
STATUTORY INSTRUMENTS

2020 No. 948

The Afghanistan (Sanctions) (EU Exit) Regulations 2020

PART 1

General

Citation and commencement

1.—(1) These Regulations may be cited as the Afghanistan (Sanctions) (EU Exit) Regulations 2020.

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

Commencement Information

II Reg. 1 in force at 14.12.2020 by [S.I. 2020/1514](#), [reg. 16\(1\)](#)

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 ^{M1};

“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 Committee” means the Committee of the Security Council established in accordance with paragraph 30 of resolution 1988;

“the 1988 Sanctions List” means the list created pursuant to resolution 1988, and maintained by the Committee;

“resolution 1988” means resolution 1988 (2011) adopted by the Security Council on 17 June 2011;

“resolution 2255” means resolution 2255 (2015) adopted by the Security Council on 21 December 2015;

“Treasury licence” means a licence under regulation 28;

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

Commencement Information

I2 Reg. 2 in force at 14.12.2020 by [S.I. 2020/1514](#), [reg. 16\(1\)](#)

Marginal Citations

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

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) In this Regulation, a “relevant prohibition” means any prohibition imposed by—

- (a) Part 3 (Finance),
- (b) Part 4 (Trade), or
- (c) a condition of a Treasury 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) In this regulation a “relevant requirement” means any requirement imposed—

- (a) by or under Part 6 (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.

(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.

Commencement Information

I3 Reg. 3 in force at 31.12.2020 by [S.I. 2020/1514](#), [reg. 16\(2\)](#)

Purposes

4.—(1) The purpose of the regulations contained in this instrument that are made under section 1 of the Act is compliance with the relevant UN obligations.

(2) In this regulation, “the relevant UN obligations” means the obligations that the United Kingdom has by virtue of—

- (a) paragraph 1(a) of resolution 2255 (asset-freeze etc.); and
- (b) paragraph 1(c) of resolution 2255 (arms embargo etc.).

to take the measures required by those provisions in respect of persons ^{M2} for the time being named on the 1988 Sanctions List.

Commencement Information

I4 Reg. 4 in force at 14.12.2020 by [S.I. 2020/1514](#), [reg. 16\(1\)](#)

Marginal Citations

M2 “Person” is defined by section 9(5) of the Sanctions and Anti-Money Laundering Act 2018 to include (in addition to an individual and a body of persons corporate or unincorporate) any organisation and any association or combination of persons.

Changes to legislation:

There are currently no known outstanding effects for the The Afghanistan (Sanctions) (EU Exit) Regulations 2020, PART 1.