

STATUTORY INSTRUMENTS

2019 No. 600

The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019

PART 1

General

Citation and commencement

1.—(1) These Regulations may be cited as the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019.

(2) These Regulations come into force in accordance with regulations made under section 56 of the Act.

Commencement Information

- I1** Reg. 1 not in force at made date, see [reg. 1\(2\)](#)
I2 Reg. 1 in force at 22.3.2019 by [S.I. 2019/627](#), [reg. 12\(1\)\(a\)](#)

Interpretation

2.—^[F1](1) In these Regulations—

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

^[F2]“the Amendment Regulations 2021” means the Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2021;

^[F3]“the Amendment Regulations 2022” means the Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022;

^[F3]“aircraft licence” means a licence under regulation 33A;

“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);

“Belarus” means the Republic of Belarus;

“CEMA” means the Customs and Excise Management Act 1979 ^{M1};

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

“conduct” includes acts and omissions;

^[F4]“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;

“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 1961;]

“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 Belarus Regulation” means Council Regulation (EC) No 765/2006 of 18 May 2006 concerning restrictive measures in respect of Belarus^{M2}, as it has effect in EU law;

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

[^{F5}“humanitarian assistance activity” includes the work of international and non-governmental organisations carrying out humanitarian and relief activities in Belarus for the benefit of the civilian population of Belarus;]

[^{F6}“OFCOM” means the Office of Communications;]

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

“trade licence” means a licence under regulation 33;

“Treasury licence” means a licence under regulation [^{F7}32];

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

[^{F8}(2) For the purposes of [^{F9}Part 3 (Finance), Part 5 (Trade), Part 5A (Aircraft), Part 5B (Ships) and Part 6 (Exceptions and licences)], a person is to be regarded as “connected with” Belarus if the person is—

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

Textual Amendments

- F1** Reg. 2 renumbered as reg. 2(1) (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **3(1)**
- F2** Words in reg. 2(1) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **3(2)(a)**
- F3** Words in reg. 2(1) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **3(a)**
- F4** Words in reg. 2(1) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **3(2)(b)**
- F5** Words in reg. 2(1) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **3(2)(c)**
- F6** Words in reg. 2(1) inserted (9.6.2023) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023 (S.I. 2023/616), regs. 1(2), **3**

- F7** Word in reg. 2(1) substituted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **3(2)(d)**
- F8** Reg. 2(2) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **3(3)**
- F9** Words in reg. 2(2) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **3(b)**

Commencement Information

- I3** Reg. 2 not in force at made date, see reg. 1(2)
- I4** Reg. 2 in force at 22.3.2019 by S.I. 2019/627, **reg. 12(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 134 20.5.2006, p.1.

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) [^{F10}In this regulation] a “relevant prohibition” means any prohibition imposed—

[^{F11}(a) regulation 9(2) (confidential information),]

(b) by Part 3 (Finance),

(c) by Part 5 (Trade), ^{F12}...

[^{F13}(ca) by regulation 29C(6) (disclosure of confidential information), ^{F14}...]

[^{F15}(cb) by Part 5B (Ships), 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 ^{F16}... by conduct in the territorial sea.

(6) 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 [^{F17}that Part,]

(b) by a condition of a [^{F18}Treasury licence, a trade licence or an aircraft licence],

[^{F19}(c) by a direction under regulation 29A(2) (direction by air traffic control to operator or pilot of Belarusian aircraft), or

(d) by a direction under regulation 29H (movement of ships).]

(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

- F10** 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), **6(2)**; S.I. 2020/1514, **reg. 4**
- F11** Reg. 3(3)(a) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **4(a)(i)**
- F12** Word in reg. 3(3)(c) omitted (14.10.2021 at noon) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **4(a)**
- F13** Reg. 3(3)(ca) inserted (14.10.2021 at noon) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1146), regs. 1(2), **4(b)**
- F14** Word in reg. 3(3)(ca) omitted (5.7.2022) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **4(a)(ii)**
- F15** Reg. 3(3)(cb) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **4(a)(iii)**
- F16** Words in reg. 3(5) omitted (5.7.2022) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **4(b)**
- F17** Words in reg. 3(6)(a) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **4(c)(i)**
- F18** Words in reg. 3(6)(b) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **4(c)(ii)**
- F19** Reg. 3(6)(c)(d) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **4(c)(iii)**

Commencement Information

- I5** Reg. 3 not in force at made date, see [reg. 1\(2\)](#)
- I6** Reg. 3 in force at 31.12.2020 by [S.I. 2019/627](#), [reg. 12\(2\)](#); 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 Belarus to—

- (a) respect democratic principles and institutions, the separation of powers and the rule of law in Belarus,
- (b) refrain from actions, policies or activities which repress civil society in Belarus,
- (c) investigate properly and institute criminal proceedings against the persons responsible for the disappearances of Yury Zakharenka, Viktor Hanchar, Anatol Krasouski and Dzmitry Zavadski, ^{F20} ...
- (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 Belarus;
 - (ii) respect the right of persons not to be subjected to torture or cruel, inhuman or degrading treatment or punishment in Belarus, including inhuman or degrading conditions in prisons;
 - (iii) afford persons in Belarus charged with criminal offences the right to a fair trial;
 - (iv) respect the right to liberty and security, including refraining from the arbitrary arrest and detention of persons in Belarus;
 - (v) afford journalists, human rights defenders and other persons in Belarus the right to freedom of expression, association and peaceful assembly;

- (vi) secure the human rights of persons in Belarus without discrimination, including 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.
- [^{F21}(e) cease actions destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine, including by supporting or facilitating Russia's actions in respect of Ukraine, and
- (f) refrain from any other action which undermines or threatens peace, security or stability in Europe.]

Textual Amendments

- F20** Word in reg. 4(c) omitted (5.7.2022) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **5(a)**
- F21** Reg. 4(e)(f) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **5(b)**

Commencement Information

- I7** Reg. 4 not in force at made date, see reg. 1(2)
- I8** Reg. 4 in force at 22.3.2019 by S.I. 2019/627, **reg. 12(1)(c)**

Changes to legislation:

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