
STATUTORY INSTRUMENTS

2023 No. 1314

The Iran (Sanctions) Regulations 2023

PART 12

Supplementary and final provision

Notices

94.—(1) This regulation applies in relation to a notice required by regulation 63 (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, includes a reference to the body's principal office in the United Kingdom (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.

Commencement Information

11 Reg. 94 in force at 14.12.2023, see [reg. 1\(2\)](#)

Trade: overlapping offences

95. 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(1), and
- (b) any provision of Part 6 (Trade) or regulation 66 (trade: licensing offences), 74(6) or 75(5) (offences in connection with record-keeping).

Commencement Information

I2 Reg. 95 in force at 14.12.2023, see [reg. 1\(2\)](#)

Revocation of the Iran (Sanctions) (Human Rights) (EU Exit) Regulations

96. The Iran (Sanctions) (Human Rights) (EU Exit) Regulations 2019(2) are revoked.

Commencement Information

I3 Reg. 96 in force at 14.12.2023, see [reg. 1\(2\)](#)

Savings

97.—(1) Paragraph (2) applies to a person who, immediately before the relevant date, was designated by the Secretary of State under regulation 5 (power to designate persons) of the 2019 Regulations for the purposes of—

- (a) regulations 11 to 15 (asset-freeze etc.) of those Regulations, or
- (b) regulation 17 (immigration) of those Regulations,

and such a designation is referred to in this regulation as “an existing designation”.

(2) An existing designation mentioned in paragraph (1)(a) has effect on and after the relevant date as if it had been made by the Secretary of State under regulation 5(1)(a) of these Regulations.

(3) An existing designation mentioned in paragraph (1)(b) has effect on and after the relevant date as if it had been made by the Secretary of State under regulation 5(1)(c) of these Regulations.

Commencement Information

I4 Reg. 97 in force at 14.12.2023, see [reg. 1\(2\)](#)

Transitional provision: Treasury licences

98.—(1) Paragraphs (2) to (4) apply to a licence which—

- (a) was issued by the Treasury under regulation 35(1) of the 2019 Regulations,
- (b) was in effect immediately before the relevant date, and
- (c) authorises conduct which would (on and after the relevant date, and in the absence of paragraphs (2) to (4)) be prohibited under Part 3 (Finance),

(1) Article 34 was amended by the Sentencing Act 2020 (c. 17), Schedule 24, paragraph 446(1); S.I. 2022/491; and S.I. 2023/149. Article 35 was amended by the Sentencing Act 2020 (c. 17), Schedule 24, paragraph 446(1); S.I. 2022/1300; and S.I. 2023/149. Article 37 was amended by S.I. 2012/1910; and S.I. 2019/137. Article 38 was amended by S.I. 2017/85; and S.I. 2019/137.

(2) S.I. 2019/134.

and such a licence is referred to in this regulation as “an existing financial sanctions licence”.

(2) An existing financial sanctions licence which authorises an act which would otherwise be prohibited has effect on and after the relevant date as if it had been issued by the Treasury under regulation 60(1) (Treasury licences).

(3) Any reference in an existing financial sanctions licence to the 2019 Regulations is to be treated on and after the relevant date as a reference to these Regulations.

(4) Any reference in an existing financial sanctions licence to a prohibition in the 2019 Regulations is to be treated on and after the relevant date as a reference to the corresponding prohibition in Part 3.

(5) Paragraph (6) applies where—

- (a) an application for a licence, or for the variation of a licence, under the 2019 Regulations was made before the relevant date,
- (b) the application is for the authorisation of conduct which would (on and after the relevant date) be prohibited under 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 the relevant date as an application for a licence, or for the variation of a licence (as the case may be), under regulation 60(1) (Treasury licences).

Commencement Information

I5 Reg. 98 in force at 14.12.2023, see [reg. 1\(2\)](#)

Transitional provision: trade licences

99.—(1) Paragraphs (2) to (4) apply to a licence granted by the Secretary of State which—

- (a) was issued by the Secretary of State under regulation 36 of the 2019 Regulations,
- (b) was in effect immediately before the relevant date, and
- (c) authorises an act which would (on and after the relevant date, and in the absence of paragraphs (2) to (4)) be prohibited under Part 6 (Trade),

and such a licence is referred to in this regulation as “an existing trade sanctions licence”.

(2) An existing trade sanctions licence has effect on and after the relevant date as if it were a licence which had been issued by the Secretary of State under regulation 62 (trade licences).

(3) Any reference in an existing trade sanctions licence to the 2019 Regulations is to be treated on and after the relevant date as a reference to these Regulations.

(4) Any reference in an existing trade sanctions licence to a prohibition in the 2019 Regulations is to be treated on and after the relevant date as a reference to the corresponding prohibition in Part 6 (Trade).

(5) Paragraph (6) applies where—

- (a) an application for a licence, or for the variation of a licence, under the 2019 Regulations was made before the relevant date,
- (b) the application is for the authorisation of conduct which would (on and after the relevant date) be prohibited under Part 6, 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 the relevant date as an application for a licence, or for the variation of a licence (as the case may be), under regulation 62.

Commencement Information

16 Reg. 99 in force at 14.12.2023, see [reg. 1\(2\)](#)

Transitional provisions: prior obligations

100.—(1) This regulation applies to a person (“P”) who, immediately before the relevant date, was designated by the Secretary of State under regulation 5 (power to designate persons) of the 2019 Regulations for the purposes of—

- (a) regulations 11 to 15 (asset-freeze etc.) of those Regulations, or
- (b) regulation 17 (immigration) of those Regulations.

(2) Subject to paragraph (3), any reference in a provision mentioned in paragraph (4) to the date on which P became a designated person is a reference to the date on which P was designated by the Secretary of State under regulation 5 of the 2019 Regulations.

(3) Where P was named in Annex I of the EU Iran (Human Rights) Regulation immediately before IP completion day⁽³⁾, any reference in a provision mentioned in paragraph (4) to the date on which P became a designated person is a reference to the date on which P was named in that Annex.

(4) The provisions referred to in paragraphs (2) and (3) are—

- (a) regulation 55(5) (finance: exceptions from prohibitions), and
- (b) paragraphs 6(b)(i) and 10(a) of Schedule 5 (Treasury licences: purposes).

(5) In this regulation—

“the EU Iran (Human Rights) Regulation” means Council [Regulation \(EU\) No359/2011](#) of 12 April 2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran⁽⁴⁾, as it has effect in EU law.

Commencement Information

17 Reg. 100 in force at 14.12.2023, see [reg. 1\(2\)](#)

Interpretation of Part 12

101. In this Part—

“the 2019 Regulations” means the Iran (Sanctions) (Human Rights) (EU Exit) Regulations 2019;

“relevant date” means the date on which these Regulations come into force.

Commencement Information

18 Reg. 101 in force at 14.12.2023, see [reg. 1\(2\)](#)

⁽³⁾ Schedule 1 to the Interpretation Act [1978 \(c. 30\)](#) provides that “IP completion day” has the same meaning as in the European Union (Withdrawal Agreement) Act [2020 \(c. 1\)](#) (see section 39(1) to (5) of that Act).

⁽⁴⁾ OJ L 100 14.4.2011, p.1.

Changes to legislation:

There are currently no known outstanding effects for the The Iran (Sanctions) Regulations 2023, PART 12.