¹⁹ 2011 c.25. Section 30(2)(c)(i) was amended by S.I. 2016/997.

⁵²⁰ 2004 c.12. See section 150(2) for the meaning of "registered pension scheme".

⁵²¹ S.I. 2001/544. Articles 512B and 512D were substituted by S.I. 2013/1773 and both articles were amended by S.I. 2019/632 (as itself amended by S.I. 2019/1212).

between two or more other persons, including the person for whom the funds, economic resources or documents are being held.

(3) The condition in this paragraph is that the trust services are not provided primarily to, or for the benefit of, a designated person or a person connected with Russia.

(4) Where the condition in paragraph (5) is met, the prohibitions in regulation 18C are not contravened by the provision of trust services for making funds and economic resources available to or for the benefit of –

- (a) a person under the age of 18, **or**
- (b) **a person who lacks capacity under the law of the Isle of Man.** ~~a person who lacks capacity within the meaning of section 2 of the Mental Capacity Act 2005 (people who lack capacity);~~
- (c) ~~a person who is incapable within the meaning of section 1 of the Adults with Incapacity (Scotland) Act 2000 (general principles and fundamental definitions); or~~
- (d) ~~a person who is incapable of managing and administering their property and affairs, by reason of mental disorder within the meaning of article 3(1) of the Mental Health (Northern Ireland) Order 1986 (definition of “mental disorder” and related expressions);~~

(5) The condition in this paragraph is that the trust services are not provided primarily to, or for the benefit of, a designated person.

(6) In this regulation, whether trust services are provided for the benefit of a person is to be construed in accordance with regulation 18C.

(7) In this regulation –

“FSMA” means the Financial Services and Markets Act 2000⁵²² **(of Parliament);**

“the 1999 Regulations” means the Financial Markets and Insolvency (Settlement Finality) Regulations 1999⁵²³ **(of Parliament);**

“authorised unit trust scheme” has the meaning given in section 237 of FSMA (other definitions)⁵²⁴ [and includes an authorised scheme within the meaning of section 26(1) of the Collective Investment Schemes Act 2008 (of Tynwald)⁵²⁵]⁵²⁶;

~~“clearing member” has the meaning given in section 190(1) of the Companies Act 1989 (minor definitions)~~ **means an undertaking which participates in a CCP and which is responsible for discharging the financial obligations arising from that participation;**

“CPP” means a legal person that interposes itself between the counterparties to the contracts traded on one or more financial markets, becoming the buyer to every seller and the seller to every buyer;

⁵²² 2000 c.8.

⁵²³ S.I. 1999/2979.

⁵²⁴ The definition of “the operator” was amended by the Financial Services Act 2021 (c.22), paragraph 5 of Schedule 9 and by S.I. 2011/1613, 2013/1388 and 2019/325.

⁵²⁵ AT 7 of 2008.

⁵²⁶ Inserted by SD 2023/0136.

~~"community amateur sports club" has the meaning given in section 658 of the Corporation Tax Act 2010 (meaning of "community amateur sports club" and "registered club")~~ **has the meaning given by Schedule 5A of the Hydrocarbon Oil Duties Act 1986⁵²⁷;**

"default arrangements" has the meaning given in regulation 2(1) of the 1999 Regulations (interpretation)⁵²⁸;

~~"default rules" has the meaning given in section 188 of the Companies Act 1989 (meaning of "default rules" and related expressions)~~ **means rules of a recognised body which provide for the taking of action in the event of a person (including another recognised body) appearing to be unable, or likely to become unable, to meet his obligations in respect of one or more market contracts connected with the recognised body;**

"designated person" has the meaning given in regulation 18C(7);

"designated system" has the meaning given in regulation 2(1) of the 1999 regulations⁵²⁹;

"the operator" has the meaning given in section 237 of FSMA;

"participant" has the meaning given in regulation 2(1) of the 1999 Regulations⁵³⁰;

"person connected with Russia" is to be construed in accordance with regulation 19A(2);

"recognised body" has the meaning given in section 313 of FSMA⁵³¹;

"recognised central counterparty" has the meaning given in section 313 of FSMA⁵³²;

"register of securities" has the meaning given in regulation 3(1) of the Uncertificated Securities Regulations 2001 (interpretation)⁵³³ **(of Parliament);**

"segregating entity" means –

- (a) a clearing member of a recognised central counterparty,
- (b) a participant in a designated system,
- (c) a designated system, or
- (d) a recognised body;

"trustee" has the meaning given in [section 26 of the Collective Investment Schemes Act 2008 (of Tynwald)]⁵³⁴;

"trust services" has the meaning given in regulation 18C(7);

⁵²⁷ Schedule 5A was inserted by SD 2022/0095.

⁵²⁸ The definition of "default rules" was amended by S.I. 2006/50, 2010/2993 and 2013/504.

⁵²⁹ The definition of "designated system" was substituted by S.I. 2019/341.

⁵³⁰ The definition of "participant" was amended by S.I. 2010/2993.

⁵³¹ The definition of "recognised body" was amended by S.I. 2017/1064, 2020/646.

⁵³² The definition of "recognised central counterparty" was amended by S.I. 2013/504.

⁵³³ S.I. 2001/3755.

⁵³⁴ Substituted by SD 2023/0136.

“unauthorised unit trust scheme” means a “unit trust scheme” within section 237(1) of FSMA [and includes an authorised scheme within the meaning of section 26(1) of the Collective Investment Schemes Act 2008 (of Tynwald)⁵³⁵⁵³⁶ that is not an authorised unit trust scheme.]⁵³⁷

[Trade: exceptions relating to non-government controlled areas of the Donetsk and Luhansk oblasts

60ZA. (1) Paragraphs (2) to (5) only apply in the case of trade relating to non-government controlled areas of the Donetsk and Luhansk oblasts.

(2) A prohibition in regulation 47 (imports from non-government controlled Ukrainian territory) or regulation 52(3)(a) (financial services and funds in relation to imports from non-government controlled Ukrainian territory) is not contravened by any act done by a person (“P”) in satisfaction of an obligation of P arising under a contract conclude before 23rd February 2022, or an ancillary contract necessary for the satisfaction of such a contract, provided that –

- (a) the act is carried out before 24th May 2022, and
- (b) P has notified the ~~Secretary of State~~ **Treasury** no later than the day 10 working days before the day on which the act is carried out.

(3) A prohibition in [Chapter 2A of Part 5 (goods and technology relating to non-government controlled Ukrainian territory),]⁵³⁸ regulation 48 to 51, 52(1), (2) or (3)(b) to (e), or 53 (trade in relation to non-government controlled Ukrainian territory) is not contravened by any act done by a person (“P”) in satisfaction of an obligation of P arising under a contract concluded before 23rd February 2022, or an ancillary contract necessary for the satisfaction of such a contract, provided that –

- (a) the act is carried out before 24th August 2022, and
- (b) P has notified the ~~Secretary of State~~ **Treasury** no later than the day five working days before the day on which the act is carried out.

(4) A prohibition in [Chapter 2A of Part 5 (goods and technology relating to non-government controlled Ukrainian territory),]⁵³⁹ regulation 54(1)(a) (prohibition on infrastructure-related services relating to non-government controlled Ukrainian territory) is not contravened by any act done by a person in satisfaction of an obligation of that person arising under a contract concluded before 23rd February 2022, or an ancillary contract necessary for the satisfaction of such a contract, provided that the act is carried out before 24th August 2022.

(5) A prohibition in [Chapter 2A of Part 5 (goods and technology relating to non-government controlled Ukrainian territory),]⁵⁴⁰ regulation 54(1)(b) (prohibition on tourism services relating to non-government controlled Ukrainian territory) is not contravened by any act done by a person (“P”) in satisfaction of an obligation of P arising under a contract concluded before 23rd February 2022, or an ancillary contract necessary for the satisfaction of such a contract, provided that –

- (a) the act is carried out before 24th August 2022, and

⁵³⁵ AT 7 of 2008.

⁵³⁶ Inserted by SD 2023/0136.

⁵³⁷ Inserted by SI 2022/1331.

⁵³⁸ Inserted by SI 2022/689.

⁵³⁹ Inserted by SI 2022/689.

⁵⁴⁰ Inserted by SI 2022/689.

- (b) P has notified the Secretary of State **Treasury** no later than the day five working days before the day on which the act is carried out.]⁵⁴¹

[Trade: exceptions in relation to personal effects etc.

60A. (1) The prohibitions in regulations 22 (export of restricted goods), 24(1)(a) (supply and delivery of restricted goods), 25(1)(a) and (b) (making restricted goods and technology available), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) are not contravened by a relevant activity in relation to any critical-industry goods[, critical-industry technology, quantum computing and advanced materials goods or quantum computing and advanced materials technology]⁵⁴² which are –

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

[(1A) The prohibitions in regulation 46B (luxury goods) are not contravened by a relevant activity in relation to –

- (a) any luxury goods which are necessary for the official purposes of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law, or
- (b) the personal effects of their staff.]⁵⁴³

[(1AA) The prohibitions in regulation 46B are not contravened where –

- (a) the luxury goods [come within commodity codes 7113 00 00 and 7114 00 00]⁵⁴⁴;
- (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 subparagraph (c)(ii); and
- (e) the jewellery is not intended for sale.]⁵⁴⁵

⁵⁴¹ Regulation 60ZA inserted by SI 2022/395.

⁵⁴² Substituted by SI 2022/452.

⁵⁴³ Inserted by SI 2022/452.

⁵⁴⁴ Substituted by SI 2023/1364.

⁵⁴⁵ Inserted by SI 2022/1110.

[(1AB) The prohibitions in regulation 46XC (acquisition of Schedule 3DA revenue generating goods) are not contravened by a relevant activity in relation to any such goods necessary for the functions of a diplomatic mission or consular post of the ~~United Kingdom~~ **Isle of Man** in Russia.]⁵⁴⁶

[(1B) The prohibitions in Chapter 4H ([G7 dependency and further goods]⁵⁴⁷) are not contravened by a relevant activity in relation to –

- (a) any G7 dependency and further goods list 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.

[(1C) The prohibitions in Chapter 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.]⁵⁴⁸⁵⁴⁹

[(1D) The prohibitions in [Chapters 4JA and 4JB]⁵⁵⁰ are not contravened where –

- (a) the relevant activity is the import or acquisition of gold jewellery [or diamond jewellery]⁵⁵¹ by a person who is travelling to the United Kingdom **or the Isle of Man** (P);
- (b) the gold jewellery [or diamond jewellery]⁵⁵² 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 [or diamond jewellery]⁵⁵³ is owned by any of the persons referred to in sub-paragraph (b)(ii); and
- (d) the gold jewellery [or diamond jewellery]⁵⁵⁴ 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.]⁵⁵⁵

⁵⁴⁶ Inserted by SI 2023/440.

⁵⁴⁷ Substituted by SI 2022/1110.

⁵⁴⁸ Substituted by SI 2022/1110.

⁵⁴⁹ Inserted by SI 2022/850.

⁵⁵⁰ Substituted by SI 2023/1367.

⁵⁵¹ Inserted by SI 2023/1367.

⁵⁵² Inserted by SI 2023/1367.

⁵⁵³ Inserted by SI 2023/1367.

⁵⁵⁴ Inserted by SI 2023/1367.

⁵⁵⁵ Inserted by SI 2022/1110.

(2) For the purposes of [this regulation]⁵⁵⁶ –

“consular post” has the same meaning as in the Vienna Convention on Consular Relations done at Vienna on 24 April 1963⁵⁵⁷, and any reference to the functions of a consular post is to be read in accordance with that Convention;

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

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

[“diamond jewellery” has the meaning given in regulation 46Z16J (interpretation of Chapter 4JB);]⁵⁵⁸

“diplomatic mission”, and any reference to the functions of a diplomatic mission, is to be read in accordance with the Vienna Convention on Diplomatic Relations done at Vienna on 18 April 1961⁵⁵⁹;

[“[G7 dependency and further goods]⁵⁶⁰” has the meaning given in regulation 21 (interpretation of Part 5);

[“gold” and “gold jewellery” have the meanings]⁵⁶¹ in regulation 21 (interpretation of Part 5);]⁵⁶²

[“immediate family member” has the meaning given in regulation 6(7), **as that regulation has effect in the United Kingdom;**]⁵⁶³

[“luxury goods” has the meaning given in regulation 21 (interpretation of Part 5);

“quantum computing and advanced materials goods” has the meaning given in regulation 21 (interpretation of Part 5);

“quantum computing and advanced materials technology” has the meaning given in regulation 21 (interpretation of Part 5);]⁵⁶⁴

“relevant activity” means any activity which would, in the absence of this regulation, contravene [the prohibition specified in the paragraph of this regulation to which the exception applies]⁵⁶⁵.

[“relevant processed gold” has the meaning given in regulation 46Z16A.]⁵⁶⁶

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

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

⁵⁵⁶ Substituted by SI 2022/1110.

⁵⁵⁷ United Nations Treaty Series, vol. 596, p.261.

⁵⁵⁸ Inserted by SI 2023/1367.

⁵⁵⁹ United Nations Treaty Series, vol. 500, p.95.

⁵⁶⁰ Substituted by SI 2022/1110.

⁵⁶¹ Substituted by SI 2022/1110.

⁵⁶² Inserted by SI 2022/850.

⁵⁶³ Inserted by SI 2022/1110.

⁵⁶⁴ Inserted by SI 2022/452.

⁵⁶⁵ Substituted by SI 2022/1110.

⁵⁶⁶ Inserted by SI 2022/1110.

available), 26(1)(a) and (b) (transfer of restricted technology), ~~and~~⁵⁶⁷ 27 to 29 (technical assistance, financial services etc. and brokering services)[, Chapter 4B (luxury goods) and Chapter 4H (G7 dependency and further goods)]⁵⁶⁸ are not contravened by a relevant activity in relation to critical-industry goods[, critical-industry technology or luxury goods]⁵⁶⁹ which are –

- (a) consumer communication devices for civilian use, or
 - (b) software updates for civilian use.
- (2) For the purposes of paragraph (1) –
- (a) “consumer communication devices” has the meaning given in Schedule 2B;
“critical-industry goods” has the meaning given in regulation 21 (interpretation of Part 5);
“critical-industry technology” has the meaning given in regulation 21 (interpretation of Part 5);
[“luxury goods” has the meaning given in regulation 21 (interpretation of Part 5);]⁵⁷⁰
“relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions specified in that paragraph;
 - (b) goods are “for civilian use” if they are not –
 - (i) for use by the Russian military or any other military end-user, or
 - (ii) for any military use;
 - (c) technology is “for civilian use” if it –
 - (i) does not relate to activities carried on or proposed to be carried on by the Russian military or any other military end user, and
 - (ii) is not for any military use.

Trade: exceptions in relation to aircraft and vessels

60C. (1) For the purposes of regulation 22 (export of restricted goods) and 28 (financial services and funds), the removal of an aircraft or vessel from the ~~United Kingdom~~ **Isle of Man** to Russia is not an export of critical-industry goods [or aviation or space goods]⁵⁷¹, provided that the following conditions are met-

- (a) the aircraft or vessel is removed under its own power,
- (b) in the case of an aircraft, it –
 - (i) is carrying goods or passengers when removed, or

⁵⁶⁷ Omitted by SI 2022/452.

⁵⁶⁸ Substituted by SI 2023/1364.

⁵⁶⁹ Substituted by SI 2022/452.

⁵⁷⁰ Inserted by SI 2022/452.

⁵⁷¹ Inserted by SI 2022/241.

- (ii) is removed in order to undertake a journey carrying goods or passengers, and
- (c) the removal of the aircraft or vessel is not for the purpose of –
 - (i) a transfer of ownership of the aircraft or vessel or any of its component parts, or
 - (ii) a change of the operator of the aircraft or vessel.

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

- (a) the supply or delivery of critical-industry goods [or aviation and space goods]⁵⁷²;
- (b) making [critical-industry goods, aviation and space goods, critical-industry technology or aviation and space technology]⁵⁷³ available;
- (c) the transfer of critical-industry technology [or aviation and space technology]⁵⁷⁴;
- (d) the provision of technical assistance or financial services;
- (e) the making available of funds;
- (f) the provision of any brokering service.

[(2AA) The prohibition in regulation 27(1)(a) is not contravened by the provision of technical assistance in relation to an aircraft owned, chartered or operated by a person connected with Russia, at a ~~UK~~ **an Isle of Man** airport provided the assistance is not for the purposes of facilitating –

- (a) a transfer of ownership of the aircraft or any of its component parts; or
- (b) a change in the operator of the aircraft.]⁵⁷⁵

[(2A) The prohibitions in regulation 29A (insurance and reinsurance services relating to aviation and space goods and aviation and space technology) are not contravened by the provision of insurance or reinsurance services, to the extent that such services are provided in connection with a qualifying removal.]⁵⁷⁶

(3) In this regulation –

["aviation and space goods" has the meaning given in regulation 21 (interpretation of Part 5);

"aviation and space technology" has the meaning given in regulation 21 (interpretation of Part 5);]⁵⁷⁷

⁵⁷² Inserted by SI 2022/241.

⁵⁷³ Substituted by SI 2022/241.

⁵⁷⁴ Inserted by SI 2022/241.

⁵⁷⁵ Inserted by SI 2022/850.

⁵⁷⁶ Inserted by SI 2022/241.

⁵⁷⁷ Inserted by SI 2022/241.

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

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

“operator”, in relation to an aircraft or vessel, means the person having the management of the aircraft;

“qualifying removal” means a removal of an aircraft or vessel from the United Kingdom **Isle of Man** to Russia in relation to which the conditions set out in paragraph (1) are met.]⁵⁷⁸

[Trade: exception relating to the safety of aircraft and ships

60D. (1) The prohibitions in regulation 46A (technical assistance relating to aircraft and ships) are not contravened by the provision of any technical assistance where a failure to provide that assistance would endanger –

(a) the lives of persons on board –

(i) an aircraft, or

(ii) a ship;

(b) the safety of –

(i) an aircraft in flight, or

(ii) a ship at sea.

(2) In this regulation, the following terms have the same meaning as they have in regulation 46A –

“aircraft”;

“ship”;

“technical assistance”.]⁵⁷⁹

[Trade: exception relating to professional and business services

60DA. (1) The prohibitions in regulation 54C (professional and business services), in so far as they relate to accounting services, business and management consulting services, engineering services or public relations services, are not contravened by any act done by a person (“P”) in satisfaction of an obligation in respect of the provision of those services by P to a person connected with Russia where the services are provided in relation to the discharge of a compliance with [Isle of Man or]⁵⁸⁰ UK statutory or regulatory obligations, such obligations not arising under contract.

(2) The prohibitions in regulation 54C, in so far as they relate to advertising services, architectural services, engineering services or IT consultancy and design services, are not contravened by any act done by a person (“P”) in satisfaction of an obligation arising under a contract

⁵⁷⁸ Inserted by SI 2022/195.

⁵⁷⁹ Regulation 60D inserted by SI 2022/395.

⁵⁸⁰ Inserted by SD 2023/0136.

concluded before 16th December 2022, or an ancillary contract necessary for the satisfaction of such a contract, provided that –

- (a) the act is carried out before the end of 15th March 2023, and
- (b) P notifies the [Treasury]⁵⁸¹ of the provision of the services, before or after the act is carried out, by the end of 15th March 2023.

(3) The prohibitions in regulation 54C, in so far as they relate to auditing services, are not contravened by any act done by a person ("P") in satisfaction of an obligation arising from the appointment of P as the auditor of a [holding company]⁵⁸² ("C") provided that –

- (a) where C is a credit institution, the auditing services of P are for one or both of the purposes mentioned in paragraph (4);
- (b) where C is not a credit institution, or is a credit institution that does not meet the condition in sub-paragraph (a) –
 - (i) P is appointed as auditor of C before 16th December 2022,
 - (ii) the act is carried out before the end of 31st May 2023, and
 - (iii) P notifies the ~~Secretary of State~~ **Treasury** of the provision of services, before or after the act is carried out, by the end of 15th March 2023.

(4) The purposes are –

- (a) C, in its capacity as a [holding company]⁵⁸³, deciding whether accounts of a [subsidiary]⁵⁸⁴ of C which is a person connected with Russia ("S") should be included in consolidated group accounts of C, and
- (b) the inclusion in consolidated group accounts of C of the accounts of S.

(5) The prohibitions in regulation 54C, in so far as they relate to auditing services, are not contravened by any act done by a person ("P") –

- (a) in satisfaction of an obligation arising from the appointment of P as the auditor of a ~~UK subsidiary undertaking~~ **Isle of Man subsidiary**⁵⁸⁵ ("S") in respect of the provision of those services to S in relation to the discharge of a compliance with [Isle of Man or]⁵⁸⁶ UK statutory or regulatory obligations, and
- (b) which results in the provision of those services indirectly to a person connected with Russia in that person's capacity as a parent undertaking of S.

[(5A) The prohibitions in regulation 54C, in so far as they relate to auditing services, are not contravened by any act done by a person ("P") –

- (a) in satisfaction of an obligation arising from the appointment of P as the auditor of a ~~UK~~ undertaking ("U") in respect of the provision of those services

⁵⁸¹ Substituted by SD 2023/0136.

⁵⁸² Substituted by SD 2023/0136.

⁵⁸³ Substituted by SD 2023/0136.

⁵⁸⁴ Substituted by SD 2023/0136.

⁵⁸⁵ Substituted by SI 2023/713.

⁵⁸⁶ Substituted by SD 2023/0136.

to U in relation to the discharge of or compliance with **Isle of Man or UK** statutory or regulatory obligations, and

- (b) which results in the provision of those services directly or indirectly to a person connected with Russia in that person's capacity as a member of U.]⁵⁸⁷

(6) The prohibitions in regulation 54C, in so far as they relate to IT consultancy and design services, are not contravened by the provision of –

- (a) an "electronic communications network" or an "electronic communications service" (within the meanings given by [section 4 of the Communications Act 2021 (of Tynwald)⁵⁸⁸]⁵⁸⁹) that is used for civilian purposes, or
- (b) services that are incidental to the exchange of communications over the internet, including –
 - (i) instant messaging,
 - (ii) video conferencing,
 - (iii) chat and email,
 - (iv) social networking,
 - (v) sharing of photos, audio, videos, films or documents,
 - (vi) web browsing,
 - (vii) blogging,
 - (viii) web hosting, and
 - (ix) domain name registration services.

(7) The prohibitions in regulation 54C are not contravened by any act done by a person that is necessary for the official purposes of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law.

[(7A) The prohibitions in regulation 54C are not contravened by any act done by a person as part of the provision of expert evidence provided in, or in anticipation of –

- (a) any proceedings before administrative agencies, courts or other duly constituted official tribunals, or
- (b) in any arbitral or mediation proceedings.]⁵⁹⁰

(8) For the purposes of this regulation, the following terms have the meanings given in regulation 54B –

"accounting services", "advertising services", "architectural services", "auditing services", "business and management consulting services", "engineering services", "IT consultancy and design services" and "public relations services".

⁵⁸⁷ Inserted by SI 2023/713.

⁵⁸⁸ AT 3 of 2021.

⁵⁸⁹ Substituted by SD 2023/0136.

⁵⁹⁰ Inserted by SI 2023/713.

(9) For the purposes of this regulation –

["auditor" means a person or body qualified to act as auditor under the Companies Act 1982 (of Tynwald)]⁵⁹¹;]⁵⁹²

"consular post" is to be construed in accordance with paragraph A1 of Schedule 5;

"credit institution" means a body incorporated under the law of [the Isle of Man or]⁵⁹³ any part of the United Kingdom, the business of which is to take deposits or other repayable funds from the public and to grant credits for its own account;

"diplomatic mission" is to be construed in accordance with paragraph A1 of Schedule 5;

"financial year" is to be construed in accordance with section 7 of the Companies Act 1982 (of Tynwald);]⁵⁹⁴

["holding company" has the meaning given by section 1 of the Companies Act 1974 (of Tynwald)]⁵⁹⁵ and section 220 of the Companies Act 2006 (of Tynwald)]⁵⁹⁶;]⁵⁹⁷

"included in consolidated group accounts" [is to be construed in accordance with section 4 of the Companies Act 1982 (of Tynwald)]⁵⁹⁸ and "inclusion in consolidated group accounts" is to be construed accordingly;

~~["parent undertaking" has the meaning given in section 1162 of the Companies Act 2006 (of Parliament) (parent and subsidiary undertakings);]~~⁵⁹⁹

["subsidiary" has the meaning given by section 1 of the Companies Act 1974 (of Tynwald) and section 220 of the Companies Act 2006 (of Tynwald).]⁶⁰⁰]⁶⁰¹

["UK subsidiary undertaking" means a subsidiary undertaking that is incorporated or formed under the law of the United Kingdom;

"IOM subsidiary" means a subsidiary that is incorporated or formed under the law of the Isle of Man;

"UK undertaking" means an undertaking within the meaning given in section 1161 of the Companies Act 2006 that is incorporated or formed under the law of the United Kingdom.

"undertaking" means –

(a) a body corporate or partnership;

(b) an unincorporated association carrying on a trade or business, with or without a view to profit,

⁵⁹¹ AT 2 of 1982.

⁵⁹² Substituted by SD 2023/0136.

⁵⁹³ Inserted by SD 2023/0136.

⁵⁹⁴ Substituted by SD 2023/0136.

⁵⁹⁵ AT 30 of 1974.

⁵⁹⁶ AT 13 of 2006.

⁵⁹⁷ Inserted by SD 2023/0136.

⁵⁹⁸ Substituted by SD 2023/0136.

⁵⁹⁹ Omitted by SD 2023/0136.

⁶⁰⁰ Substituted by SD 2023/0136.

⁶⁰¹ Substituted by SI 2022/1331.

that is incorporated or formed under the law of the Isle of Man or the United Kingdom.]⁶⁰²

[Trade: exception relating to legal advisory services

60DB. (1) The prohibitions in regulation 54D (legal advisory services) are not contravened by any act done by a person that is necessary for the official purposes of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law.

(2) The prohibitions in regulation 54D are not contravened by any act done by a person in satisfaction of an obligation in respect of the provision of legal advisory services to any person where the services are provided in relation to the discharge of or compliance with ~~UK~~ **Isle of Man** statutory or regulatory obligations.

(3) The prohibitions in regulation 54D are not contravened by any act done by a person for the purpose of providing legal advice to any person as to whether an act or a proposed act complies with these Regulations.

(4) The prohibitions in regulation 54D are not contravened by any act done by a person ("P") in satisfaction of an obligation arising under a contract concluded before 30th June 2023, or an ancillary contract necessary for the satisfaction of such a contract, provided that –

- (a) the act is carried out before the end of 29th September 2023, and
- (b) P notifies the ~~Secretary of State~~ **Treasury** of the provision of the services, before or after the act is carried out, by the end of 29th September 2023.

(5) In this regulation –

"consular post" has the same meaning as in the Vienna Convention on Consular Relations done at Vienna on 24th April 1963⁶⁰³;

"diplomatic mission" is to be read in accordance with the Vienna Convention on Diplomatic Relations done at Vienna on 18th April 1961⁶⁰⁴;

"legal advisory services" has the meaning given in regulation 54B.]⁶⁰⁵

[Trade: exceptions in relation to maritime goods and maritime technology

60E. (1) The prohibitions in Chapters 2 and 2A of Part 5 –

- (a) in so far as they relate to maritime goods, do not apply to the sale, supply, making available or export of such goods, or to the related provision of technical and financial services, funds and brokering necessary for a purpose specified in paragraph (2);
- (b) in so far as they relate to maritime technology, do not apply to the sale, supply, making available, transfer or export of such technology, or to the related provision of technical and financial assistance, necessary for a purpose specified in paragraph (2).

(2) The purposes are –

⁶⁰² Inserted by SI 2023/713.

⁶⁰³ United Nations Treaty Series, vol. 596, p.261.

⁶⁰⁴ United Nations Treaty series, vol. 500, p.95.

⁶⁰⁵ Regulation 60DB inserted by SI 2023/713.

- (a) non-military use for a non-military end-user;
 - (b) humanitarian assistance activity;
 - (c) addressing a health emergency;
 - (d) the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or on the environment; or
 - (e) providing a response to a natural disaster.
- (3) For the purposes of this regulation –
- “humanitarian assistance activity” is to be construed in accordance with paragraph A1 of Schedule 5;
- “maritime goods” and “maritime technology” respectively have the meanings given in regulation 21 (interpretation of Part 5).

Trade: exceptions in relation to banknotes

60F. (1) Subject to paragraph (2), the prohibitions in Chapter 4E of Part 5 do not apply to the making available, supply, export or delivery of banknotes where the making available, supply, export or delivery is necessary for the personal use of natural persons travelling to Russia or members of their immediate families travelling with them.

(2) The exception in paragraph (1) applies only to banknotes up to the value of £10,000 or its equivalent in any official currency of the European Union.

(3) The prohibitions in Chapter 4E of Part 5 do not apply to the making available, supply, export or delivery of banknotes where the making available, supply, export or delivery is necessary for the official purposes of diplomatic missions, consular posts or international organisations in Russia enjoying immunities in accordance with international law.

(4) The prohibitions in Chapter 4E of Part 5 do not apply to anything done by a person who did not know and had no reasonable cause to suspect that the banknotes were ultimately –

- (a) to be exported, supplied, delivered or made available to a person connected with Russia; or
- (b) for use in Russia.

(5) For the purposes of this regulation, “diplomatic mission” and “consular post” are to be construed in accordance with paragraph A1 of Schedule 5.

Trade: exception in relation to certain ~~[revenue-generating]~~⁶⁰⁶ goods consigned from Russia

60G. ~~[(1) The prohibitions in Chapter 4G of Part 5 do not apply to, or in relation to, revenue generating goods which are –~~

- ~~(a) consigned from Russia before 23rd June 2022; and~~

⁶⁰⁶ Omitted by SI 2023/440.

~~(b) imported into the United Kingdom or the Isle of Man before 10th July 2022.]~~⁶⁰⁷

[(1A) The prohibitions specified in paragraphs (1B), (1C) and (1D) do not apply to, or in relation to, any goods mentioned in any of those paragraphs which are –

- (a) consigned from Russia before 21st April 2023; and
- (b) imported into the United Kingdom **or the Isle of Man** before 21st May 2023.

(1B) The prohibitions specified in this paragraph are those set out in –

- (a) regulation 46D (import of iron and steel products);
- (b) regulation 46G(1)(a) (technical assistance relating to iron and steel products);
- (c) regulation 46H(1)(a) (financial services and funds relating to iron and steel products);
- (d) regulation 46I(1) (brokering services relating to iron and steel products), to the extent that prohibition applies to an arrangement described in regulation 46H(1)(a),

as they apply in relation to goods specified in Part 3 of Schedule 3B (iron and steel products).

(1C) The prohibitions specified in this paragraph are those set out in –

- (a) regulation 46S (import of Schedule 3D revenue generating goods);
- (b) regulation 46V(1)(a) (technical assistance relating to Schedule 3D revenue generating goods);
- (c) regulation 46W(1)(a) (financial services and funds relating to Schedule 3D revenue generating goods);
- (d) regulation 46X(1) (brokering services relating to Schedule 3D revenue generating goods), to the extent that prohibition applies to an arrangement described in regulation 46W(1)(a),

as they apply in relation to goods specified in Part 3 of Schedule 3D (Schedule 3D revenue generating goods).

(1D) The prohibitions specified in this paragraph are those set out in –

- (a) regulation 46XB (import of Schedule 3DA revenue generating goods);
- (b) regulation 46XE(1)(a) (technical assistance relating to Schedule 3DA revenue generating goods);
- (c) regulation 46XF(1)(a) (financial services and funds relating to Schedule 3DA revenue generating goods);

⁶⁰⁷ Omitted by SI 2023/440.

- (d) regulation 46XG(1) (brokering services relating to Schedule 3DA revenue generating goods), to the extent that prohibition applies to an arrangement described in regulation 46XF(1)(a),

as they apply in relation to goods specified in Part 3 of Schedule 3DA (Schedule 3DA revenue generating goods).]⁶⁰⁸

[(1E) The prohibitions specified in paragraphs (1F) and (1G) do not apply to, or in relation to, any products mentioned in any of those paragraphs which are –

- (a) consigned from Russia before 15th December 2023; and
- (b) imported into the ~~United Kingdom~~ **Isle of Man** before 14th January 2024.

(1F) The prohibitions specified in this paragraph are those set out in –

- (a) regulation 46D (import of iron and steel products);
- (b) regulation 46G(1)(a) (technical assistance relating to iron and steel products);
- (c) regulation 46H(1)(a) (financial services and funds relating to iron and steel products);
- (d) regulation 46I(1) (brokering services relating to iron and steel products) to the extent that prohibition applies to an arrangement described in regulation 46H(1)(a),

as they apply in relation to products specified in Part 4 of Schedule 3B (iron and steel products).

(1G) The prohibitions specified in this paragraph are those set out in regulation 46IG (import of metals) except in so far as those prohibitions relate to products coming within commodity codes 7606, 7801, 8207, 8212, 8302 and 8309.

(1H) Paragraph 1 of Schedule 3 applies for the purposes of interpreting the commodity codes specified in paragraph (1G).]⁶⁰⁹

(2) For the purposes of [paragraphs (1A)(a) and (1E)(a)]⁶¹⁰, goods are deemed to have been consigned from Russia at the time when –

- (a) they have completed the applicable export formalities, and
- (b) where the goods were transported by –
 - (i) land, they have left Russia;
 - (ii) sea, the ship on which they were transported has departed a port in Russia for a destination outside Russia;
 - (iii) air, the aircraft on which they were transported has departed an airport in Russia for a destination outside Russia.]⁶¹¹

⁶⁰⁸ Paragraphs (1A) to (1D) inserted by SI 2023/440.

⁶⁰⁹ Inserted by SI 2023/1364.

⁶¹⁰ Substituted by SI 2023/1364.

⁶¹¹ Regulations 60E to 60G inserted by SI 2022/792.

[Trade: exception in respect of the acquisition of iron and steel products [and metals]]⁶¹²

60GA. [(1) Without prejudice to regulation 60GAA, the prohibitions specified in paragraphs (2) and (2A) do not apply in relation to relevant products located in the United Kingdom or the Isle of Man having been lawfully imported there.]⁶¹³

- (2) The prohibitions specified in this paragraph are those in –
- (a) regulation 46E (acquisition of iron and steel products);
 - (b) regulation [46G(1)(b)(i)]⁶¹⁴ (technical assistance relating to iron and steel products);
 - (c) regulation [46H(1)(b)(i)]⁶¹⁵ (financial services and funds relating to iron and steel products);
 - (d) regulation 46I (brokering services relating to iron and steel products) [in relation to any arrangements described in regulation 46H(1)(b)(i)]⁶¹⁶.

[(2A) The prohibition specified in this paragraph is that in regulation 46IH(1)(a) (acquisition of metals).]⁶¹⁷

[(3) In this regulation “relevant products” means the products to which the respective prohibitions specified in paragraphs (2) and (2A) apply.]⁶¹⁸

[Trade: exception in respect of the acquisition of diamonds and diamond jewellery]

60GC. (1) The prohibitions specified in paragraph (2) do not apply in relation to diamonds and diamond jewellery located in the United Kingdom or the Isle of Man having been lawfully imported there.

- (2) The prohibitions specified in this paragraph are those in –
- (a) regulation 46Z16L(1) (acquisition of diamonds and diamond jewellery);
 - (b) regulation 46Z16N(1)(1) (technical assistance relating to diamonds and diamond jewellery);
 - (c) regulation 46Z16O(1)(b) (financial services and funds relating to diamonds and diamond jewellery);
 - (d) regulation 46Z16P(1) (brokering services relating to diamonds and diamond jewellery).

(3) In this regulation, “diamonds” and “diamond jewellery” have the meanings given in regulation 46Z16J (interpretation of Chapter 4JB).]⁶¹⁹

⁶¹² Inserted by SI 2023/1364.

⁶¹³ Substituted by SI 2023/1364.

⁶¹⁴ Substituted by SI 2023/1364.

⁶¹⁵ Substituted by SI 2023/1364.

⁶¹⁶ Inserted by SI 2023/1364.

⁶¹⁷ Inserted by SI 2023/1364.

⁶¹⁸ Substituted by SI 2023/1364.

⁶¹⁹ Inserted by SI 2023/1367.

[Trade: exception in respect of iron and steel products, relevant processed iron or steel products and metals exported from Russia before the relevant day

60GAA. (1) The prohibitions specified in paragraphs (2), (3) and (4) do not apply in relation to anything done in relation to relevant products originating in or consigned from Russia where those goods –

- (a) were exported from Russia before the relevant day; and
- (b) are not to be released for free circulation in the United Kingdom or the Isle of Man.

(2) The prohibitions specified in this paragraph are those in –

- (a) regulation 46D (import of iron and steel products);
- (b) regulation 46G(1)(a) (technical assistance relating to iron and steel products);
- (c) regulation 46H(1)(a) (financial services and funds relating to iron and steel products);
- (d) regulation 46I in relation to any arrangements described in regulation 46H(1)(a) (brokering services relating to iron and steel products).

(3) The prohibitions specified in this paragraph are those in –

- (a) regulation 46IB(1) (import of relevant processed iron or steel products);
- (b) regulation 46IC(1) (technical assistance relating to relevant processed iron or steel products);
- (c) regulation 46ID(1) (financial services and funds relating to relevant processed iron or steel products);
- (d) regulation 46IE(1) (brokering services relating to relevant processed iron or steel products).

(4) The prohibitions specified in this paragraph are those in regulation 46IG (import of metals).

(5) For the purposes of paragraph (1) –

- (a) “relevant day” means the day on which the prohibitions specified in paragraph (2), (3) or (4) ~~come into force~~ **come into operation in the Isle of Man**;
- (b) “relevant products” means the products to which the prohibitions specified in paragraph (2), (3) or (4) apply.

(6) For the purposes of paragraph (1)(a) and regulation 60GAB(1), a thing has been exported from Russia when –

- (a) it has completed the applicable export formalities; and
- (b) where it 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.

(7) Section 3 of the Taxation (Cross-border Trade) Act 2018⁶²⁰ (obligation to declare goods for a Customs procedure on import) **as that Act has effect in the Isle of Man**⁶²¹ applies for determining whether paragraph (1)(b) applies.

Trade: exception relating to ancillary services relating to acquisition when iron and steel products are in third countries

60GAB. (1) The prohibitions specified in paragraph (2) do not apply in relation to anything done in relation to iron and steel products originating in Russia where those products were exported from Russia before the relevant day.

- (2) The prohibitions specified in this paragraph are those relating to –
 - (a) regulation 46G(1)(b)(i) (technical assistance relating to iron and steel products);
 - (b) regulation 46H(1)(b)(i) (financial services and funds relating to iron and steel products);
 - (c) regulation 46I (brokering services relating to iron and steel products) in relation to arrangements described in regulation 46H(1)(b)(i).
- (3) For the purposes of paragraph (1) –
 - (a) “iron and steel products” has the meaning given in regulation 46C;
 - (b) “relevant day” means the day on which the prohibitions specified in paragraph (2) ~~come into force~~ **come into operation in the Isle of Man.**⁶²²

Trade: exception in respect of the acquisition of Schedule 3DA revenue generating goods

60GB.

- (2) The prohibitions specified in this paragraph are those in –
 - (a) regulation 46XC(1) (acquisition of Schedule 3DA revenue generating goods);
 - (b) regulation 46XE(1) (technical assistance relating to Schedule 3DA revenue generating goods);
 - (c) regulation 46XF(1) (financial services and funds relating to Schedule 3DA revenue generating goods);
 - (d) regulation 46XG(1) (brokering services relating to Schedule 3DA revenue generating goods).

⁶²⁰ 2018 c.22.

⁶²¹ The Taxation (Cross-border Trade) Act 2018 was applied to the Island by SD 2019/0080.

⁶²² Regulations 60GAA and 60GAB inserted by SI 2023/1364.

(3) In this regulation –

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

“relevant goods” means any thing specified in Schedule 3DA (Schedule 3DA revenue generating goods).]⁶²³

[Trade: exception in relation to oil and oil products]

60H. (1) The prohibitions in Chapter 4I (Oil and Oil Products) are not contravened by a relevant activity in relation to any oil and oil products which –

- (a) originate in a country that is not Russia,
- (b) are not owned by a person connected with Russia, and
- (c) are only being loaded in, departing from or transiting through Russia.

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

“oil and oil products” has the meaning given in regulation 21(1) (interpretation of Part 5);

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

[Trade: exception in relation to maritime transportation of certain oil and oil products]

60HA. (1) The prohibitions in regulations 46Z9B(1), 46Z9C(1) and 46Z9d(1) (maritime transportation of certain oil and oil products) are not contravened by a relevant activity in relation to any 2709 oil and oil products which –

- (a) originate in a country that is not Russia,
- (b) are not owned by a person connected with Russia, and
- (c) are only being loaded in, departing from or transiting through Russia.

(2) The prohibitions in regulations 46Z9B(2), 46Z9C(2) and 46Z9D(2) are not contravened by a relevant activity in relation to any 2710 oil and oil products which –

- (a) originate in a country that is not Russia,
- (b) are not owned by a person connected with Russia, and
- (c) are only being loaded in, departing from or transiting through Russia.

(3) For the purposes of paragraphs (1) and (2) –

“2709 oil and oil products” and “2710 oil and oil products” have the meanings given in regulation 46Z9A;

⁶²³ Regulations 60GA and 60GB inserted by SI 2023/440.

“relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions specified in paragraph (1) or, as the case may be (2).]⁶²⁴

Trade: exceptions in relation to Energy-related Goods

60I. (1) The prohibitions in regulations 44 (financial services relating to energy-related goods) and 45 (brokering services: ~~non-UK~~ **non-IOM** activity relating to energy-related goods) are not contravened in relation to the provision of insurance or reinsurance to a relevant person with regard to that person’s activities outside the energy sector in Russia.

(2) The prohibitions in Chapter 4 (energy-related goods and related activities) are not contravened by a relevant activity that is necessary for the purposes of a UK petroleum project.

(3) In this regulation –

“energy related goods” has the meaning given in regulation 21(1) (interpretation of Part 5);

“relevant activity” means any activity which would, in the absence of this regulation, contravene the prohibitions specified in paragraphs (1) and (2);

“relevant person” means a person who is not a person connected with Russia;

“UK petroleum project” means an oil or gas exploration or production project that is wholly or partially located within –

- (a) the United Kingdom **or the Isle of Man**;
- (b) waters adjacent to the United Kingdom **or the Isle of Man** up to the seaward limits of the territorial sea, or the seabed and subsoil below them;
- (c) areas from time to time designated under section 1(7) of the Continental Shelf Act 1964⁶²⁵ (designation of areas of continental shelf), and any waters within the limits of such areas.]⁶²⁶

Trade: exception for emergencies in certain cases

[61. (1) The prohibitions in paragraph (1A) are not contravened by any act done by a person (“P”), where P provides justification to the ~~Secretary of State~~ **Treasury** within the relevant period that the act is an act dealing with an emergency.

(1A) Paragraph (1) applies to the prohibitions –

- (a) in regulations 40 to 46 (prohibitions relating to energy-related goods etc.) and [regulations 48 to 54 (prohibitions relating to infrastructure in non-government controlled Ukrainian territory etc)]⁶²⁷;
- (b) in regulations 22 (export of restricted goods), 24(1)(a) (supply and delivery of restricted goods), 25(1)(a) and (b) (making available of restricted goods and restricted technology), 26(1)(a) and (b) (transfer of restricted technology), and 27 to 29 (technical assistance, financial services etc. and brokering services) so far as they apply to [critical-industry goods, aviation

⁶²⁴ Inserted by SI 2022/1122.

⁶²⁵ 1964 c.29. Section 1(7) has been amended but those amendments are not relevant to this instrument.

⁶²⁶ Regulations 60H and 60I inserted by SI 2022/850.

⁶²⁷ Substituted by SI 2022/395.

and space goods, [oil refining goods,]⁶²⁸ critical-industry technology[, aviation and space technology or oil refining technology]⁶²⁹].⁶³⁰⁶³¹

- [(c) in regulation 29A (insurance and reinsurance services relating to aviation and space goods and aviation and space technology).]⁶³²
- [(d) in [Chapter 4H]⁶³³ ([G7 dependency and further goods]⁶³⁴);
- (e) [in]⁶³⁵ regulation 54C (Professional and business services).]⁶³⁶
- [(f) in regulation 54D (legal advisory services).]⁶³⁷

[(1B) The prohibitions specified in regulations 46Z9B to 46Z9D (maritime transportation of certain oil and oil products) are not contravened by any act done by a person ("P"), where P provides justification to the Treasury within the relevant period that the act is an act dealing with an emergency.]⁶³⁸

(2) In this regulation—

"an act dealing with an emergency" means an act assisting with the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health or safety, infrastructure or the environment;

["aviation and space goods" has the meaning given in regulation 21 (interpretation of Part 5);

"aviation and space technology" has the meaning given in regulation 21 (interpretation of Part 5);]⁶³⁹

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

"critical-industry technology" has the meaning given in regulation 21 (interpretation of Part 5);]⁶⁴⁰

["oil refining goods" has the meaning given in regulation 21 (interpretation of Part 5);

"oil refining technology" has the meaning given in regulation 21 (interpretation of Part 5);]⁶⁴¹

"relevant period", in relation to an act, means the period of 5 working days beginning with the day on which the act is done.

⁶²⁸ Inserted by SI 2022/452.

⁶²⁹ Substituted by SI 2022/452.

⁶³⁰ Substituted by SI 2022/241.

⁶³¹ Substituted by SI 2022/195.

⁶³² Inserted by SI 2022/241.

⁶³³ Substituted by SI 2023/1364.

⁶³⁴ Substituted by SI 2022/1110.

⁶³⁵ Inserted by SI 2023/713.

⁶³⁶ Inserted by SI 2022/850.

⁶³⁷ Inserted by SI 2023/713.

⁶³⁸ Inserted by SI 2022/1122.

⁶³⁹ Inserted by SI 2022/241.

⁶⁴⁰ Inserted by SI 2022/195.

⁶⁴¹ Inserted by SI 2022/452.

[Trade: exception for humanitarian assistance activity in non-government controlled areas of the [Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts]]⁶⁴²

61ZA. (1) A relevant prohibition is not contravened by a person ("P") carrying out a relevant activity which is necessary to ensure the timely delivery of humanitarian assistance activity in non-government controlled areas of the [Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts]⁶⁴³ provided that P believes that carrying out the relevant activity is so necessary and there is no reasonable cause for P to suspect otherwise.

(2) For the purposes of this regulation –

"humanitarian assistance activity" includes the work of international and non-governmental organisations carrying out relief activities for the benefit of the civilian population of the non-government controlled areas of the [Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts]⁶⁴⁴;

"relevant activity" means any activity which would, in the absence of this regulation, contravene a relevant prohibition;

"relevant prohibition" means –

- (a) any prohibition in regulations 48 to 51, 52(1), (2) or (3)(b) to (e) (trade in relation to non-government controlled Ukrainian territory), or 54(1)(a) (prohibition on infrastructure-related services relating to non-government controlled Ukrainian territory), or
- (b) any prohibition in regulation 53(1)(b) to (g) (brokering services: non-UK **non-IOM** activity relating to infrastructure-related goods and goods from non-government controlled Ukrainian territory), except for any such prohibition which relates to an arrangement whose object or effect is the import of goods which originate in non-government controlled Ukrainian territory.]⁶⁴⁵

[Ships: exceptions from prohibition on port entry]

61A. (1) The prohibition in regulation 57A(1) (prohibition on port entry) is not contravened by providing a ship with access to a port if –

- (a) a port entry direction has been given in relation to the ship under regulation 57C (movement of ships), or
- (b) the access is needed by the ship in a case of emergency.

(2) The prohibition in regulation 57A(2) is not contravened by the entry into port of a ship if –

- (a) a port entry direction has been given in relation to the ship under regulation 57C, or
- (b) the entry is needed by the ship in a case of emergency.]⁶⁴⁶

⁶⁴² Substituted by SI 2023/665.

⁶⁴³ Substituted by SI 2023/665.

⁶⁴⁴ Substituted by SI 2023/665.

⁶⁴⁵ Inserted by SI 2022/814.

⁶⁴⁶ Inserted by SI 2022/203.

[Aircraft: exceptions from prohibitions]

61B. (1) The prohibition in regulation 57J(1)(b) (movement of aircraft) is not contravened by the landing of a Russian aircraft in the ~~United Kingdom~~ **Isle of Man** if failing to land would endanger the lives of persons on board or the safety of the aircraft.

(2) The prohibition in regulation 57J(1)(a) is not contravened by the flight of a Russian aircraft in the airspace over the ~~United Kingdom~~ **Isle of Man** preparatory to a landing as mentioned in paragraph (1).

(3) The directions in regulation 57J(3) to (9) are not contravened by conduct necessary to –

- (a) avoid endangering the lives of persons on board or the safety of the aircraft,
- (b) protect the safety of another aircraft, or
- (c) protect the safety of persons on the ground.

~~[(4) The prohibition in regulation 57J(1) is not contravened where the Secretary of State has issued a direction under regulation 57J(7) 57J(8) permitting the Russian aircraft to overfly or land in the United Kingdom~~ **Isle of Man**.]⁶⁴⁷

[(4A) The prohibition in regulation 57J(1) is not contravened by the movement of a Russian aircraft if –

- (a) a direction has been given in relation to that aircraft under regulation 57J(3)(b), (5)(b) or (6)(c), and
- (b) the movement of the aircraft is in accordance with that direction.]⁶⁴⁸

(5) In this regulation, “Russian aircraft” has the same meaning as in regulation 57J.]⁶⁴⁹

Exception relating to trade restrictions in relation to [non-government controlled Ukrainian territory]⁶⁵⁰

62. (1) A prohibition in [Chapter 2A of Part 5 (goods and technology relating to non-government controlled Ukrainian territory),]⁶⁵¹ [regulation 47 (imports from non-government controlled Ukrainian territory) or regulation 52(3)(a) (financial services and funds in relation to imports from non-government controlled Ukrainian territory)]⁶⁵² is not contravened by any action in relation to goods which—

- (a) originate in [non-government controlled Ukrainian territory]⁶⁵³, and
- (b) are the subject of a certificate of origin.

(2) In this regulation a “certificate of origin” means a document issued by the Government of Ukraine or a person acting on behalf of the Government of Ukraine confirming that the goods originate in Ukraine.

⁶⁴⁷ Omitted by SI 2022/395.

⁶⁴⁸ Inserted by SI 2022/395.

⁶⁴⁹ Inserted by SI 2022/241.

⁶⁵⁰ Substituted by SI 2022/395.

⁶⁵¹ Inserted by SI 2022/689.

⁶⁵² Substituted by SI 2022/395.

⁶⁵³ Substituted by SI 2022/395.

Exception for authorised conduct in a relevant country

~~62A. (1) Where a person's conduct in a relevant country would, in the absence of this regulation, contravene a prohibition in any of regulations 11 to 15 (asset freeze etc.) and 18 (investments in relation to Crimea) or Chapters 2 to 6 of Part 5 (Trade) ("the relevant prohibition"), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued—~~

~~(a) under the law of the relevant country, and~~

~~(b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.~~

~~(2) In this regulation—~~

~~"relevant country" means—~~

~~(a) any of the Channel Islands,~~

~~(b) the Isle of Man, or~~

~~(c) any British overseas territory.~~

Exception for authorised conduct outside the Isle of Man

62A. (1) Where a person's conduct outside the Isle of Man would, in the absence of this paragraph, contravene a prohibition in any of regulations 11 to 15 (asset-freeze etc.), 16 (securities and money market instruments), 17 (loans and credit arrangements), 17A [(corresponding banking relationships and processing payments)]⁶⁵⁴⁶⁵⁵, 18 (investments in relation to [non-government controlled Ukrainian territory]⁶⁵⁶), 18A (provision of foreign reserve and asset management services), 18B (investments in relation to Russia) and 18C (trust services)]⁶⁵⁷⁶⁵⁸ or [Chapters 2 to 6 and Chapter 6B]⁶⁵⁹ of Part 5 (Trade) ("the relevant prohibition"), the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation issued under regulation 64 (Treasury licences) or 65 (Trade licences), as those regulations have effect in the United Kingdom.

(2) Where a person's conduct in a relevant country would, in the absence of this paragraph, contravene the relevant prohibition, the relevant prohibition is not contravened if the conduct is authorised by a licence or other authorisation which is issued —

(a) under the law of the relevant country; and

(b) for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

(3) In this regulation, "relevant country" means —

(a) any of the Channel Islands; or

⁶⁵⁴ Substituted by SI 2023/1364.

⁶⁵⁵ Inserted by SI 2022/194.

⁶⁵⁶ Substituted by SI 2022/395.

⁶⁵⁷ Substituted by SI 2022/1331.

⁶⁵⁸ Substituted by SI 2022/801.

⁶⁵⁹ Substituted by SI 2022/850.

- (b) any British overseas territory.

Exception for acts done for purposes of national security or prevention of serious crime

~~63. (1) Where an act would, in the absence of this paragraph, be prohibited by regulation 9(2)(confidentiality) or any prohibition in Part 3 (Finance) or 5 (Trade), or under or by virtue of Part 6 (Ships) that prohibition does not apply to the act if the act is one which a responsible officer has determined would be in the interests of—~~

~~(a) national security, or~~

~~(b) the prevention or detection of serious crime in the United Kingdom or elsewhere.~~

~~(2) Where, in the absence of this paragraph, a thing would be required to be done under or by virtue of a provision of Part 8 (Information and records) or Part 10 (Maritime enforcement), that requirement does not apply if a responsible officer has determined that not doing the thing in question would be in the interests of—~~

~~(a) national security, or~~

~~(b) the prevention or detection of serious crime in the United Kingdom or elsewhere.~~

~~(3) In this regulation “responsible officer” means a person in the service of the Crown or holding office under the Crown, acting in the course of that person’s duty.~~

Exception for acts done for purposes of national security or prevention of serious crime

63. (1) Where an act would, in the absence of this paragraph, be prohibited by regulation 9(2) (confidentiality) or any prohibition in Part 3 (Finance)[, Part 5 (Trade), Part 6 (Ships) or Part 6A (Aircraft)]⁶⁶⁰ that prohibition does not apply to the act if the act is one which –

(a) a UK responsible officer has determined would be in the interests of national security or the prevention or detection of serious crime in the United Kingdom or elsewhere; or

(b) an Island responsible officer has determined would in the interests of the prevention or detection of serious crime in the Isle of Man or elsewhere.

(2) Where, in the absence of this paragraph, a thing would be required to be done under or by virtue of a provision of Part 8 (Information and records) or Part 10 (Maritime enforcement), that requirement does not apply if –

(a) a UK responsible officer has determined that not doing the thing in question would be in the interests of national security or the prevention or detection of serious crime in the United Kingdom or elsewhere; or

(b) an Island responsible officer has determined that not doing the thing in question would be in the interests of the prevention or detection of serious crime in the Isle of Man or elsewhere.

⁶⁶⁰ Substituted by SI 2022/395.

(3) In this regulation –

“Island responsible officer” means a person –

- (a) in the service of the Crown or holding office under the Crown in the Isle of Man;**
 - (b) appointed by the Public Services Commission; or**
 - (c) appointed as a constable by the Department of Home Affairs,**
- acting in the course of that person’s duty;**

“UK responsible officer” means a person in the service of the Crown or holding office under the Crown in the United Kingdom, acting in the course of that person’s duty.

Treasury licences

64. (1) The prohibitions in regulations 11 to 15 (asset-freeze etc.)[, 16 (securities and money market instruments), 17 (loans and credit arrangements), 17A [(corresponding banking relationships and processing payments)]⁶⁶¹⁶⁶²[, [18 (investments in relation to non-government controlled Ukrainian territory)]⁶⁶³[, 18A (provision of foreign reserve and asset management services)[, 18B]⁶⁶⁴ (investments in relation to Russia]⁶⁶⁵[, 18C (trust services)]⁶⁶⁶ [and 46Z9B to 46Z9D (maritime transportation of certain oil and oil products)]⁶⁶⁷ do not apply to anything done under the authority of a licence issued by the Treasury under this paragraph.

[(1A) Without prejudice to the generality of the powers conferred by paragraph (1), a licence issued by the Treasury under paragraph (1) may, in particular, authorise acts which would otherwise be prohibited by any of [regulations 11 to [18C]⁶⁶⁸⁶⁶⁹ [or regulations 46Z9B to 46Z9D]⁶⁷⁰ for a particular period beginning with –

- (a) the coming into force of the prohibition, or
 - (b) where the prohibition relates to a person designated for the purposes of regulations 11 to 15, [regulation 17A or regulation 18C]⁶⁷¹, the date on which the person was designated.]⁶⁷²
- (2) The Treasury may issue a licence which authorises acts by a particular person only—
 - (a) in the case of acts which would otherwise be prohibited by regulations 11 to 15, where ~~the Treasury consider~~ **the Treasury considers** that it is appropriate to issue the licence for a purpose set out in Part 1 of Schedule 5, [and]⁶⁷³

⁶⁶¹ Substituted by SI 2023/1364.

⁶⁶² Inserted by SI 2022/194.

⁶⁶³ Substituted by SI 2022/395.

⁶⁶⁴ Substituted by SI 2022/1122.

⁶⁶⁵ Substituted by SI 2022/801.

⁶⁶⁶ Inserted by SI 2022/1331.

⁶⁶⁷ Inserted by SI 2022/1122.

⁶⁶⁸ Substituted by SI 2022/1331.

⁶⁶⁹ Substituted by SI 2022/801.

⁶⁷⁰ Inserted by SI 2022/1122.

⁶⁷¹ Substituted by SI 2022/1331.

⁶⁷² Inserted by SI 2022/194.

⁶⁷³ Omitted by SI 2022/194.

- [(aza) in the case of acts which would otherwise be prohibited by regulations 11 to 15, 16, 17, 17A, 18A and 18C, where the Treasury ~~consider~~ **considers** that it is appropriate to issue the licence for a purpose set out in Part 1ZA of Schedule 5;]⁶⁷⁴
- [(aa) in the case of acts which would otherwise be prohibited by regulation 17, where the Treasury ~~consider~~ **considers** that it is appropriate to issue the licence for a purpose set out in Part 1A of Schedule 5,
- (ab) in the case of acts which would otherwise be prohibited by regulation 17A, where the Treasury ~~consider~~ **considers** that it is appropriate to issue the licence for a purpose set out in Part 1B of Schedule 5,
- (ac) in the case of acts which would otherwise be prohibited by regulation 17A(2) (processing [~~sterling~~]⁶⁷⁵ payments), where the Treasury ~~consider~~ **considers** that it is appropriate to issue the licence for a purpose set out in Part 1C of Schedule 5, [~~and~~]⁶⁷⁶⁶⁷⁷
- (b) in the case of acts which would otherwise be prohibited by regulation 18, where ~~the Treasury consider~~ **the Treasury considers** that it is appropriate to issue the licence for a purpose set out in Part 2 of Schedule 5, [~~and~~]⁶⁷⁸
- [(c) in the case of acts which would otherwise be prohibited by regulation 18A (provision of foreign exchange reserve and asset management services), where the Treasury ~~consider~~ **considers** that it is appropriate to issue the licence for a purpose set out in Part 10 of [Schedule 5, [~~and~~]⁶⁷⁹⁶⁸⁰].]⁶⁸¹
- [(d) in the case of acts which would otherwise be prohibited by regulation 18B (investments in relation to Russia), where the Treasury ~~consider~~ **considers** that it is appropriate to issue the licence for a purpose set out in Part 3 of Schedule 5.]⁶⁸² [~~and~~]⁶⁸³
- [(da) in the case of acts which would otherwise be prohibited by regulation 18C (trust services), where the Treasury consider that it is appropriate to issue the licence for a purpose set out in Part 3A of Schedule 5, and]⁶⁸⁴
- [(e) in the case of acts which would otherwise be prohibited by regulations 46Z9B to 46Z9D, where the Treasury ~~consider~~ **considers** that it is appropriate to issue the licence for the purpose set out in Part 4 of Schedule 5.]⁶⁸⁵
- [(3) Part A1 of Schedule 5 has effect for the interpretation of terms in that Schedule.]⁶⁸⁶

⁶⁷⁴ Inserted by SI 2023/1364.

⁶⁷⁵ Omitted by SI 2023/1364.

⁶⁷⁶ Omitted by SI 2022/205.

⁶⁷⁷ Inserted by SI 2022/194.

⁶⁷⁸ Omitted by SI 2022/801.

⁶⁷⁹ Omitted by SI 2022/1122.

⁶⁸⁰ Substituted by SI 2022/801.

⁶⁸¹ Inserted by SI 2022/205.

⁶⁸² Inserted by SI 2022/801.

⁶⁸³ Omitted by SI 2022/1331.

⁶⁸⁴ Inserted by SI 2022/1331.

⁶⁸⁵ Inserted by SI 2022/1122.

⁶⁸⁶ Inserted by SI 2022/395.

Trade licences

65. The prohibitions in [Chapters 2 to 6 and Chapter 6B]⁶⁸⁷ of Part 5 (Trade) [(other than the prohibitions in Chapter 4IA of that Part)]⁶⁸⁸ do not apply to anything done under the authority of a licence issued by the ~~Secretary of State~~ **Treasury** under this regulation.

[Aircraft licences

65A. The prohibition in regulation 57J(1) (prohibition on overflight or landing) does not apply to anything done under the authority of a licence issued by the ~~Secretary of State~~ **Treasury** under this regulation.]⁶⁸⁹

Licences: general provisions

66. (1) This regulation applies in relation to Treasury licences[, trade licences and aircraft licences]⁶⁹⁰.

(2) A licence must specify the acts authorised by it.

(3) A licence may be general or may authorise acts by a particular person or persons of a particular description.

(4) A licence may —

(a) contain conditions;

(b) be of indefinite duration or a defined duration.

~~—— (5) A person who issues a licence may vary, revoke or suspend it at any time.~~

~~—— (6) A person who issues, varies, revokes or suspends a licence which authorises acts by a particular person must give written notice to that person of the issue, variation, revocation or suspension of the licence.~~

~~—— (7) A person who issues, varies, revokes or suspends a general licence or a licence which authorises acts by persons of a particular description must take such steps as that person considers appropriate to publicise the issue, variation, revocation or suspension of the licence.~~

(5) The Treasury may vary, revoke or suspend a licence at any time.

(6) If the Treasury issues, varies, revokes or suspends a licence which authorises acts by a particular person, the Treasury must give written notice to that person of the issue, variation, revocation or suspension of the licence.

(7) If the Treasury issues, varies, revokes or suspends a general licence or a licence which authorises acts by persons of a particular description, the Treasury must take such steps as it considers appropriate to publicise the issue, variation, revocation or suspension of the licence.

Finance: licensing offences

67. (1) A person ("P") commits an offence if P knowingly or recklessly—

⁶⁸⁷ Substituted by SI 2022/850.

⁶⁸⁸ Substituted by SI 2022/1122.

⁶⁸⁹ Inserted by SI 2022/395.

⁶⁹⁰ Substituted by SI 2022/395.

- (a) provides information that is false in a material respect, or
- (b) provides or produces a document that is not what it purports to be,

for the purpose of obtaining a Treasury licence (whether for P or anyone else).

(2) A person who purports to act under the authority of a Treasury licence but who fails to comply with any condition of the licence commits an offence.

Trade: licensing offences

68. (1) A person ("P") commits an offence if P knowingly or recklessly—

- (a) provides information that is false in a material respect, or
- (b) provides or produces a document that is not what it purports to be,

for the purpose of obtaining a trade licence (whether for P or anyone else).

(2) A person who purports to act under the authority of a trade licence but who fails to comply with any condition of the licence commits an offence.

(3) A licence in respect of which an offence under paragraph (1) has been committed is to be treated as void from the time at which it was issued.

[Aircraft: licensing offences

68A. (1) A person ("P") commits an offence if P knowingly or recklessly –

- (a) provides information that is false in a material respect, or
- (b) provides or produces a document that is not what it purports to be,

for the purpose of obtaining an aircraft licence (whether for P or anyone else).

(2) A person who purports to act under the authority of an aircraft licence but who fails to comply with any condition of the licence commits an offence.

(3) A licence in respect of which an offence under paragraph (1) has been committed is to be treated as void from the time at which it was issued.]⁶⁹¹

Section 8B(1) to (3) of Immigration Act 1971: directions

69. (1) — ~~The Secretary of State may direct that, in relation to any person within regulation 20 whose name is specified, or who is of a specified description, section 8B(1) and (2) of the Immigration Act 1971, or section 8B(3) of that Act, have effect subject to specified exceptions.~~

(1) Any direction of the Secretary of State from time to time under regulation 69 of the Russia (Sanctions) (EU Exit) Regulations 2019 (of Parliament)⁶⁹² that section 8B(1) and (2) of the Immigration Act 1971 (as it has effect in the United Kingdom)⁶⁹³, or section 8B(3) of that Act (as it has effect there), have effect subject to specified exceptions in relation to any person whose name is specified or who is of a specified description, has the same effect in the Isle of Man and references to section 8B(1), (2) or

⁶⁹¹ Inserted by SI 2022/395.

⁶⁹² SI 2019/855.

⁶⁹³ 1971 Chapter 77.

(3) of the Immigration Act 1971 (of Parliament) shall be construed as references to those subsections as they have effect in the Isle of Man⁶⁹⁴.

Note:

Under provisions of the Sanctions and Anti-Money Laundering Act 2018 (of Parliament) (2018 Chapter 13) a direction may be varied, revoked or suspended. Any such variation, revocation or suspension would have effect in the Isle of Man.

~~———— (2) ——— A direction under this regulation ———~~

~~(a) ——— may contain conditions.~~

~~(b) ——— must be of a defined duration (and that duration may be expressed in any way, including, for example, being expressed in a way such that the direction ceases to have effect on, or within a specified period after, the occurrence of a specified event).~~

~~———— (3) ——— The Secretary of State may vary, revoke or suspend a direction under this regulation at any time.~~

~~———— (4) ——— On the issue, variation, revocation or suspension of a direction under this regulation, the Secretary of State may take such steps as the Secretary of State considers appropriate to publicise the issue, variation, revocation or suspension of the direction.~~

(5) In this regulation “specified” means specified in a direction ~~under this regulation~~.

PART 8

Information and records

Finance: reporting obligations

70. (1) A relevant firm must inform the Treasury as soon as practicable if—

(a) it knows, or has reasonable cause to suspect, that a person—

(i) is a designated person, or

(ii) has committed an offence under any provision of Part 3 (Finance)[, regulations 46Z9B to 46Z9D (maritime transportation of certain oil and oil products)]⁶⁹⁵ or regulation 67 (finance: licensing offences), and

(b) the information or other matter on which the knowledge or cause for suspicion is based came to it in the course of carrying on its business.

[(1ZA) A relevant firm must also inform the Treasury as soon as practicable if –

(a) it knows, or has reasonable cause to suspect, that it holds funds or economic resources for a prohibited person; and

(b) the information or other matter on which the knowledge or cause for suspicion is based came to it in the course of carrying on its business.

(1ZB) Where the relevant firm knows, or has reasonable cause to suspect, that it holds funds or economic resources for a prohibited person, it must by no later than 31st October in each

⁶⁹⁴ The Immigration Act 1971 (of Parliament) was extended to the Isle of Man by SI 2008/680 (as amended).

⁶⁹⁵ Inserted by SI 2022/1122.

calendar year, provide a report to the Treasury as to the nature and amount or quantity of those funds or economic resources held by that firm as of 30th September in that calendar year.]⁶⁹⁶

[(1A) An involved person must inform the Treasury as soon as practicable if –

- (a) they know or have reasonable cause to suspect that a person has committed an offence under any prohibition of –
 - (i) regulation 46Z9B to 46Z9D; or
 - (ii) regulation 67 in so far as the suspected offence under that regulation relates to a prohibition referred to in paragraph (i); and
- (b) the information or other matter on which the knowledge or cause for suspicion is based came to them in the course of carrying on their business.]⁶⁹⁷

(2) Where a relevant firm informs the Treasury under paragraph (1) [or an involved person informs the Treasury under paragraph (1A)]⁶⁹⁸, it must state—

- (a) the information or other matter on which the knowledge or suspicion is based, [~~and~~]⁶⁹⁹
- (b) any information it holds about the person by which the person can be identified, [~~and~~]⁷⁰⁰
- [(c) any related information it holds about the supply or delivery by ship, financial services or funds or brokering services provided with regard to the provisions referred to in paragraph (1A)(a).]⁷⁰¹

[(2A) An involved person must also state, where they inform the Treasury under paragraph (1A), the nature, amount, value, or quantity of any goods or services related to the suspected offence at the time when they first had the knowledge or suspicion.]⁷⁰²

(3) Paragraph (4) applies if—

- (a) a relevant firm informs the Treasury under paragraph (1) that it knows, or has reasonable cause to suspect, that a person is a designated person [or under paragraph (1ZA) that it knows, or has reasonable cause to suspect, that a person for whom it holds funds or economic resources is a prohibited person]⁷⁰³, and
- (b) that person is a customer of the relevant firm.

(4) The relevant firm must also state the nature and amount or quantity of any funds or economic resources held by it for the customer at the time when it first had the knowledge or suspicion.

(5) A relevant institution must inform the Treasury without delay if that institution—

⁶⁹⁶ Inserted by SI 2023/1364.

⁶⁹⁷ Inserted by SI 2022/1122.

⁶⁹⁸ Inserted by SI 2022/1122.

⁶⁹⁹ Omitted by SI 2022/1122.

⁷⁰⁰ Inserted by SI 2022/1122.

⁷⁰¹ Inserted by SI 2022/1122.

⁷⁰² Inserted by SI 2022/1122.

⁷⁰³ Inserted by SI 2023/1364.

(a) credits a frozen account in accordance with regulation 58(4) (finance: exceptions from prohibitions), ~~or~~

~~(b) transfers funds from a frozen account in accordance with regulation 58(6).~~

(6) A person who fails to comply with a requirement in paragraph (1), [(1ZA), (1ZB)],⁷⁰⁴ [(1A), (2), (2A)]⁷⁰⁵ or (4) commits an offence.

(7) In this regulation—

“designated person” has the same meaning as it has in Chapter 1 of Part 3 (Finance);

“frozen account” has the same meaning as it has in regulation 58;

[“involved person” means a person who is involved in –

(a) the supply or delivery of oil and oil products; or

(b) the provision of financial services or funds or brokering services relating to the supply or delivery of oil and oil products;

[“prohibited person” means a person to whom financial services must not be provided by virtue of regulation 18A(1);]⁷⁰⁶

“oil and oil products” has the meaning given in regulation 21(1) (interpretation of Part 5);]⁷⁰⁷

~~“relevant firm” is to be read in accordance with regulation 71;~~

“relevant firm” means –

(a) a business in the regulated sector within the meaning of Schedule 4 to the Proceeds of Crime Act 2008 (of Tynwald)⁷⁰⁸ (see in particular paragraph 2 of that Schedule);

(b) a person engaged in the business of making, supplying, selling (including selling by auction) or exchanging articles made from gold, silver, platinum, palladium, precious stones or pearls;

“relevant institution” has the same meaning as it has in regulation 58.

(8) For the purposes of paragraph (a) of the definition of “relevant firm” in paragraph (7), the definition of “estate agent” in Schedule 4 to the Proceeds of Crime Act 2008 (of Tynwald) is to be read as if references to the sale or proposed sale of land in section 15 of the Estate Agents Act 1975 (of Tynwald)⁷⁰⁹ included references to the sale or proposed sale of land outside the Isle of Man.

[Designated persons: reporting obligations]

70A. (1) A designated person who is a ~~United Kingdom person~~ **an Island person** must, by the end of the period specified in paragraph (3) or (4) (as the case may be) inform the Treasury of –

⁷⁰⁴ Inserted by SI 2023/1364.

⁷⁰⁵ Inserted by SI 2022/1122.

⁷⁰⁶ Inserted by SI 2023/1364.

⁷⁰⁷ Inserted by SI 2022/1122.

⁷⁰⁸ AT 13 of 2008.

⁷⁰⁹ AT 6 of 1975.

- (a) the nature and value of any funds or economic resources which that person owns, holds or controls in any jurisdiction; and
- (b) the location of those funds or economic resources.

(2) A designated person who is not a ~~United Kingdom person~~ **an Island person** must, by the end of the period specified in paragraph (3) or (4) (as the case may be) inform the Treasury of –

- (a) the nature and value of any funds or economic resources which that person owns, holds or controls in the ~~United Kingdom~~ **Isle of Man**; and
- (b) the location of those funds or economic resources.

(3) Where a person is a designated person immediately before the day on which this regulation comes into force ("the relevant day"), the designated person must give the information in paragraph (1) or (2) (as the case may be) to the Treasury by the end of the period of 10 weeks starting on the relevant day.

(4) Where a person is not a designated person immediately before the relevant day but becomes a designated person on or after that day, the designated person must give the information in paragraph (1) or (2) (as the case may be) to the Treasury by the end of the period of 10 weeks starting on the day on which the person becomes a designated person.

(5) Where a designated person has provided information to the Treasury under paragraph (1) or (2), that person must inform the Treasury as soon as practicable of any change to the nature, value or location of the funds or economic resources.

- (6) A person who –
 - (a) without reasonable excuse, refuses or fails to comply with the requirement in paragraph (1), (2) or (5) (as the case may be); or
 - (b) knowingly or recklessly, gives information under paragraph (1), (2) or (5) (as the case may be) which is false in a material particular,

commits an offence.

(7) In this regulation, "designated person" has the same meaning as it has in Chapter 1 of Part 3 (Finance).]⁷¹⁰

"Relevant firm"

~~71. (1) The following are relevant firms for the purposes of regulation 70 –~~

- ~~(a) a person that has permission under Part 4A of the Financial Services and Markets Act 2000 (permission to carry on regulated activity);~~
- ~~(b) an undertaking that by way of business –~~
 - ~~(i) operates a currency exchange office;~~
 - ~~(ii) transmits money (or any representation of monetary value) by any means, or~~

⁷¹⁰ Regulation 70A inserted by SI 2023/1364.

- (iii) ~~— cashes cheques that are made payable to customers;~~
 - (c) ~~— a firm or sole practitioner that is—~~
 - (i) ~~— a statutory auditor within the meaning of Part 42 of the Companies Act 2006 (statutory auditors), or~~
 - (ii) ~~— a local auditor within the meaning of section 4(1) of the Local Audit and Accountability Act 2014 (general requirements for audit);~~
 - (d) ~~— a firm or sole practitioner that provides to other persons, by way of business—~~
 - (i) ~~— accountancy services;~~
 - (ii) ~~— legal or notarial services;~~
 - (iii) ~~— advice about tax affairs; or~~
 - (iv) ~~— trust or company services within the meaning of paragraph (2);~~
 - (e) ~~— a firm or sole practitioner that carries out, or whose employees carry out, estate agency work;~~
 - (f) ~~— the holder of a casino operating licence within the meaning given by section 65(2)(a) of the Gambling Act 2005 (nature of a licence);~~
 - (g) ~~— a person engaged in the business of making, supplying, selling (including selling by auction) or exchanging—~~
 - (i) ~~— articles made from gold, silver, platinum or palladium; or~~
 - (ii) ~~— precious stones or pearls.~~
- ~~— (2) — In paragraph (1) “trust or company services” means any of the following services—~~
- (a) ~~— forming companies or other legal persons;~~
 - (b) ~~— acting, or arranging for another person to act—~~
 - (i) ~~— as a director or secretary of a company;~~
 - (ii) ~~— as a partner of a partnership; or~~
 - (iii) ~~— in a similar capacity in relation to other legal persons;~~
 - (c) ~~— providing a registered office, business address, correspondence or administrative address or other related services for a company, partnership or any other legal person or arrangement;~~
 - (d) ~~— acting, or arranging for another person to act, as—~~
 - (i) ~~— a trustee of an express trust or similar legal arrangement; or~~
 - (ii) ~~— a nominee shareholder for a person.~~

~~————(3)—— In paragraph (1)——~~

~~“estate agency work” is to be read in accordance with section 1 of the Estate Agents Act 1979, but as if references in that section to disposing of or acquiring an interest in land included (despite anything in section 2 of that Act) references to disposing of or acquiring an estate or interest in land outside the United Kingdom where that estate or interest is capable of being owned or held as a separate interest;~~

~~“firm” means any entity that, whether or not a legal person, is not an individual, and includes a body corporate and a partnership or other unincorporated body.~~

~~————(4)—— Paragraph (1)(a) and (b) is to be read with section 22 of the Financial Services and Markets Act 2000, any relevant order under that section and Schedule 2 to that Act.~~

~~————(5)—— For the purposes of regulation 70(1), information or another matter comes to a relevant firm “in the course of carrying on its business” if the information or other matter comes to the firm——~~

~~(a)—— in the case of a relevant firm within paragraph(1)(a), in the course of carrying on an activity in respect of which the permission mentioned in that provision is required;~~

~~(b)—— in the case of a relevant firm within paragraph (1)(c)(i), in the course of carrying out statutory audit work within the meaning of section 1210 of the Companies Act 2006 (meaning of statutory auditor);~~

~~(c)—— in the case of a relevant firm within paragraph (1)(c)(ii), in the course of carrying out an audit required by the Local Audit and Accountability Act 2014;~~

~~(d)—— in the case of a relevant firm within paragraph (1)(f), in the course of carrying on an activity in respect of which the licence mentioned in that provision is required;~~

~~(e)—— in the case of a relevant firm within any other provision of paragraph (1), in the course of carrying on an activity mentioned in that provision.~~

Finance: powers to request information

72. (1) The Treasury may request a designated person to provide information about——

(a) funds or economic resources owned, held or controlled by or on behalf of the designated person, or

(b) any disposal of such funds or economic resources.

(2) The Treasury may request a designated person to provide such information as the Treasury may reasonably require about expenditure——

(a) by the designated person, or

(b) for the benefit of the designated person.

(3) For the purposes of paragraph (2), expenditure for the benefit of a designated person includes expenditure on the discharge (or partial discharge) of a financial obligation for which the designated person is wholly or partly responsible.

(4) The power in paragraph (1) or (2) is exercisable only where ~~the Treasury believe~~ **the Treasury believes** that it is necessary for the purpose of monitoring compliance with or detecting evasion of any provision of Part 3 (Finance).

(5) The Treasury may request a person acting under a Treasury licence to provide information about—

- (a) funds or economic resources dealt with under the licence,
- (b) funds, economic resources or financial services made available under the licence, or
- (c) any matter to which a licence relates, where that licence authorises an act that would otherwise be prohibited under regulation [16 (securities and money market instruments), 17 (loans and credit arrangements), 17A [(corresponding banking relationships and processing payments)]⁷¹¹⁷¹², [18 (investments in non-government controlled Ukrainian territory)]⁷¹³, 18A (provision of foreign reserve and asset management services)[, 18B]⁷¹⁴ (investments in relation to Russia)]⁷¹⁵, 18C (trust services)]⁷¹⁶ [or 46Z9B to 46Z9D (maritime transportation of certain oil and oil products)]⁷¹⁷.]⁷¹⁸

(6) The Treasury may request a person to provide information within paragraph (7) if ~~the Treasury believe~~ **the Treasury believes** that the person may be able to provide the information.

(7) Information within this paragraph is such information as the Treasury may reasonably require for the purpose of—

- (a) establishing for the purposes of any provision of Chapter 1 of Part 3 (Finance)—
 - (i) the nature and amount or quantity of any funds or economic resources owned, held or controlled by or on behalf of a designated person,
 - (ii) the nature and amount or quantity of any funds, financial services or economic resources made available directly or indirectly to, or for the benefit of, a designated person, or
 - (iii) the nature of any financial transactions entered into by a designated person;
- (b) monitoring compliance with or detecting evasion of—
 - (i) any provision of Part 3 [or regulations 46Z9B to 46Z9D]⁷¹⁹,
 - (ii) regulation 70 (finance: reporting obligations), or
 - (iii) any condition of a Treasury licence;

⁷¹¹ Substituted by SI 2023/1364.

⁷¹² Inserted by SI 2022/194.

⁷¹³ Substituted by SI 2022/395.

⁷¹⁴ Substituted by SI 2022/1122.

⁷¹⁵ Substituted by SI 2022/801.

⁷¹⁶ Inserted by SI 2022/1331.

⁷¹⁷ Inserted by SI 2022/1122.

⁷¹⁸ Substituted by SI 2022/205.

⁷¹⁹ Inserted by SI 2022/1122.

- (c) detecting or obtaining evidence of the commission of an offence under [Part 3, regulations 46Z9B to 46Z9D (maritime transportation of certain oil and oil products)]⁷²⁰ or regulation 67 (finance: licensing offences) or 70 (finance: reporting obligations).

(8) The Treasury may specify the way in which, and the period within which, information is to be provided.

(9) If no such period is specified, the information which has been requested must be provided within a reasonable time.

(10) A request may include a continuing obligation to keep the Treasury informed as circumstances change, or on such regular basis as the Treasury may specify.

(11) Information requested under this regulation may relate to any period of time during which a person is, or was, a designated person.

(12) Information requested by virtue of paragraph (1)(b), (2) or (7)(a)(iii) may relate to any period before a person became a designated person (as well as, or instead of, any subsequent period).

(13) Expressions used in this regulation have the same meaning as they have in [Chapter 1 of]⁷²¹ Part 3.

Finance: production of documents

73. (1) A request under regulation 72 may include a request to produce specified documents or documents of a specified description.

(2) Where ~~the Treasury request~~ **the Treasury requests** that documents be produced, the Treasury may—

- (a) take copies of or extracts from any document so produced,
- (b) request any person producing a document to give an explanation of it, and
- (c) where that person is a body corporate, partnership or unincorporated body other than a partnership, request any person who is—
 - (i) in the case of a partnership, a present or past partner or employee of the partnership, or
 - (ii) in any other case, a present or past officer or employee of the body concerned,

to give such an explanation.

(3) Where ~~the Treasury request~~ **the Treasury requests** a designated person or a person acting under a Treasury licence to produce documents, that person must—

- (a) take reasonable steps to obtain the documents (if they are not already in the person's possession or control);

⁷²⁰ Substituted by SI 2022/1122.

⁷²¹ Inserted by SI 2022/194.

- (b) keep the documents under the person's possession or control (except for the purpose of providing them to the Treasury or as the Treasury may otherwise permit).

(4) In this regulation "designated person" has the same meaning as it has in Chapter 1 of Part 3 (Finance).

Finance: information offences

74. (1) A person commits an offence, if that person—
- (a) without reasonable excuse, refuses or fails within the time and in the manner specified (or, if no time has been specified, within a reasonable time) to comply with any request under regulation 72 (finance: powers to request information);
 - (b) knowingly or recklessly gives any information, or produces any document, which is false in a material particular in response to such a request;
 - (c) with intent to evade any provision of regulation 72 or 73 (finance: production of documents), destroys, mutilates, defaces, conceals or removes any document;
 - (d) otherwise intentionally obstructs the Treasury in the exercise of ~~their~~ **its** powers under regulation 72 or 73.

(2) Where a person is convicted of an offence under this regulation, the court may make an order requiring that person, within such period as may be specified in the order, to comply with the request.

Trade: application of information powers in CEMA

75. (1) ~~Section 77A of CEMA~~ **Section 78A of CEMA (information powers)** applies in relation to a person carrying on a relevant activity as it applies in relation to a person concerned in the importation or exportation of goods but as if—

- (a) in subsection (1), the reference to a person concerned in the importation or exportation of goods for which for that purpose an entry is required by regulation 5 of the ~~Customs Controls on Importation of Goods Regulations 1991~~ **Customs Controls on Importation of Goods Regulations 1994 (of Tynwald)**⁷²² or an entry or specification is required by or under CEMA were to a person carrying on a relevant activity;
 - (b) any other reference to importation or exportation were to a relevant activity;
 - (c) any reference to goods were to the goods, technology, services or funds to which the relevant activity relates.
- (2) For the purposes of paragraph (1), a "relevant activity" means an activity—
- (a) which would, unless done under the authority of a trade licence, constitute a contravention of any prohibition in Chapters 2 to [6B]⁷²³ of Part 5 (Trade), except any prohibition on imports or exports, or

⁷²² SD 211/94.

⁷²³ Substituted by SI 2022/850.

- (b) which would constitute a contravention of the prohibition in regulation 55(1) (circumventing etc. prohibitions).

General trade licences: records

76. (1) This regulation applies in relation to a person ("P") who does any act authorised by a general licence issued under regulation 65 (trade licences) ("the licence").

(2) P must keep a register or record containing such details as may be necessary to allow the following information[, where appropriate,]⁷²⁴ to be identified in relation to each act done under the authority of the licence—

- (a) a description of the act;
- (b) a description of any goods, technology, services or funds to which the act relates;
- (c) the date of the act or the dates between which the act took place;
- (d) the quantity of any goods or funds to which the act relates;
- (e) P's name and address;
- (f) the name and address of any consignee of goods to which the act relates or any recipient of technology, services or funds to which the act relates;
- (g) in so far as it is known to P, the name and address of the end-user of the goods, technology, services or funds to which the act relates;
- (h) if different from P, the name and address of the supplier of any goods to which the act relates;
- (i) any further information required by the licence.

(3) The register or record relating to an act must be kept until the end of the calendar year in which the register or record is created and for a further period of 4 years from the end of that calendar year.

(4) P must notify the ~~Secretary of State~~ **Treasury** in writing of P's name and the address at which the register or record may be inspected, and must make a further such notification if those details change.

(5) A notification under paragraph (4) must be given no later than 30 days after—

- (a) P first does any act authorised by the licence, or
- (b) there is any change to the details previously notified.

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

⁷²⁴ Inserted by SI 2022/814.

General trade licences: inspection of records

77. (1) A person authorised by the ~~Secretary of State or the Commissioners~~ **Treasury** (an "official") may at any reasonable hour enter premises notified under regulation 76(4) for the purposes of monitoring compliance with or detecting evasion of regulation 76(2) or (3).

(2) An official may require any person on the premises to produce any register or record required to be kept under regulation 76, or any document included in such a register or record, that is in the person's possession or control.

(3) An official may inspect and copy any such register, record or document.

(4) An official must, if requested to do so, produce documentary evidence that he or she is authorised to exercise a power conferred by this regulation.

(5) A person commits an offence if, without reasonable excuse, the person—

- (a) intentionally obstructs an official in the performance of any of the official's functions under this regulation, or
- (b) fails to produce a register, record or document when reasonably required to do so by an official under this regulation.

Disclosure of information

78. (1) ~~The Secretary of State, the Treasury or the Commissioners~~ **The Treasury** may, in accordance with this regulation, disclose—

- (a) any information obtained under or by virtue of Part 7 (Exceptions and licences), this Part or Part 10 (Maritime enforcement), or
- (b) any information held in connection with—
 - (i) anything done under or by virtue of Part 2 (Designation of persons), Part 3 (Finance), Part 5 (Trade), ~~Part 6 (Ships)~~ [or Part 6A (Aircraft)]⁷²⁵, or
 - (ii) any exception or licence under Part 7 or anything done in accordance with such an exception or under the authority of such a licence.

(2) Information referred to in paragraph (1) may be disclosed for, or in connection with, any of the following purposes—

- (a) any purpose stated in regulation 4;
- (b) the exercise of functions under these Regulations;
- (c) facilitating, monitoring or ensuring compliance with these Regulations;
- (ca) taking any action with a view to instituting, or otherwise for the purposes of, any proceedings in the Isle of Man for an offence under any provisions of these Regulations;**
- (d) taking any action with a view to instituting, or otherwise for the purposes of, any proceedings in the United Kingdom—

⁷²⁵ Inserted by SI 2022/814.

- (i) for an offence under any provision of these Regulations **(as they have effect in the United Kingdom)**,
 - (ii) for an offence under ~~CEMA~~ **the Customs and Excise Management Act 1979 (of Parliament)**⁷²⁶ in connection with any prohibition in Part 5 on imports or exports **(as that Part has effect in the United Kingdom)**[,]⁷²⁷
 - (iii) in relation to a monetary penalty under section 146 of the Policing and Crime Act 2017 (breach of financial sanctions legislation)[, or]⁷²⁸
 - [(iv) in relation to a monetary penalty under regulation 88A(1) to (3) (Treasury: power to impose monetary penalties)]⁷²⁹;
 - (e) taking any action with a view to instituting, or otherwise for the purposes of, any proceedings in any of the Channel Islands,~~the Isle of Man~~, or any British overseas territory, for an offence—
 - (i) under a provision in any such jurisdiction that is similar to a provision of these Regulations, or
 - (ii) in connection with a prohibition in any such jurisdiction that is similar to a prohibition referred to in sub-paragraph (d)(ii);
 - (f) compliance with an international obligation;
 - (g) facilitating the exercise by an authority outside the ~~United Kingdom~~ **Isle of Man** or by an international organisation of functions which correspond to functions under these Regulations.
- ~~(3) Information referred to in paragraph (1) may be disclosed to the following persons—~~
- ~~(a) a police officer;~~
 - ~~(b) any person holding or acting in any office under or in the service of—~~
 - ~~(i) the Crown in right of the Government of the United Kingdom;~~
 - ~~(ii) the Crown in right of the Scottish Government, the Northern Ireland Executive or the Welsh Government;~~
 - ~~(iii) the States of Jersey, Guernsey or Alderney or the Chief Pleas of Sark;~~
 - ~~(iv) the Government of the Isle of Man; or~~
 - ~~(v) the Government of any British overseas territory;~~
 - ~~(c) any law officer of the Crown for Jersey, Guernsey or the Isle of Man;~~
 - ~~(d) the Scottish Legal Aid Board;~~

⁷²⁶ 1979 Chapter 2.

⁷²⁷ Substituted by SI 2022/1122.

⁷²⁸ Inserted by SI 2022/1122.

⁷²⁹ Inserted by SI 2022/1122.

- ~~(e) — the Financial Conduct Authority, the Prudential Regulation Authority, the Bank of England, the Jersey Financial Services Commission, the Guernsey Financial Services Commission or the Isle of Man Financial Services Authority;~~
- ~~(f) — any other regulatory body (whether or not in the United Kingdom);~~
- ~~(g) — any organ of the United Nations;~~
- ~~(h) — the Council of the European Union, the European Commission or the European External Action Service;~~
- ~~(i) — the Government of any country;~~
- ~~(j) — any other person where the Secretary of State, the Treasury or the Commissioners (as the case may be) consider that it is appropriate to disclose the information.~~

(3) Information referred to in paragraph (1) may be disclosed to the following persons –

- (a) a police officer;**
- (b) any person holding or acting in any office under or in the service of –**
 - (i) the Government of the Isle of Man;**
 - (ii) the Crown in right of the Government of the United Kingdom;**
 - (iii) the Crown in right of the Scottish Government, the Northern Ireland Executive or the Welsh Government;**
 - (iv) the States of Jersey, Guernsey or Alderney or the Chief Pleas of Sark; or**
 - (v) the Government of any British overseas territory;**
- (c) any law officer of the Crown in any of the British Islands;**
- (d) the Legal Aid Agency in England and Wales, the Scottish Legal Aid Board or the Legal Services Agency Northern Ireland;**
- (e) the Isle of Man Financial Services Authority and any body of any other part of the British Islands exercising an equivalent function;**
- (f) any other regulatory body (whether or not in the Isle of Man);**
- (g) any organ of the United Nations;**
- (h) any person in the service of the United Nations, the Council of the European Union, the European Commission or the European External Action Service;**
- (i) the Government of any country;**

(j) any other person where the Treasury considers that it is appropriate to disclose the information.

(4) Information referred to in paragraph (1) may be disclosed to any person with the consent of a person who, in their own right, is entitled to the information.

(5) In paragraph (4) "in their own right" means not merely in the capacity as a servant or agent of another person.

(6) In paragraph (1)(b)—

(a) the reference to information includes information obtained at a time when any provision of these Regulations is not in force, and

(b) the reference to a licence under Part 7 includes—

(i) a licence or authorisation which has effect or is treated as if it were a licence which had been issued under that Part, and

(ii) a licence which is deemed to have been issued under that Part.

[Finance: disclosure to the Treasury

78A. (1) A relevant public authority may disclose information to the Treasury if the disclosure is made for the purpose of enabling or assisting the Treasury to discharge any of its functions in connection with sanctions.

~~(2) In this regulation—~~

~~"relevant public authority" means—~~

~~(a) any person holding or acting in any office under or in the service of—~~

~~(i) the Crown in right of the Government of the United Kingdom,~~

~~(ii) the Crown in right of the Scottish Government, the Northern Ireland Executive or the Welsh Government,~~

~~(b) any local authority,~~

~~(c) any police officer,~~

~~(d) the Financial Conduct Authority, the Prudential Regulation Authority, the Bank of England or any other regulatory body in the United Kingdom, or~~

~~(e) any other person exercising functions of a public nature;~~

~~"local authority" means—~~

~~(a) in relation to England—~~

~~(i) a county council,~~

~~(ii) a district council,~~

~~(iii) a London Borough council,~~

- ~~(iv) — the Common Council of the City of London in its capacity as a local authority,~~
- ~~(v) — the Council of the Isles of Scilly, or~~
- ~~(vi) — an eligible parish council within the meaning of section 1(2) of the Local Government Act 2000,~~
- ~~(b) — in relation to Wales, a county council, a county borough council or a community council,~~
- ~~(c) — in relation to Scotland, a council constituted under section 2 of the Local Government etc (Scotland) Act 1994, or~~
- ~~(d) — in relation to Northern Ireland, a district council.~~

(2) In this regulation –

“relevant public authority” means –

- (a) any person holding or acting in any office under or in the service of the Isle of Man Government;**
- (b) any local authority;**
- (c) any police officer;**
- (d) the Isle of Man Financial Services Authority or any other regulatory body in the Isle of Man; or**
- (e) any person exercising functions of a public nature.]⁷³⁰**

Part 8: supplementary

79. (1) A disclosure of information under regulation 78 [or 78A]⁷³¹ does not breach any restriction on such disclosure imposed by statute or otherwise.

~~— (2) — But nothing in that regulation authorises a disclosure that —~~

- ~~(a) — contravenes the data protection legislation, or~~
- ~~(b) — is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016.~~

(2) But nothing in [those regulations]⁷³² authorises a disclosure –

- (a) that contravenes the data protection legislation;**
- (b) of intercepted material that is not otherwise permitted under the safeguards arrangements relating to a warrant issued under the Interception of Communications Act 1988 (of Tynwald)⁷³³;**

⁷³⁰ Inserted by SI 2022/818.

⁷³¹ Inserted by SI 2022/818.

⁷³² Substituted by SI 2022/818.

⁷³³ AT 18 of 1988.

(3) Nothing in this Part is to be read as requiring a person who has acted or is acting as ~~counsel or solicitor~~ **an advocate or lawyer** for any person to disclose any privileged information in their possession in that capacity.

(4) [Regulations 78 and 78A do]⁷³⁴ not limit the circumstances in which information may be disclosed apart from [those regulations]⁷³⁵.

(5) Nothing in this Part limits any conditions which may be contained in a Treasury licence or a trade licence.

(6) In this regulation—

~~“the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);~~

“the data protection legislation” has the meaning given in regulation 5(1) of the GDPR and LED Implementing Regulations 2018 (of Tynwald)⁷³⁶;

“privileged information” means information with respect to which a claim to legal professional privilege (~~in Scotland, to confidentiality of communications~~) could be maintained in legal proceedings.

PART 9

Enforcement

Penalties for offences

~~80. (1) A person who commits an offence under any provision of Part 3 (Finance), regulation 67 (finance: licensing offences) or Part 6 (Ships) is liable—~~

~~(a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or a fine (or both);~~

~~(b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);~~

~~(c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);~~

~~(d) on conviction on indictment, to imprisonment for a term not exceeding 7 years or a fine (or both).~~

~~— (2) A person who commits an offence under any provision of Part 5 (Trade) is liable—~~

~~(a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or a fine (or both);~~

~~(b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);~~

⁷³⁴ Substituted by SI 2022/818.

⁷³⁵ Substituted by SI 2022/818.

⁷³⁶ SD 2018/0145.

- (c) ~~on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);~~
- (d) ~~on conviction on indictment, to imprisonment for a term not exceeding 10 years or a fine (or both).~~

~~(3) A person who commits an offence under regulation 9(6) (confidentiality), 68 (trade: licensing offences), 76(6) (general trade licences: records) or 77(5) (general trade licences: inspection of records) is liable—~~

- (a) ~~on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or a fine (or both);~~
- (b) ~~on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);~~
- (c) ~~on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);~~
- (d) ~~on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both).~~

~~(4) A person who commits an offence under regulation 70(6) or 74 (information offences in connection with Part 3) is liable—~~

- (a) ~~on summary conviction in England and Wales, to imprisonment for a term not exceeding 6 months or a fine (or both);~~
- (b) ~~on summary conviction in Scotland, to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale (or both);~~
- (c) ~~on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale (or both).~~

~~(5) In relation to an offence committed before section 154(1) of the Criminal Justice Act 2003 comes into force the reference in each of paragraphs (1)(a), (2)(a) and (3)(a) to 12 months is to be read as a reference to 6 months.~~

Penalties for offences

80. (1) A person guilty of an offence under any provision of Part 3 (finance)[, regulation 67 (finance: licensing offences), [57 (Crimean ports direction, Donetsk ports direction or Kherson and Zaporizhzhia ports direction) (as that regulation has effect in the United Kingdom)]⁷³⁷, 57A (prohibition on port entry), 57B(4) (directions prohibiting port entry), 57C(3) (movement of ships) or 57N(1) to (4) (aircraft offences)]⁷³⁸⁷³⁹ is liable —

⁷³⁷ Substituted by SI 2023/665.

⁷³⁸ Substituted by SI 2022/395.

⁷³⁹ Substituted by SI 2022/241.

- (a) on summary conviction, to custody for a term not exceeding 12 months or to a fine not exceeding level 5 on the standard scale, or to both;
- (b) on conviction on information, to custody for a term not exceeding 7 years or to a fine, or to both.

(2) A person guilty of an offence under any provision of Part 5 (trade) is liable –

- (a) on summary conviction, to custody for a term not exceeding 12 months or to a fine not exceeding level 5 on the standard scale, or to both;
- (b) on conviction on information, to custody for a term not exceeding 10 years or to a fine, or to both.

(3) A person guilty of an offence under regulation 9(6) (confidentiality), 68 (trade: licensing offences), [68A (aircraft: licensing offences),]⁷⁴⁰ 76(6) (general trade licences: records) or 77(5) (general trade licences: inspection of records) is liable –

- (a) on summary conviction, to custody for a term not exceeding 12 months or to a fine not exceeding level 5 on the standard scale, or to both;
- (b) on conviction on information, to custody for a term not exceeding 2 years or to a fine, or to both.

(4) A person guilty of an offence under regulation [57B(6) (directions prohibiting port entry: confidentiality), 57C(5) (movement of ships: confidentiality), 57N(5) (aircraft: confidentiality),]⁷⁴¹ 70(6)[, 70A(6)]⁷⁴² or 74 (information offences in connection with Part 3) is liable on summary conviction, to custody for a term not exceeding 6 months or to a fine not exceeding level 5 on the standard scale, or to both.

Liability of officers of bodies corporate etc.

81. (1) Where an offence under these Regulations, committed by a body corporate—

- (a) is committed with the consent or connivance of any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, or
- (b) is attributable to any neglect on the part of any such person,

that person as well as the body corporate is guilty of the offence and is liable to be proceeded against and punished accordingly.

(2) In paragraph (1) “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

(3) Paragraph (1) also applies in relation to a body that is not a body corporate, with the substitution for the reference to a director of the body of a reference—

- (a) in the case of a partnership, to a partner;

⁷⁴⁰ Inserted by SI 2022/395.

⁷⁴¹ Inserted by SI 2022/241.

⁷⁴² Inserted by SI 2023/1364.

- (b) in the case of an unincorporated body other than a partnership—
 - (i) where the body's affairs are managed by its members, to a member of the body;
 - (ii) in any other case, to a member of the governing body.

(4) ~~Section 171(4)~~ **Section 179(3)** of CEMA (which is a provision similar to this regulation) does not apply to any offence under these Regulations to which that provision would, in the absence of this paragraph, apply.

Jurisdiction to try offences

82. ~~(1) — Where an offence under regulation 9(6) (confidentiality), Part 3 (Finance), regulation 67 (finance: licensing offences) or regulation 70(6) or 74 (information offences in connection with Part 3) is committed in the United Kingdom—~~

- ~~(a) — proceedings for the offence may be taken at any place in the United Kingdom, and~~
- ~~(b) — the offence may for all incidental purposes be treated as having been committed at any such place.~~

(2) Where an offence under these Regulations is committed outside the ~~United Kingdom~~
Isle of Man—

- (a) proceedings for the offence may be taken at any place in the ~~United Kingdom~~
Isle of Man, and
- (b) the offence may for all incidental purposes be treated as having been committed at any such place **in the Isle of Man**.

~~— (3) — In the application of paragraph (2) to Scotland, any such proceedings against a person may be taken—~~

- ~~(a) — in any sheriff court district in which the person is apprehended or is in custody, or~~
- ~~(b) — in such sheriff court district as the Lord Advocate may determine.~~

~~— (4) — In paragraph (3) "sheriff court district" is to be read in accordance with the Criminal Procedure (Scotland) Act 1995 (see section 307(1) of that Act).~~

Procedure for offences by unincorporated bodies

83. (1) Paragraphs (2) and (3) apply if it is alleged that an offence under these Regulations has been committed by an unincorporated body (as opposed to by a member of the body).

(2) Proceedings in ~~England and Wales or Northern Ireland~~ **the Isle of Man** for such an offence must be brought against the body in its own name.

(3) For the purposes of proceedings, for such an offence brought against an unincorporated body—

- (a) rules of court relating to the service of documents have effect as if the body were a body corporate;

- (b) the following provisions apply as they apply in relation to a body corporate
- (i) ~~section 33 of the Criminal Justice Act 1925⁷⁴³ and Schedule 3 to the Magistrates' Courts Act 1980;~~

(i) **section 32 of the Summary Jurisdiction Act 1989 (of Tynwald)⁷⁴⁴;**

- (ii) ~~section 18 of the Criminal Justice Act (Northern Ireland) 1945 and Article 166 of, and Schedule 4 to, the Magistrates' Courts (Northern Ireland) Order 1981.~~

(4) A fine imposed on an unincorporated body on its conviction of an offence under these Regulations is to be paid out of the funds of the body.

Time limit for proceedings for summary offences

84. (1) Proceedings for an offence under these Regulations which is triable only summarily may be brought within the period of 12 months beginning with the date on which evidence sufficient in the opinion of the ~~prosecutor~~ **Attorney General** to justify the proceedings comes to the ~~prosecutor's~~ **Attorney General's** knowledge.

(2) But such proceedings may not be brought by virtue of paragraph (1) more than 3 years after the commission of the offence.

(3) A certificate signed by the ~~prosecutor~~ **Attorney General** as to the date on which the evidence in question came to the ~~prosecutor's~~ **Attorney General's** knowledge is conclusive evidence of the date on which it did so; and a certificate to that effect and purporting to be so signed is to be treated as being so signed unless the contrary is proved.

~~———— (4) ——— In relation to proceedings in Scotland ———~~

- ~~(a) ——— section 136(3) of the Criminal Procedure (Scotland) Act 1995 (date of commencement of summary proceedings) applies for the purposes of this regulation as it applies for the purposes of that section, and~~

- ~~(b) ——— references in this regulation to the prosecutor are to be treated as references to the Lord Advocate.~~

(5) **In this regulation, "Attorney General" has the meaning given in the Interpretation Act 2015 (of Tynwald)⁷⁴⁵.**

Trade enforcement: application of CEMA

85. (1) Where the ~~Commissioners investigate or propose~~ **Treasury investigates or proposes** to investigate any matter with a view to determining—

- (a) whether there are grounds for believing that a relevant offence has been committed, or
- (b) whether a person should be prosecuted for such an offence,

⁷⁴³ 1925 c.8, as amended by Statute Law (Repeals) Act 2004 (c.14), section 1(1) and (3) and Schedule 1(17)(11), para.1. Other amendments have been made to section 33 that are not relevant to these Regulations.

⁷⁴⁴ AT 15 of 1989.

⁷⁴⁵ AT 11 of 2015.

the matter is to be treated as an assigned matter.

(2) In paragraph (1) “assigned matter” has the meaning given by ~~section 1(1)~~ **section 184(1)** of CEMA.

(3) In this regulation a “relevant offence” means an offence under—

- (a) Part 5 (Trade) [except regulation 54D (legal advisory services), but only insofar as the offence under that regulation relates to legal advisory services concerning relevant activity which would be prohibited under any of regulations 11 to 19]⁷⁴⁶,
- [(aa) regulation 67 (finance: licensing offences) but only insofar as the offence under that regulation relates to offences under regulations 46Z9B to 46Z9D (maritime transportation of certain oil and oil products),]⁷⁴⁷
- (b) regulation 68 (trade: licensing offences),
- (c) regulation 76(6) (general trade licences: records), or
- (d) regulation 77(5) (general trade licences: inspection of records).

(4) ~~Section 138~~ **Section 145** of CEMA (arrest of persons) applies to a person who has committed, or whom there are reasonable grounds to suspect of having committed, a relevant offence as it applies to a person who has committed, or whom there are reasonable grounds to suspect of having committed, an offence for which the person is liable to be arrested under the customs and excise Acts, but as if—

- (a) any reference to an offence under, or for which a person is liable to be arrested under, the customs and excise Acts were to a relevant offence;
- (b) in subsection (2), the reference to any person so liable were to a person who has committed, or whom there are reasonable grounds to suspect of having committed, a relevant offence.

(5) The provisions of CEMA mentioned in paragraph (6) apply in relation to proceedings for a relevant offence as they apply in relation to proceedings for an offence under the customs and excise Acts, but as if—

- (a) any reference to the customs and excise Acts were to any of the provisions mentioned in paragraph (3)(a) to (d);
- (b) in ~~section 145(6)~~ **section 152(5)**, the reference to an offence for which a person is liable to be arrested under the customs and excise Acts were to a relevant offence;
- (c) in ~~section 151~~ **section 158**, the reference to any penalty imposed under the customs and excise Acts were to any penalty imposed under these Regulations in relation to a relevant offence;
- (d) in ~~section 154(2)~~ **section 161(2)**—
 - (i) the reference to proceedings relating to customs or excise were to proceedings under any of the provisions mentioned in paragraph (3)(a) to (d), and

⁷⁴⁶ Inserted by SI 2023/713.

⁷⁴⁷ Inserted by SI 2022/1122.

- (ii) the reference to the place from which any goods have been brought included a reference to the place to which goods have been exported, supplied or delivered or the place to or from which technology has been transferred.

(6) The provisions of CEMA are ~~sections 145, 146, 147, 148(1), 150, 151, 152, 154 and 155~~ **sections 152, 153, 154(5), 157, 158, 159, 161 and 162** (legal proceedings).

Trade offences in CEMA: modification of penalty

86. (1) Paragraph (2) applies where a person is guilty of an offence under ~~section 50(2)~~ **section 47(2)** of CEMA in connection with a prohibition mentioned in regulations 23[, 46D]⁷⁴⁸ [, 46IB]⁷⁴⁹ [, 46S]⁷⁵⁰ [, 46XB]⁷⁵¹ [, 46Z4, 46Z11, [46Z16B, [46Z16C]⁷⁵²,]⁷⁵³ 46Z18]⁷⁵⁴ [, [46Z25]⁷⁵⁵]⁷⁵⁶ or 47(1) (imports).

(2) Where this paragraph applies, the reference to 7 years in ~~section 50(4)(b)~~ **section 47(4)(b)** of CEMA⁷⁵⁷ is to be read as a reference to 10 years.

(3) Paragraph (4) applies where a person is guilty of an offence under ~~section 68(2)~~ **section 69(2)** of CEMA in connection with a prohibition mentioned in regulations 22(1), [32,]⁷⁵⁸ [30B, 40(1), 46B(1), 46N(1),]⁷⁵⁹ [46Y(1)]⁷⁶⁰ or 48 (exports).

(4) Where this paragraph applies, the reference to 7 years in ~~section 68(3)(b)~~ **section 69(3)(b)** of CEMA⁷⁶¹ is to be read as a reference to 10 years.

(5) Paragraph (6) applies where a person is guilty of an offence under ~~section 170(2)~~ **section 178(2)** of CEMA in connection with a prohibition mentioned in regulation 22(1), 23, [32,]⁷⁶² [30B, 40(1), 46B(1), 46D, 46N(1), 46S,]⁷⁶³ [, 46XB,]⁷⁶⁴ [46Y(1), 46Z4, 46Z11, [46Z18]⁷⁶⁵,]⁷⁶⁶ 47(1) or 48 (exports and imports).

(6) Where this paragraph applies, the reference to 7 years in ~~section 170(3)(b)~~ **section 178(3)(b)** of CEMA⁷⁶⁷ is to be read as a reference to 10 years.

~~Application of Chapter 1 of Part 2 of Serious Organised Crime and Police Act 2005~~

87. ~~Chapter 1 of Part 2 of the Serious Organised Crime and Police Act 2005 (investigatory powers) applies to any offence under Part 3 (Finance) or regulation 67 (finance: licensing offences).~~

⁷⁴⁸ Inserted by SI 2022/452.

⁷⁴⁹ Inserted by SI 2023/440 – not in operation until 30th September 2023.

⁷⁵⁰ Inserted by SI 2022/792.

⁷⁵¹ Inserted by SI 2023/440.

⁷⁵² Substituted by SI 2022/1331.

⁷⁵³ Inserted by SI 2022/1110.

⁷⁵⁴ Inserted by SI 2022/850.

⁷⁵⁵ Substituted by SI 2022/1331.

⁷⁵⁶ Inserted by SI 2022/1110.

⁷⁵⁷ The words "7 years" were inserted in section 50(4)(b) of CEMA by the Finance Act 1988, section 12.

⁷⁵⁸ Omitted by SI 2022/195.

⁷⁵⁹ Substituted by SI 2022/792.

⁷⁶⁰ Inserted by SI 2022/850.

⁷⁶¹ The words "7 years" were inserted in section 68(3)(b) of CEMA by the Finance Act 1988, section 12.

⁷⁶² Omitted by SI 2022/195.

⁷⁶³ Substituted by SI 2022/792.

⁷⁶⁴ Inserted by SI 2023/440.

⁷⁶⁵ Substituted by SI 2022/1331.

⁷⁶⁶ Inserted by SI 2022/850.

⁷⁶⁷ The words "7 years" were inserted in section 170(3)(b) of CEMA by the Finance Act 1988, section 12.

Monetary penalties

~~88. — Each provision in Part 5 (Trade) which contains a prohibition imposed for a purpose mentioned in section 3(1) or (2) of the Act is to be regarded as not being financial sanctions legislation for the purposes of Part 8 of the Policing and Crime Act 2017.~~

[Treasury: power to impose monetary penalties]

88A. (1) The Treasury may impose a monetary penalty on a person if it is satisfied, on the balance of probabilities, that the person has committed an offence under regulation 46Z9B, 46Z9C or 46Z9D (maritime transportation of certain oil and oil products).

~~[(1A) The Treasury may impose a monetary penalty on a person if they are satisfied~~ **it is satisfied**, on the balance of probabilities, that the person has committed an offence under regulation 70A (designated persons: reporting obligations).]⁷⁶⁸

(2) For the purposes of paragraph (1), any defence that the person did not know and had no reasonable cause to suspect that an offence referred to in that paragraph had been committed is to be ignored.

~~[(2A) For the purposes of paragraph (1A), any requirement for the person to have acted without reasonable excuse, or with knowledge or recklessness, is to be ignored.]~~⁷⁶⁹

(3) The Treasury may impose a monetary penalty on a person if it is satisfied, on the balance of probabilities, that the person has committed an offence under –

- (a) regulation 55 (circumventing etc. prohibitions);**
- (b) regulation 67 (licensing offences);**
- (c) regulation 70(6) (reporting obligations); or**
- (d) regulation 74 (information offences),**

in so far as the relevant activity relates to an offence referred to in paragraph (1).

(4) In paragraph (3), “relevant activity” means an activity which contravenes a prohibition specified in sub-paragraph (a), (b), (c) or (d) of that paragraph.

(5) The amount of the penalty under paragraph (1)[, (1A)]⁷⁷⁰ or (3) is to be such amount as the Treasury may determine but it may not exceed the permitted maximum.

(6) Where it is possible to estimate the value of the breach of the prohibition specified in paragraph (1) or (3), the permitted maximum is the greater of –

- (a) £1,000,000, and**
- (b) 50% of the estimated value of the breach.**

~~[(6A) Where it is possible to estimate the value of the funds or economic resources which the Treasury have~~ **has** not been informed of under regulation 70A(1), (2) or (5) (as the case may be), the permitted maximum is the greater of –

⁷⁶⁸ Inserted by SI 2023/1364.

⁷⁶⁹ Inserted by SI 2023/1364.

⁷⁷⁰ Inserted by SI 2023/1364.

- (a) £1,000,000, and
- (b) 50% of the value of the funds or economic resources which the Treasury have **has** not been informed of.]⁷⁷¹

(7) In any other case, the permitted maximum is £1,000,000.

(8) Any monetary penalty payable under this regulation is recoverable by the Treasury as a civil debt.

(9) Any monetary penalty received by the Treasury by virtue of this regulation must be paid into the General Revenue.

(10) The Treasury may publish reports at such intervals as it considers appropriate in cases where –

- (a) a monetary penalty has not been imposed under this regulation; but
- (b) the Treasury is satisfied, on the balance of probabilities, that a person has committed an offence under a provision referred to in paragraph (1)[, (1A)]⁷⁷² or (3).

Treasury monetary penalties: procedural rights

88B. (1) Before imposing a monetary penalty on a person under regulation 88A, the Treasury must inform the person of its intention to do so.

(2) The Treasury must also –

- (a) explain the grounds for imposing the penalty;
- (b) specify the amount of the penalty;
- (c) explain that the person is entitled to make representations; and
- (d) specify the period within which any such representations must be made.

(3) If (having considered any representations), the Treasury decides to impose the penalty, the Treasury must –

- (a) inform the person of its decision;
- (b) explain that the person is entitled to appeal the decision; and
- (c) specify the period within which the appeal must be brought.

(4) A person may appeal against a decision of the Treasury under this section to a court of summary jurisdiction.

(5) The appeal must be brought within the period of 30 days beginning with the date on which the person was informed of the Treasury's decision to impose the penalty.

⁷⁷¹ Inserted by SI 2023/1364.

⁷⁷² Inserted by SI 2023/1364.

(6) On appeal the court may –

- (a) uphold the decision to impose the penalty and its amount;**
- (b) uphold the decision to impose the penalty but substitute a different amount; or**
- (c) set aside the decision to impose the penalty.]⁷⁷³**

PART 10
Maritime enforcement

Exercise of maritime enforcement powers

89. (1) A maritime enforcement officer may, for a purpose mentioned in paragraph (2) or (3), exercise any of the maritime enforcement powers in relation to—

- (a) ~~a British ship~~ **Manx ship** in foreign waters or international waters,
- (b) a ship without nationality in international waters, or
- (c) a foreign ship in international waters,

and a ship within sub-paragraph (a), (b) or (c) is referred to in this Part as “a relevant ship”.

(2) The maritime enforcement powers may be exercised for the purpose of enforcing any of the following—

- (a) a prohibition in any of regulations 22 to 26 (trade sanctions relating to [restricted goods and restricted technology]⁷⁷⁴);
- ~~[(b) a prohibition in any of regulations 32 to 35 (trade sanctions relating to dual-use goods and dual-use technology);]⁷⁷⁵~~
- [(ba) a prohibition in any of regulations 30B to 30D (trade sanctions in respect of goods and technology relating to [non-government controlled Ukrainian territory]⁷⁷⁶);]⁷⁷⁷
- (c) a prohibition in any of regulations 40 to 42 (trade sanctions relating to energy-related goods);
- [(ca) a prohibition in regulation 46B (trade sanctions relating to luxury goods);
- (cb) a prohibition in [regulation 46D or]⁷⁷⁸ 46E (trade sanctions relating to iron and steel products);]⁷⁷⁹
- [(cbza) a prohibition in regulation 46IB (trade sanctions in relation to relevant processed iron or steel products);]⁷⁸⁰
- [(cba) a prohibition in regulation 46L (trade sanctions in relation to banknotes);

⁷⁷³ Inserted by SI 2022/1122.

⁷⁷⁴ Substituted by SI 2022/195.

⁷⁷⁵ Omitted by SI 2022/195.

⁷⁷⁶ Substituted by SI 2023/665.

⁷⁷⁷ Inserted by SI 2023/440.

⁷⁷⁸ Substituted by SI 2022/1110.

⁷⁷⁹ Inserted by SI 2022/452.

⁷⁸⁰ Inserted by SI 2023/440 – not in operation until 30th September 2023.

- (cbb) a prohibition in regulation 46N (trade sanctions in relation to jet fuel and fuel additives);
- (cbc) a prohibition in regulation 46S or 46T (trade sanctions in relation to Schedule 3D revenue generating goods);
- (cbd) a prohibition in any of regulations 46XB to 46XD (trade sanctions in relation to Schedule 3DA revenue generating goods);]⁷⁸¹
- [(cc) a prohibition in regulation 46Y (trade sanctions relating to [G7 dependency and further goods]⁷⁸²);
- (cd) a prohibition in ~~either of~~⁷⁸³ regulations 46Z4 or 46Z5 (trade sanctions relating to oil and oil products);
- [(cda) a prohibition in regulation 46Z9B (trade sanctions relating to maritime transportation of certain oil and oil products to and between third countries);]⁷⁸⁴
- (ce) a prohibition in [regulation 46Z11 or]⁷⁸⁵ 46Z12 (trade sanctions relating to gold);
- [(cea) a prohibition in regulation 46Z16B and 46Z16C (trade sanctions relating to gold jewellery and relevant processed gold);]⁷⁸⁶
- (cf) a prohibition in [regulation 46Z18 or]⁷⁸⁷ 46Z19 (trade sanctions relating to coal and coal products);]⁷⁸⁸
- [(cg) a prohibition in regulation 46Z25 and 46Z26 (trade sanctions relating to liquefied natural gas);]⁷⁸⁹
- [(ch) a prohibition in regulation 46Z30 (trade sanctions in relation to Russia's vulnerable goods);]⁷⁹⁰
- (d) a prohibition in any of [[regulations]⁷⁹¹ 47 to 50 (exports and imports etc.. in relation to non-government controlled Ukrainian territory)]⁷⁹²;
- (e) a prohibition imposed by a condition of a trade licence in relation to a prohibition mentioned in sub-paragraph (a) to (d).

(3) The maritime enforcement powers may also be exercised in relation to a relevant ship for the purpose of—

- (a) investigating the suspected carriage of relevant goods on the ship, or

⁷⁸¹ Inserted by SI 2023/440.

⁷⁸² Substituted by SI 2022/1110.

⁷⁸³ Omitted by SI 2022/1110.

⁷⁸⁴ Inserted by SI 2022/1122.

⁷⁸⁵ Substituted by SI 2022/1110.

⁷⁸⁶ Inserted by SI 2022/1110.

⁷⁸⁷ Substituted by SI 2022/1110.

⁷⁸⁸ Inserted by SI 2022/850.

⁷⁸⁹ Inserted by SI 2022/1110.

⁷⁹⁰ Inserted by SI 2023/440.

⁷⁹¹ Substituted by SI 2022/1110.

⁷⁹² Substituted by SI 2022/395.

- (b) preventing the continued carriage on the ship of goods suspected to be relevant goods.

(4) In this Part, “the maritime enforcement powers” are the powers conferred by regulations 91 and 92.

(5) This regulation is subject to regulation 93 (restrictions on exercise of maritime enforcement powers).

Maritime enforcement officers

90. (1) The following persons are “maritime enforcement officers” for the purposes of this Part—

- (a) a commissioned officer of any of Her Majesty’s ships;
- (b) a member of the Ministry of Defence Police (within the meaning of section 1 of the Ministry of Defence Police Act 1987 **(Act of Parliament)**⁷⁹³);
- (c) a constable—
 - (i) who is a member of a police force in England and Wales,
 - (ii) within the meaning of section 99 of the Police and Fire Reform (Scotland) Act 2012 **(an Act of the Scottish Parliament)**⁷⁹⁴, or
 - (iii) who is a member of the Police Service of Northern Ireland or the Police Service of Northern Ireland Reserve;
- (d) a special constable—
 - (i) appointed under section 27 of the Police Act 1996 **(Act of Parliament)**⁷⁹⁵,
 - (ii) appointed under section 9 of the Police and Fire Reform (Scotland) Act 2012 **(an Act of the Scottish Parliament)**⁷⁹⁶, or
 - (iii) in Northern Ireland, appointed by virtue of provision incorporating section 79 of the Harbours, Docks, and Piers Clauses Act 1847 **(Act of Parliament)**⁷⁹⁷;
- (e) a constable who is a member of the British Transport Police Force;
- (f) a port constable, within the meaning of section 7 of the Marine Navigation Act 2013 **(Act of Parliament)**⁷⁹⁸, or a person appointed to act as a constable under provision made by virtue of section 16 of the Harbours Act 1964 **(Act of Parliament)**⁷⁹⁹;

⁷⁹³ 1987 Chapter 4.

⁷⁹⁴ 2012 asp 8.

⁷⁹⁵ 1996 Chapter 16.

⁷⁹⁶ 2012 asp 8.

⁷⁹⁷ 1847 Chapter 27.

⁷⁹⁸ 2013 Chapter 23.

⁷⁹⁹ 1964 Chapter 40

- (g) a designated customs official within the meaning of Part 1 of the Borders, Citizenship and Immigration Act 2009 **(Act of Parliament)**⁸⁰⁰ (see section 14(6) of that Act);
- (h) a designated NCA officer who is authorised by the Director General of the National Crime Agency (whether generally or specifically) to exercise the powers of a maritime enforcement officer under this Part.
- (i) **an officer within the meaning given under section 184(1) of the Customs and Excise Management Act 1986 (of Tynwald)**⁸⁰¹; and
- (j) **a constable appointed by the Department of Home Affairs.**

(2) In this regulation, “a designated NCA officer” means a National Crime Agency officer who is either or both of the following—

- (a) an officer designated under section 10 of the Crime and Courts Act 2013 **(Act of Parliament)**⁸⁰² as having the powers and privileges of a constable;
- (b) an officer designated under that section as having the powers of a general customs official.

Power to stop, board, search etc.

91. (1) This regulation applies if a maritime enforcement officer has reasonable grounds to suspect that a relevant ship is carrying prohibited goods or relevant goods.

- (2) The officer may—
 - (a) stop the ship;
 - (b) board the ship;
 - (c) for the purpose of exercising a power conferred by paragraph (3) or regulation 92, require the ship to be taken to, and remain in, a port or anchorage in the ~~United Kingdom~~ **Isle of Man** or any other country willing to receive it.
- (3) Where the officer boards a ship by virtue of this regulation, the officer may—
 - (a) stop any person found on the ship and search that person for—
 - (i) prohibited goods or relevant goods, or
 - (ii) any thing that might be used to cause physical injury or damage to property or to endanger the safety of any ship;
 - (b) search the ship, or any thing found on the ship (including cargo) for prohibited goods or relevant goods;
- (4) The officer may—
 - (a) require a person found on a ship boarded by virtue of this regulation to provide information or produce documents;

⁸⁰⁰ 2009 Chapter 11.

⁸⁰¹ AT 34 of 1986.

⁸⁰² 2013 Chapter 22.

(b) inspect and copy such information or documents.

(5) The officer may exercise a power conferred by paragraph (3)(a)(i) or (b) only to the extent reasonably required for the purpose of discovering prohibited goods or relevant goods.

(6) The officer may exercise the power conferred by paragraph (3)(a)(ii) in relation to a person only where the officer has reasonable grounds to believe that the person might use a thing to cause physical injury or damage to property or to endanger the safety of any ship.

(7) The officer may use reasonable force, if necessary, in the exercise of any power conferred by this regulation.

Seizure power

92. (1) This regulation applies if a maritime enforcement officer is lawfully on a relevant ship (whether in exercise of the powers conferred by regulation 91 or otherwise).

(2) The officer may seize any of the following which are found on the ship, in any thing found on the ship, or on any person found on the ship—

- (a) goods which the officer has reasonable grounds to suspect are prohibited goods or relevant goods, or
- (b) things within regulation 91(3)(a)(ii).

(3) The officer may use reasonable force, if necessary, in the exercise of any power conferred by this regulation.

Restrictions on exercise of maritime enforcement powers

93. **(A1) A maritime enforcement officer must not by virtue of these Regulations exercise any maritime enforcement powers in relation to a British ship (other than a Manx ship) in foreign waters or international waters.**

(1) The authority of the Secretary of State is required before any maritime enforcement power is exercised in reliance on regulation 89 in relation to—

- (a) a ~~British ship~~ **Manx ship** in foreign waters, or
- (b) a foreign ship in international waters.

(2) In relation to a ~~British ship~~ **Manx ship** in foreign waters other than the sea and other waters within the seaward limits of the territorial sea adjacent to any relevant British possession, the Secretary of State may give authority under paragraph (1) only if the State in whose waters the power would be exercised consents to the exercise of the power.

(3) The Secretary of State may give authority under paragraph (1) only if—

- (a) the home state has requested the assistance of the ~~United Kingdom~~ **United Kingdom and the Isle of Man** for a purpose mentioned in regulation 89(2) or (3),
- (b) the home state has authorised the ~~United Kingdom~~ **United Kingdom and the Isle of Man** to act for such a purpose, or

- (c) the United Nations Convention on the Law of the Sea 1982 or a UN Security Council Resolution otherwise permits the exercise of the power in relation to the ship.

~~Interpretation of Part 9~~

~~94. (1) Subject to paragraph (2), any expression used in this Part and in section 19 or 20 of the Act has the same meaning in this Part as it has in section 19 or (as the case may be) section 20 of the Act.~~

~~(2) For the purpose of interpreting any reference to "prohibited goods" or "relevant goods" in this Part, any reference in section 19 or 20 of the Act to a "relevant prohibition or requirement" is to be read as a reference to any prohibition specified in regulation 89(2)(a) to (e).~~

Interpretation of [Part 10]⁸⁰³

94. (1) In this Part –

"British ship" has the meaning given in section 19 of the Act;

"foreign ship" means a ship which –

- (a) is registered in a territory other than the Isle of Man, or**
- (b) is not so registered but is entitled to fly the flag of a territory other than the Isle of Man;**

"foreign waters" means the sea and other waters within the seaward limits of the territorial sea adjacent to any territory other than the Isle of Man;

"home state", in relation to a foreign ship, means –

- (a) the State in which the ship is registered, or**
- (b) the State whose flag the ship is otherwise entitled to fly;**

"international waters" means the waters beyond the territorial sea of the Isle of Man or of any other State or territory;

"Manx ship" means a ship which –

- (a) is registered under Part I, II, III or IV of the Merchant Shipping Registration Act 1991 (of Tynwald)⁸⁰⁴, or**
- (b) is not registered under the laws of a country outside the Isle of Man but is wholly owned by persons each of whom has an Isle of Man connection;**

"prohibited goods" means goods which have been, or are being, dealt with in contravention of any prohibition specified in regulation 89(2)(a) to (e);

"relevant British possession" means –

- (a) any of the Channel Islands,**

⁸⁰³ Substituted by SI 2022/814.

⁸⁰⁴ AT 15 of 1991.

- (b) the Isle of Man, or
- (c) any British overseas territory;

"relevant goods" means goods in relation to which relevant non-IOM conduct is occurring or has occurred;

"relevant non-IOM conduct" means conduct outside the Isle of Man by a person other than an Island person that would constitute a contravention of a prohibition specified in regulation 89(2)(a) to (e) if the conduct had been –

- (a) in the Isle of Man, or
- (b) by an Island person;

"ship" includes every description of vessel (including a hovercraft) used in navigation, except the naval, military or air-force ships of any country;

"ships without nationality" means a ship which –

- (a) is not registered in, or otherwise entitled to fly the flag of, any State or relevant British possession, or
- (b) sails under the flags of two or more States or relevant British possessions, or under the flags of a State and relevant British possession, using them according to convenience.

(2) In the definition of "relevant non-IOM conduct" in paragraph (1), the reference to conduct that would constitute a contravention of a prohibition specified in regulation 89(2)(a) to (e) if the conduct had been in the Isle of Man or by an Island person includes a reference to a case where –

- (a) arrangements relating to goods have been entered into that have not been fully implemented, and
- (b) if those arrangements were to be fully implemented (and if the conduct had been in the Isle of Man or by an Island person) the goods would be dealt with in contravention of that prohibition.

(3) For the purposes of paragraph (b) of the definition of "Manx ship", a person has an "Isle of Man connection" if the person is –

- (a) a British citizen, a British overseas territories citizen or a British overseas citizen who is resident in the Isle of Man,
- (b) an individual who is habitually resident in the Isle of Man, or
- (c) a body corporate which is established under the law of the Isle of Man and has its principal place of business in the Isle of Man.

PART 11
Supplementary and final provision

Notices

95. (1) This regulation applies in relation to a notice required by regulation 66 (licences: general provisions) to be given to a person.

(2) The notice may be given to an individual—

- (a) by delivering it to the individual,
- (b) by sending it to the individual by post addressed to the individual at his or her usual or last-known place of residence or business, or
- (c) by leaving it for the individual at that place.

(3) The notice may be given to a person other than an individual—

- (a) by sending it by post to the proper officer of the body at its principal office, or
- (b) by addressing it to the proper officer of the body and leaving it at that office.

(4) The notice may be given to the person by other means, including by electronic means, with the person's consent.

(5) In this regulation, the reference in paragraph (3) to a "principal office"—

- (a) in relation to a registered company, is to be read as a reference to the company's registered office;
- (b) in relation to a body incorporated or constituted under the law of a country other than the ~~United Kingdom~~ **Isle of Man**, includes a reference to the body's principal office in the ~~United Kingdom~~ **Isle of Man** (if any).

(6) In this regulation—

"proper officer"—

- (a) in relation to a body other than a partnership, means the secretary or other executive officer charged with the conduct of the body's general affairs, and
- (b) in relation to a partnership, means a partner or a person who has the control or management of the partnership business;

"registered company" means a company registered under the enactments relating to companies for the time being in force in the ~~United Kingdom~~ **in operation in the Isle of Man**.

Article 20 of the Export Control Order 2008

96. Article 20 of the Export Control Order 2008 (embargoed destinations) is not to be taken to prohibit anything prohibited by Part 5 (Trade).

Trade: overlapping offences

97. A person is not to be taken to commit an offence under the Export Control Order 2008 if the person would, in the absence of this regulation, commit an offence under both—

- (a) article 34, 35, 37 or 38 of that Order, and
- (b) any provision of Part 5 (Trade) or regulation 68 (trade: licensing offences), 76(6) (general trade licences: records) or 77(5) (general trade licences: inspection of records).

Protection for acts done for the purposes of compliance

97A. (1) A person is not liable to any civil proceedings to which that person would, in the absence of this regulation, have been liable in respect of an act if that act is done in the reasonable belief that the act is in compliance with these Regulations.

(2) In this regulation, “act” includes an omission.

~~Revocations of relevant retained EU law~~

~~98. The following are revoked—~~

- ~~(a) Council Regulation (EU) No 269/2014 of 17 March 2014 (concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine);~~
- ~~(b) Council Regulation (EU) No 692/2014 of 23 June 2014 (concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol);~~
- ~~(c) Council Regulation (EU) No 833/2014 of 31 July 2014 (concerning restrictive measures in view of Russia’s actions destabilising the situation in Ukraine).~~

~~Other revocations and amendments~~

~~99. (1) The Ukraine Financial Sanctions Regulations are revoked.~~

~~— (2) The Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014 is revoked.~~

Transitional provision: Treasury licences

100. (1) Paragraphs (2) to (4) apply to a licence which—

- (a) was granted, or deemed to be granted, by the Treasury under the Ukraine Financial Sanctions Regulations,
- (b) was in effect immediately before IP completion day, and
- (c) authorises an act which would (on and after IP completion day, and in the absence of paragraphs (2) to (4)) be prohibited by Part 3 (Finance),

and such a licence is referred to in this regulation as “an existing financial sanctions licence”.

(2) An existing financial sanctions licence has effect on and after IP completion day as if it had been issued by the Treasury under regulation 64(1) (Treasury licences).

(3) Any reference in an existing financial sanctions licence to the Ukraine Financial Sanctions Regulations is to be treated on and after IP completion day as a reference to these Regulations.

(4) Any reference in an existing financial sanctions licence to a prohibition in—

- (a) the Ukraine Financial Sanctions Regulations, or
- (b) the EU Russia Regulations,

is to be treated on and after exit day as a reference to the corresponding prohibition in Part 3 (Finance).

(5) Paragraph (6) applies where—

- (a) an application for a licence, or for the variation of a licence, under the Ukraine Financial Sanctions Regulations was made before IP completion day,
- (b) the application is for authorisation of acts which would (on and after IP completion day) be prohibited by Part 3, and
- (c) a decision to grant or refuse the application has not been made before that date.

(6) The application is to be treated on and after IP completion day as an application for a licence, or for the variation of a licence (as the case may be), under regulation 64(1) (Treasury licences).

Transitional provision: trade licences

101. (1) Paragraph (2) applies in relation to each licence or authorisation granted by the ~~Secretary of State~~ **Treasury** which—

- (a) was in effect immediately before IP completion day, and
- (b) authorises an act—
 - (i) which would otherwise be prohibited by any provision of the Export Control Order 2008 except article 20 of that Order (embargoed destinations), or which requires an authorisation under or pursuant to the Dual-Use Regulation, and
 - (ii) which would (on and after IP completion day, and in the absence of paragraph (2)) be prohibited by Part 5 (Trade),

and such a licence or authorisation is referred to in this regulation as “an existing trade licence”.

(2) A licence is deemed to have been issued by the ~~Secretary of State~~ **Treasury** on IP completion day under regulation 65 (trade licences)—

- (a) disapplying every provision of Part 5 (Trade) which would, in the absence of this paragraph, prohibit any act authorised by the existing trade licence, and
- (b) otherwise in the same terms as the existing trade licence.

(3) Paragraphs (4) to (6) apply to a licence or authorisation granted by the ~~Secretary of State~~ **Treasury** which—

- (a) was in effect immediately before IP completion day,
- (aa) is not an existing trade licence, and
- (b) authorises an act—
 - (i) which would otherwise be prohibited by the EU Russia Regulations, and
 - (ii) which would (on or after IP completion day), and in the absence of Paragraphs (4) to (6), be prohibited by Part 5 (Trade),

and such a licence or authorisation is referred to in this regulation as “an existing trade sanctions licence”.

(4) An existing trade sanctions licence has effect on and after IP completion day as if it were a licence which had been issued by the ~~Secretary of State~~ **Treasury** under regulation 65 (trade licences).

(5) Any reference in an existing trade sanctions licence to a provision of the Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014, **as it has effect in the Isle of Man⁸⁰⁵** or the Export Control Order 2008 is to be treated on and after IP completion day as a reference to the corresponding provision of these Regulations (if any).

(6) Any reference in an existing trade sanctions licence to a prohibition in the EU Russia Regulations is to be treated on and after IP completion day as a reference to the corresponding prohibition in Part 5 (Trade).

Transitional provision: pending applications for trade licences

102. (1) Paragraph (2) applies where—

- (a) an application was made before IP completion day for a licence or authorisation under or pursuant to the Export Control Order 2008 or the Dual-Use Regulation,
- (b) the application is for authorisation of an act prohibited by Part 5 (Trade), and
- (c) a decision to grant or refuse the application has not been made before IP completion day.

(2) The application is to be treated on and after IP completion day as including an application for a licence under regulation 65 (trade licences).

(3) Paragraph (4) applies where—

- (a) an application was made before IP completion day for a licence or authorisation under the Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014, **as it has effect in the Isle of Man⁸⁰⁶** or the EU Russia Regulations,
- (b) the application is for authorisation of an act prohibited by Part 5 (Trade), and

⁸⁰⁵ SI 2014/2357, as applied in the Island by SD 2014/0307.

⁸⁰⁶ SI 2014/2357, as applied in the Island by SD 2014/0307.

- (c) a decision to grant or refuse the application has not been made before IP completion day.

(4) The application is to be treated on and after IP completion day as an application for a licence under regulation 65 (trade licences).

Transitional provision: prior obligations

103. (1) Where—

- (a) a person was named in an Annex to the EU Russia Regulations immediately before IP completion day, and
- (b) the person is a designated person immediately before IP completion day,

any reference in a provision mentioned in paragraph (2) to the date on which a person became a designated person is a reference to the date on which the person was named in an Annex to the EU Russia Regulations **and that Annex had effect in the Isle of Man.**

(2) The provisions referred to in paragraph (1) are—

- (a) regulation 58(5) (finance: exceptions from prohibitions),
- (b) paragraph 6 of Schedule 5 (pre-existing judicial decisions), and
- (c) paragraph 8 of Schedule 5 (prior obligations).

(3) In this regulation, “designated person” has the same meaning as it has in Chapter 1 of Part 3 (finance restrictions in relation to designated persons).

10th April 2019

Alan Duncan
Minister of State
Foreign and Commonwealth Office

SCHEDULES

SCHEDULE 1

Regulations 7(3) and 16(8)

Rules for interpretation of regulations 7(2) and 16(7)

Application of Schedule

1. (1) The rules set out in the following paragraphs of this Schedule apply for the purpose of interpreting regulations 7(2) and 16(7).

(2) They also apply for the purpose of interpreting this Schedule.

Joint interests

2. If two or more persons each hold a share or right jointly, each of them is treated as holding that share or right.

Joint arrangements

3. (1) If shares or rights held by a person and shares or rights held by another person are the subject of a joint arrangement between those persons, each of them is treated as holding the combined shares or rights of both of them.

(2) A “joint arrangement” is an arrangement between the holders of shares or rights that they will exercise all or substantially all the rights conferred by their respective shares or rights jointly in a way that is pre-determined by the arrangement.

(3) “Arrangement” has the meaning given by paragraph 12.

Calculating shareholdings

4. (1) In relation to a person who has a share capital, a reference to holding “more than 50% of the shares” in that person is to holding shares comprised in the issued share capital of that person of a nominal value exceeding (in aggregate) 50% of that share capital.

(2) In relation to a person who does not have a share capital—

(a) a reference to holding shares in that person is to holding a right or rights to share in the capital or, as the case may be, profits of that person;

(b) a reference to holding “more than 50% of the shares” in that person is to holding a right or rights to share in more than 50% of the capital or, as the case may be, profits of that person.

Voting rights

5. (1) A reference to the voting rights in a person is to the rights conferred on shareholders in respect of their shares (or, in the case of a person not having a share capital, on members) to vote at general meetings of the person on all or substantially all matters.

(2) In relation to a person that does not have general meetings at which matters are decided by the exercise of voting rights—

(a) a reference to holding voting rights in the person is to be read as a reference to holding rights in relation to the person that are equivalent to those of a person entitled to exercise voting rights in a company;

(b) a reference to holding “more than 50% of the voting rights” in the person is to be read as a reference to holding the right under the constitution of the person to block changes to the overall policy of the person or to the terms of its constitution.

6. In applying regulations 7(2) and 16(7) and this Schedule, the voting rights in a person are to be reduced by any rights held by the person itself.

Rights to appoint or remove members of the board

7. A reference to the right to appoint or remove a majority of the board of directors of a person is to the right to appoint or remove directors holding a majority of the voting rights at meetings of the board on all or substantially all matters.

8. A reference to a board of directors, in the case of a person who does not have such a board, is to be read as a reference to the equivalent management body of that person.

Shares or rights held “indirectly”

9. (1) A person holds a share “indirectly” if the person has a majority stake in another person and that other person—

- (a) holds the share in question, or
- (b) is part of a chain of persons—
 - (i) each of whom (other than the last) has a majority stake in the person immediately below it in the chain, and
 - (ii) the last of whom holds the share.

(2) A person holds a right “indirectly” if the person has a majority stake in another person and that other person—

- (a) holds that right, or
- (b) is part of a chain of persons—
 - (i) each of whom (other than the last) has a majority stake in the person immediately below it in the chain, and
 - (ii) the last of whom holds that right.

(3) For these purposes, a person (“A”) has a “majority stake” in another person (“B”) if—

- (a) A holds a majority of the voting rights in B,
- (b) A is a member of B and has the right to appoint or remove a majority of the board of directors of B,
- (c) A is a member of B and controls alone, pursuant to an agreement with other shareholders or members, a majority of the voting rights in B, or
- (d) A has the right to exercise, or actually exercises, dominant influence or control over B.

(4) In the application of this paragraph to the right to appoint or remove a majority of the board of directors, a person (“A”) is to be treated as having the right to appoint a director if—

- (a) any person’s appointment as director follows necessarily from that person’s appointment as director of A, or
- (b) the directorship is held by A itself.

Shares held by nominees

10. A share held by a person as nominee for another is to be treated as held by the other (and not by the nominee).

Rights treated as held by person who controls their exercise

11. (1) Where a person controls a right, the right is to be treated as held by that person (and not by the person who in fact holds the right, unless that person also controls it).

(2) A person "controls" a right if, by virtue of any arrangement between that person and others, the right is exercisable only—

- (a) by that person,
- (b) in accordance with that person's directions or instructions, or
- (c) with that person's consent or concurrence.

12. "Arrangement" includes—

- (a) any scheme, agreement or understanding, whether or not it is legally enforceable, and
- (b) any convention, custom or practice of any kind.

Rights exercisable only in certain circumstances etc.

13. (1) Rights that are exercisable only in certain circumstances are to be taken into account only—

- (a) when the circumstances have arisen, and for so long as they continue to obtain, or
- (b) when the circumstances are within the control of the person having the rights.

~~——— (2) But rights that are exercisable by an administrator or by creditors while a person is subject to relevant insolvency proceedings are not to be taken into account while the person is subject to those proceedings.~~

~~——— (3) "Relevant insolvency proceedings" means—~~

- ~~(a) administration within the meaning of the Insolvency Act 1986~~
- ~~(b) administration within the meaning of the Insolvency (Northern Ireland) Order 1989, or~~
- ~~(c) proceedings under the insolvency law of another country during which a person's assets and affairs are subject to the control or supervision of a third party or creditor.~~

(4) Rights that are normally exercisable but are temporarily incapable of exercise are to continue to be taken into account.

Rights attached to shares held by way of security

14. Rights attached to shares held by way of security provided by a person are to be treated for the purposes of this Schedule as held by that person—

- (a) where apart from the right to exercise them for the purpose of preserving the value of the security, or of realising it, the rights are exercisable only in accordance with that person's instructions, and
- (b) where the shares are held in connection with the granting of loans as part of normal business activities and apart from the right to exercise them for the purpose of

preserving the value of the security, or of realising it, the rights are exercisable only in that person's interests.

SCHEDULE 2 – [see here](#)

SCHEDULE 2A – [see here](#)

SCHEDULE 2B – [see here](#)

SCHEDULE 2C – [see here](#)

SCHEDULE 2D – [see here](#)

SCHEDULE 2E – [see here](#)

SCHEDULE 3 – [see here](#)

SCHEDULE 3A – [see here](#)

SCHEDULE 3B – [see here](#)

[SCHEDULE 3BA – [see here](#)]⁸⁰⁷

SCHEDULE 3C – [see here](#)

SCHEDULE 3D – [see here](#)

SCHEDULE 3DA – [see here](#)

SCHEDULE 3E – [see here](#)

SCHEDULE 3F – [see here](#)

SCHEDULE 3G – [see here](#)

SCHEDULE 3GA – [see here](#)

SCHEDULE 3H – [see here](#)

SCHEDULE 3I – [see here](#)

SCHEDULE 3J – [see here](#)

[~~SCHEDULE 4~~

~~Regulations 32 to 38~~

~~Persons named in relation to dual-use items restrictions~~

~~1. JSC Sirius~~

~~2. OJSC Stankoinstrument~~

~~3. OAO JSC Chemcomposite~~

⁸⁰⁷ Schedule 3BA inserted by SI 2023/1364.

4. — JSC Kalashnikov
5. — JSC Tula Arms Plant
6. — NPK Technologii Maschinostrojenija
7. — OAO Wyssokototschnye Kompleksi
8. — OAO Almaz-Antey
9. — OAO NPO Bazalt⁸⁰⁸

SCHEDULE 5

Regulation 64(2)

Treasury licences: purposes

[PART A1 Interpretation

Interpretation of Schedule 5

A1. In this Schedule –

“consular post” has the same meaning as in the Vienna Convention on Consular Relations done at Vienna on 24 April 1963⁸⁰⁹, and any reference to the functions of a consular post is to be read in accordance with that Convention;

“diplomatic mission” and any reference to the functions of a diplomatic mission are to be read in accordance with the Vienna Convention on Diplomatic Relations done at Vienna on 18 April 1961⁸¹⁰;

“humanitarian assistance activity” includes the work of international and non-governmental organisations carrying out relief activities for the benefit of the civilian population of a country;

“medical goods” includes medicines and medicinal devices;

[“relevant financial authority” means authorities involved in the regulation of financial services in the **Isle of Man** United Kingdom, including the Financial Conduct Authority, the Prudential Regulation Authority and the Bank of England;]⁸¹¹

“spaceflight activity” has the meaning given in section 1(6) of the Space Industry Act 2018⁸¹² **(of Parliament)**.]⁸¹³

PART 1 Asset-freeze etc.

Interpretation [of Part 1]⁸¹⁴

⁸⁰⁸ Schedule 4 omitted by SI 2022/195.

⁸⁰⁹ United Nations Treaty Series, vol. 596, p.261.

⁸¹⁰ United Nations Treaty Series, vol. 500, p.95.

⁸¹¹ Inserted by SI 2022/1331.

⁸¹² 2018 c.5.

⁸¹³ Inserted by SI 2022/194.

⁸¹⁴ Inserted by SI 2022/194.

1. In this Part of this Schedule—

“designated person” has the same meaning as it has in Chapter 1 of Part 3 ([Asset-freeze etc.]⁸¹⁵);

“frozen funds or economic resources” means funds or economic resources frozen by virtue of regulation 11, and any reference to a person’s frozen funds or economic resources is to funds or economic resources frozen as a consequence of the designation of that person for the purpose of that regulation.

⁸¹⁵ Substituted by SI 2022/194.

Basic needs

2. (1) To enable the basic needs of a designated person, or (in the case of an individual) any dependent family member of such a person, to be met.

(2) In the case of an individual, in sub-paragraph (1) "basic needs" includes—

- (a) medical needs;
- (b) needs for—
 - (i) food;
 - (ii) payment of insurance premiums;
 - (iii) payment of tax;
 - (iv) rent or mortgage payments;
 - (v) utility payments.

(3) In the case of a person other than an individual, in sub-paragraph (1) "basic needs" includes needs for—

- (a) payment of insurance premiums;
- (b) payment of reasonable fees for the provision of property management services;
- (c) payment of remuneration, allowances or pensions of employees;
- (d) payment of tax;
- (e) rent or mortgage payments;
- (f) utility payments.

(4) In sub-paragraph (1)—

"dependent" means financially dependent;

"family member" includes—

- (a) the wife or husband of the designated person;
- (b) the civil partner of the designated person;
- (c) any parent or other ascendant of the designated person;
- (d) any child or other descendant of the designated person;
- (e) any person who is a brother or sister of the designated person, or a child or other descendant of such a person.

Legal services

3. To enable the payment of—

- (a) reasonable professional fees for the provision of legal services, or
- (b) reasonable expenses associated with the provision of legal services.

Maintenance of frozen funds and economic resources

- 4. To enable the payment of—
 - (a) reasonable fees, or
 - (b) reasonable service charges,

arising from the routine holding or maintenance of frozen funds or economic resources.

Extraordinary expenses

- 5. To enable an extraordinary expense of a designated person to be met.

Pre-existing judicial decisions etc.

6. To enable, by the use of a designated person's frozen funds or economic resources, the implementation or satisfaction (in whole or in part) of a judicial, administrative or arbitral decision or lien, provided that—

- (a) the funds or economic resources so used are the subject of the decision or lien,
- (b) the decision or lien—
 - (i) was made or established before the date on which the person became a designated person, and
 - (ii) is enforceable in the ~~United Kingdom~~ **Isle of Man**, and
- (c) the use of the frozen funds or economic resources does not directly or indirectly benefit any other designated person.

Extraordinary situation

- 7. To enable anything to be done to deal with an extraordinary situation.

Prior obligations

8. To enable, by the use of a designated person's frozen funds or economic resources, the satisfaction of an obligation of that person (whether arising under a contract, other agreement or otherwise), provided that—

- (a) the obligation arose before the date on which the person became a designated person, and
- (b) no payments are made to another designated person, whether directly or indirectly.

Consular posts

9. (1) To enable anything to be done in order that the functions of a consular post in [non-government controlled Ukrainian territory]⁸¹⁶, or of an international organisation enjoying immunities in accordance with international law, may be carried out.

~~[(2) — In this paragraph, “consular post” has the same meaning as in the Vienna Convention on Consular Relations done at Vienna on 24 April 1963, and any reference to the functions of a consular post is to be read in accordance with that Convention.]⁸¹⁷~~

[Humanitarian assistance activity]

9A. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

Medical goods or services

9B. (1) To enable anything to be done in connection with the provision of medical goods or services for the benefit of the civilian population of a country.

(2) To enable the import, export or use of medical goods.

Food

9C. To enable anything to be done in connection with the production or distribution of food for the benefit of the civilian population of a country.

Diplomatic missions etc.

9D. (1) To enable anything to be done in order that the functions of a diplomatic mission or consular post in Russia or of an international organisation enjoying immunities in accordance with international law may be carried out.

(2) To enable anything to be done in order that the functions of a diplomatic mission or consular post of Russia in the ~~United Kingdom~~ **Isle of Man** may be carried out.

[PART 1ZA Divestment etc.]

Interpretation of Part 1ZA

9DA. In this Part –

“designated person”, “frozen account” and “relevant institution” have the respective meanings given in regulation 58(7);

“Government of Russia” has the same meaning as in regulation 6;

“IOM entity” means a person, other than an individual, incorporate or constituted under the law of the Isle of Man;

“non-IOM country” means a country that is not the Isle of Man;

“non-IOM credit or financial institution” has the same meaning as in regulation 17A;

⁸¹⁶ Substituted by SI 2022/395.

⁸¹⁷ Omitted by SI 2022/194.

~~"non-UK country" means a country that is not the United Kingdom;~~

~~"non-UK credit or financial institution" has the same meaning as in regulation 17A;~~

"person concerned" means the Government of Russia or, as the case may be, a designated person;

~~"UK entity" means a person, other than an individual, incorporated or constituted under the law of any part of the United Kingdom.~~

Divestment

9DB. (1) To enable anything to be done by a ~~UK entity~~ **IOM entity** to enable that entity to undertake a relevant transfer.

(2) In sub-paragraph (1), a "relevant transfer" means a transfer of funds or economic resources located in Russia and owned, held or controlled by the ~~UK entity~~ **IOM entity**, to a person concerned in order to enable that entity to divest itself, either wholly or partially, of those funds or economic resources.

(3) Where sub-paragraph (4) applies, to enable anything to be done by a ~~UK entity~~ **IOM entity** in order to allow that entity to acquire from a person concerned an interest in that entity held by that person.

(4) This sub-paragraph applies where –

- (a) the sole consideration for that acquisition is a transfer of funds from the ~~UK entity~~ **IOM entity** to the person concerned;
- (b) such funds are credited to –
 - (i) a frozen account held by a relevant institution; or
 - (ii) an account held by a ~~non-UK credit or financial institution~~ **non-IOM credit or financial institution** in a ~~non-UK country~~ **non-IOM country**; and
- (c) where paragraph (b)(ii) applies, the law of that ~~non-UK country~~ **non-IOM country**–
 - (i) contains relevant and appropriate prohibitions corresponding to those prohibitions in Part 3 of these Regulations; and
 - (ii) where relevant or appropriate, allows for licences to be granted on grounds corresponding to those in this Schedule.

Enabling others to divest themselves of funds or economic resources

9DC. (1) To enable anything to be done by a ~~UK entity~~ **IOM entity** in order to enable another person ("B") to undertake a relevant transfer.

(2) In sub-paragraph (1), a "relevant transfer" means a transfer of funds or economic resources located in Russia and owned, held or controlled by B, to a person concerned, in order to enable B to divest itself, either wholly or partially, of those funds or economic resources.

(3) Where sub-paragraph (4) applies, to enable anything to be done by a ~~UK entity~~ **IOM entity** in order to enable B to acquire from a person concerned an interest in B held by the person concerned.

(4) This sub-paragraph applies where –

- (a) the sole consideration for that acquisition is a transfer of funds from B to the person concerned;
- (b) such funds are credited to –
 - (i) a frozen account held by a relevant institution; or
 - (ii) an account held by a ~~non-UK credit or financial institution~~ **non-IOM credit or financial institution** in a ~~non-UK country~~ **non-IOM country**; and
- (c) where paragraph (b)(ii) applies, the law of that ~~non-UK country~~ **non-IOM country** –
 - (i) contains relevant and appropriate prohibitions corresponding to those prohibitions in Part 3 of these Regulations; and
 - (ii) where relevant or appropriate, allows for licences to be granted on grounds corresponding to those in this Schedule.]⁸¹⁸

PART 1A

Loans and credit arrangements

Humanitarian assistance activity

9E. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

Medical goods or services

9F. (1) To enable anything to be done in connection with the provision of medical goods or services for the benefit of the civilian population of a country.

(2) To enable the import, export or use of medical goods.

Food

9G. To enable anything to be done in connection with the production or distribution of food for the benefit of the civilian population of a country.

Diplomatic missions etc.

9H. (1) To enable anything to be done in order that the functions of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law may be carried out.

(2) To enable anything to be done in order that the functions of a diplomatic mission or consular post of Russia in the ~~United Kingdom~~ **Isle of Man** may be carried out.

⁸¹⁸ Inserted by SI 2023/1364.

Space

9I. To enable anything to be done in order for a ~~United Kingdom~~ **an Island** person to undertake spaceflight activity.

Extraordinary situation

9J. To enable anything to be done to deal with an extraordinary situation.

PART 1B

Correspondent banking relationships [and processing payments]⁸¹⁹

Interpretation of Part 1B

9K. In this Part, “designated person” has the meaning given in regulation 17A.

Basic needs

9L. (1) To enable the basic needs of a designated person, or a person owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person, to be met.

(2) In the case of a person other than an individual, in sub-paragraph (1) “basic needs” includes needs for –

- (a) payment of insurance premiums;
- (b) payment of reasonable fees for the provision of property management services;
- (c) payment of reasonable fees for the provision of insolvency services;
- (d) payment of remuneration, allowances or pensions of employees;
- (e) payment of tax;
- (f) rent or mortgage payments;
- (g) utility payments.

Legal services

9M. To enable the payment of –

- (a) reasonable professional fees for the provision of legal services to the designated person or a person owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person, or
- (b) reasonable expenses associated with the provision of legal services to the designated person or a person owned or controlled directly or indirectly (within the meaning of regulation 7) by the designated person.

⁸¹⁹ Substituted by SI 2023/1364.

Financial regulation

9N. (1) To enable anything to be done by, or on behalf of, a relevant financial authority for the purposes of functions of that authority.

~~[(2) — In sub-paragraph (1), “relevant financial authority” means authorities involved in the regulation of financial services in the United Kingdom, including the Financial Conduct Authority, the Prudential Regulation Authority and the Bank of England~~ **Isle of Man.**]⁸²⁰

Extraordinary situation

9O. To enable anything to be done to deal with an extraordinary situation.

PART 1C [Processing payments]⁸²¹

Humanitarian assistance activity

9P. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

Medical goods or services

9Q. (1) To enable anything to be done in connection with the provision of medical goods or services for the benefit of the civilian population of a country.

(2) To enable the import, export or use of medical goods.

Food

9R. To enable anything to be done in connection with the production or distribution of food for the benefit of the civilian population of a country.

Diplomatic missions etc.

9S. (1) To enable anything to be done in order that the functions of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law may be carried out.

(2) To enable anything to be done in order that the functions of a diplomatic mission or consular post in the ~~United Kingdom~~ **Isle of Man** may be carried out.

Space

9T. To enable anything to be done in order for a ~~United Kingdom~~ **an Island** person to undertake spaceflight activity.]⁸²²

[Other licensing purposes

9TA. To enable anything to be done in connection with a licence which the Treasury has decided to issue for another purpose specified in this Schedule.]⁸²³

⁸²⁰ Omitted by SI 2022/1331.

⁸²¹ Substituted by SI 2023/1364.

⁸²² Inserted by SI 2022/194.

⁸²³ Inserted by SI 2023/1364.

**[PART 1D
Foreign exchange reserve and asset management services]**

Humanitarian assistance activity

9U. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

Financial regulation

9V. (1) To enable anything to be done by, or on behalf of, a relevant financial authority for the purposes of the functions of that authority.

~~[(2) — In sub-paragraph (1), “relevant financial authority” means authorities involved in the regulation of financial services in the United Kingdom, including the Financial Conduct Authority, the Prudential Regulation Authority and the Bank of England~~ **Isle of Man.**]⁸²⁴

Financial stability

9W. To enable anything to be done by a person, following consultation by that person (or a person acting on their behalf) with the Bank of England, that is necessary or expedient in order to protect or enhance the stability of the financial system of the United Kingdom.

Safety and soundness of a firm

9X. To enable anything to be done by a person, following consultation by that person (or a person acting on their behalf) with the relevant supervising authority or authorities, that is necessary or expedient in order to promote the safety and soundness of a firm which is supervised by ~~the Bank of England, the Prudential Regulation Authority or the Financial Conduct Authority~~ **the Financial Services Authority in the Isle of Man.**

Extraordinary situation

9Y. To enable anything to be done to deal with an extraordinary situation.]⁸²⁵

**PART 2
Investment in [non-government controlled Ukrainian territory]⁸²⁶**

Consular posts

10. (1) To enable anything to be done in order that the functions of a consular post in [non-government controlled Ukrainian territory]⁸²⁷, or of an international organisation enjoying immunities in accordance with international law, may be carried out.

~~[(2) — In this paragraph “consular post” has the same meaning as in the Vienna Convention on Consular Relations done at Vienna on 24 April 1963, and any reference to the functions of a consular post is to be read in accordance with that Convention.]⁸²⁸~~

Medical and educational purposes

11. To enable the carrying out of projects exclusively in support of—

⁸²⁴ Omitted by SI 2022/1331.

⁸²⁵ Inserted by SI 2022/205.

⁸²⁶ Substituted by SI 2022/395.

⁸²⁷ Substituted by SI 2022/385.

⁸²⁸ Omitted by SI 2022/194.

- (a) hospitals, or other public health institutions providing medical services, or
- (b) civilian education establishments,

located in [non-government controlled Ukrainian territory]⁸²⁹.

12. To enable anything to be done in relation to the provision or maintenance of appliances or equipment for medical use in [non-government controlled Ukrainian territory]⁸³⁰.

Health and the environment

13. To enable anything to be done for the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health or safety, infrastructure or the environment.

[PART 3]

Investments in relation to Russia

Extraordinary situation

14. To enable anything to be done to deal with an extraordinary situation.

Humanitarian assistance activity

15. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

Medical goods or services

16. (1) To enable anything to be done in connection with the provision of medical goods or services for the benefit of the civilian population of a country.

(2) To enable the import, export or use of medical goods.

Food

17. To enable anything to be done in connection with the production or distribution of food for the benefit of the civilian population of a country.

Diplomatic missions etc.

18. (1) To enable anything to be done in order that the functions of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law, may be carried out.

(2) To enable anything to be done in order that the functions of a diplomatic mission or consular post of Russia in the United Kingdom may be carried out.

Safety and soundness of a firm

19. To enable anything to be done by a person, following consultation by that person (or a person acting on their behalf) with the relevant supervising authority or authorities, that is necessary or expedient in order to promote the safety and soundness of a firm which is supervised by the Bank

⁸²⁹ Substituted by SI 2022/395.

⁸³⁰ Substituted by SI 2022/395.

~~of England, the Prudential Regulation Authority or the Financial Conduct Authority~~ **Isle of Man Financial Services Authority.**

Space

20. To enable anything to be done for a ~~United Kingdom~~ **an Island** person to undertake spaceflight activity.]⁸³¹

[PART 3A Trust services

Extraordinary situation

20A. To enable anything to be done to deal with an extraordinary situation.

Humanitarian assistance activity

20B. To enable anything to be done in connection with the performance of any humanitarian assistance activity.

Medical goods or services

20C. (1) To enable anything to be done in connection with the provision of medical goods or services for the benefit of the civilian population of a country.

(2) To enable the import, export or use of medical goods.

Food

20D. To enable anything to be done in connection with the production or distribution of food for the benefit of the civilian population of a country.

Diplomatic missions etc.

20E. (1) To enable anything to be done in order that the functions of a diplomatic mission or consular post in Russia, or of an international organisation enjoying immunities in accordance with international law, may be carried out.

(2) To enable anything to be done in order that the functions of a diplomatic mission or consular post of Russia in the ~~United Kingdom~~ **Isle of Man** may be carried out.

Safety and soundness of a firm

20F. To enable anything to be done by a person, following consultation by that person (or a person acting on their behalf) with the relevant supervising authority or authorities, that is necessary or expedient in order to promote the safety and soundness of a firm which is supervised by **a relevant financial authority** ~~the Bank of England, the Prudential Authority or the Financial Conduct Authority.~~

Financial regulation

20G. To enable anything to be done by, or on behalf of, a relevant financial authority for the purposes of the functions of that authority.

Financial stability

⁸³¹ Part 3 inserted by SI 2022/801.

20H. To enable anything to be done by a person, ~~following consultation by that person (or a person acting on their behalf) with the Bank of England,~~ that is necessary or expedient in order to protect or enhance the stability of the financial system of the **Isle of Man United Kingdom**.

Unauthorised unit trust schemes

20I. (1) To enable the provision of trust services by the operator or trustee of an unauthorised unit trust scheme in relation to that scheme, provided that the condition in sub-paragraph (2) is met.

(2) The condition in this sub-paragraph is that the trust services are not provided primarily to or for the benefit of a designated person or a person connected with Russia.

(3) Terms used in this paragraph are to be construed in accordance with regulation 60ZZB.]⁸³²

[PART 4 Maritime transportation of certain oil and oil products

Extraordinary situation

21. To enable anything to be done to deal with an extraordinary situation.]⁸³³

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 establish a sanctions regime under that Act in relation to Russia. These Regulations are made for the purpose of encouraging Russia to cease actions destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine. Following the UK's withdrawal from the European Union, these Regulations will replace the EU sanctions regimes in relation to Russia. The EU sanctions regimes are currently implemented via EU Council Decisions and Regulations.

The Regulations confer a power on the Secretary of State to designate persons who are, or have been, involved in destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine. Designated persons may be excluded from the United Kingdom and may be made subject to financial sanctions, including having their funds or economic resources frozen.

These Regulations also impose restrictions on trade in military goods and technology, on certain dual-use and energy-related items, and impose restrictions on supplying infrastructure-related goods and technology to Crimea and on importing goods from Crimea. These Regulations also restrict the provision of services related to the trade in those items. The Regulations also restrict persons from dealing with certain financial instruments, restrict the provision of finance and funds, and restrict investment in relation to Crimea.

The Regulations provide for certain exceptions to this sanctions regime, including in relation to financial sanctions (for example to allow for frozen accounts to be credited with interest or other earnings), trade sanctions and also acts done for the purpose of national security or the prevention of serious crime. The Regulations also confer powers on the Secretary of State and the Treasury to issue licences in respect of activities that would otherwise be prohibited under the financial and trade

⁸³² Part 3A inserted by SI 2022/1331.

⁸³³ Part 4 inserted by SI 2022/1122.

sanctions imposed. Schedule 5 of these Regulations sets out the purposes pursuant to which the Treasury will issue such licences.

The Regulations make it a criminal offence to contravene, or circumvent, any of the prohibitions in these Regulations and prescribe the mode of trial and penalties that apply to such offences. The Regulations also confer powers on specified maritime enforcement officers to stop and search ships in international and foreign waters for the purpose of enforcing specified trade sanctions and to seize goods found on board ships which are being, or have been, dealt with in contravention, or deemed contravention, of those prohibitions. The Regulations prescribe powers for the provision and sharing of information to enable the effective implementation and enforcement of the sanctions regime.

The Regulations revoke the relevant EU Regulations relating to the existing EU Russia sanctions regimes, in so far as those Regulations would have had effect in the UK after exit day. The Regulations also revoke existing UK trade and financial sanctions regulations relating to the existing EU Russia sanctions regimes.