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## STATUTORY INSTRUMENTS

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# 2019 No. 135

## The Venezuela (Sanctions) (EU Exit) Regulations 2019

### PART 1

#### General

#### Citation and commencement

- 1.—(1) These Regulations may be cited as the Venezuela (Sanctions) (EU Exit) Regulations 2019.
- (2) These Regulations come into force in accordance with regulations made under section 56 of the Act.

#### Commencement Information

- II** [Reg. 1](#) in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 3\(1\)\(a\)](#)

#### Interpretation

2. In these Regulations—

“the Act” means the Sanctions and Anti-Money Laundering Act 2018;

“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);

“CEMA” means the Customs and Excise Management Act 1979 <sup>M1</sup>;

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

“conduct” includes acts and omissions;

“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;

“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;

“the EU Venezuela Regulation” means Council Regulation (EU) No 2063/2017 of 13 November 2017 concerning restrictive measures in view of the situation in Venezuela <sup>M2</sup>, as it has effect in EU law;

“the Government of Venezuela” includes its public bodies, corporations or agencies, or any person acting on its behalf or at its direction;

“serious human rights violation or abuse” means a serious violation or abuse of any of the human rights specified in regulation 4(d);

“trade licence” means a licence under regulation 36;

“Treasury licence” means a licence under regulation 35(1);

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

#### Commencement Information

**I2** Reg. 2 in force at 22.3.2019 by S.I. 2019/627, reg. 3(1)(b)

#### Marginal Citations

**M1** 1979 c.2. Amendments have been made to this Act and are cited, where relevant, in respect of the applicable regulations.

**M2** OJ L 295 14.11.2017, p. 21.

### Application of prohibitions and requirements outside the United Kingdom

3.—(1) A United Kingdom person may contravene a relevant prohibition by conduct wholly or partly outside the United Kingdom.

(2) Any person may contravene a relevant prohibition by conduct in the territorial sea.

(3) [<sup>F1</sup>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), or
- (d) by a condition of a Treasury licence or a trade licence.

(4) A United Kingdom person may comply, or fail to comply, with a relevant requirement by conduct wholly or partly outside the United Kingdom.

(5) Any person may comply, or fail to comply, with a relevant requirement by conduct in the territorial sea.

(6) [<sup>F2</sup>In this regulation] a “relevant requirement” means any requirement imposed—

- (a) by or under Part 7 (Information and records), or by reason of a request made under a power conferred by that Part, or
- (b) by a condition of a Treasury licence or a trade licence.

(7) 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.

#### Textual Amendments

**F1** Words in reg. 3(3) substituted (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), 3(2)(a); S.I. 2020/1514, reg. 4

**F2** Words in reg. 3(6) substituted (31.12.2020 immediately after IP completion day) by The Sanctions (EU Exit) (Miscellaneous Amendments) (No. 2) Regulations 2020 (S.I. 2020/590), regs. 1(2), 3(2)(b); S.I. 2020/1514, reg. 4

#### Commencement Information

**I3** Reg. 3 in force at 31.12.2020 on IP completion day by S.I. 2019/627, reg. 3(2); 2020 c. 1, Sch. 5 para. 1(1)

## Purposes

4. The purposes of the regulations contained in this instrument that are made under section 1 of the Act are to encourage the Government of Venezuela to—

- (a) respect democratic principles and institutions, the separation of powers and the rule of law in Venezuela;
- (b) refrain from actions, policies or activities which repress civil society in Venezuela;
- (c) participate in negotiations with its political opponents in good faith to bring about a peaceful solution to the political crisis in Venezuela;
- (d) comply with international human rights law and to respect human rights, including in particular to—
  - (i) respect the right to life of persons in Venezuela;
  - (ii) respect the right of persons not to be subjected to torture or cruel, inhuman or degrading treatment or punishment in Venezuela, including inhuman and degrading conditions in prisons;
  - (iii) respect the right to liberty and security, including refraining from the arbitrary arrest and detention of persons in Venezuela;
  - (iv) afford persons in Venezuela charged with criminal offences the right to a fair trial;
  - (v) afford journalists, human rights defenders and other persons in Venezuela the right to freedom of expression and peaceful assembly;
  - (vi) secure the human rights of persons in Venezuela without discrimination, in particular in relation to discrimination on the basis of a person's sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

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### Commencement Information

**14** [Reg. 4](#) in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 3\(1\)\(c\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Venezuela (Sanctions) (EU Exit) Regulations 2019, PART 1.