

2025 No. 786

SANCTIONS

The Haiti (Sanctions) (Amendment) Regulations 2025

<i>Made</i> - - - -	<i>1st July 2025</i>
<i>Laid before Parliament</i>	<i>2nd July 2025</i>
<i>Coming into force</i> - -	<i>23rd July 2025</i>

The Secretary of State(a), considering that the condition in section 45(2) of the Sanctions and Anti-Money Laundering Act 2018(b) is met, makes these Regulations in exercise of the powers conferred by sections 1(1)(a) and (3)(a), 5, 15, 16, 17, 19, 20, 54(1) and (2) and 62(4) of, and paragraphs 2(b), 4(b), 5, 6(a)(ii) and (b), 10(b), 11, 21 and 27 of Schedule 1 to, that Act.

Citation, commencement and extent

- 1.—(1) These Regulations may be cited as the Haiti (Sanctions) (Amendment) Regulations 2025.
- (2) These Regulations come into force on 23rd July 2025.
- (3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendment of the Haiti (Sanctions) Regulations 2022

2. The Haiti (Sanctions) Regulations 2022(c) are amended as set out in regulations 3 to 15.

Amendment to regulation 2 (interpretation)

3. In regulation 2, after the definition of “resolution 2700” insert—
““resolution 2752” means resolution 2752 (2024) adopted by the Security Council on 18th October 2024;”.

Amendment to regulation 4 (purposes)

4. In regulation 4—
 - (a) in paragraph (2), for “paragraph 11 of resolution 2653” substitute “paragraph 2 of resolution 2752”;

(a) The power to make regulations under Part 1 of the Sanctions and Anti-Money Laundering Act 2018 (c. 13) is conferred on an “appropriate Minister”. Section 1(9)(a) of that Act defines an “appropriate Minister” as including the Secretary of State.

(b) 2018 c. 13, as amended by the Sentencing Act 2020 (c. 17), the Economic Crime (Transparency and Enforcement) Act 2022 (c. 10) and the Economic Crime and Corporate Transparency Act 2023 (c. 56).

(c) S.I. 2022/1281 as amended by S.I. 2023/121, S.I. 2023/1320, S.I. 2024/178 and S.I. 2024/1157.

(b) for paragraph (3), substitute—

“(3) A reference to the obligations that the United Kingdom has by virtue of paragraph 6 of resolution 2653 is to that provision as read with—

- (a) paragraph 15 of resolution 2653,
- (b) paragraph 3 of resolution 2700 and
- (c) paragraph 1 of resolution 2752.”.

Amendment to regulation 14 (interpretation of expressions used in this Part)

5. In regulation 14—

(a) for paragraph (3) substitute—

“(3) In this Part—

“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,
- (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;

“military goods” means—

- (a) any thing for the time being specified in Schedule 2 to the Export Control Order 2008(a), 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;

“technical assistance” , in relation to goods or technology, except in regulation 22 (enabling or facilitating the conduct of armed hostilities), 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;

“transfer” has the meaning given by paragraph 37 of Schedule 1 to the Act.”;

(b) after paragraph (3), insert—

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

- (a) an individual who is, or an association or combination of individuals who are, ordinarily resident in Haiti,
- (b) an individual who is, or an association or combination of individuals who are, located in Haiti,

(a) S.I. 2008/3231. Schedule 2 was substituted by S.I. 2017/85 and subsequently amended by S.I. 2017/697; S.I. 2018/165; S.I. 2018/939; S.I. 2019/137; and S.I. 2019/989. There are other instruments which amend other parts of the Order, which are not relevant to these Regulations.

- (c) a person, other than an individual, which is incorporated or constituted under the law of Haiti, or
- (d) a person, other than an individual, which is domiciled in Haiti.”.

Amendment to regulation 15 (export of small arms, light weapons and ammunition)

6. In regulation 15, in both places it occurs (including the heading), for “small arms, light weapons and ammunition” substitute “military goods”.

Amendment to regulation 16 (supply and delivery of small arms, light weapons and ammunition)

7. In regulation 16, in both places it occurs (including the heading), for “small arms, light weapons and ammunition” substitute “military goods”.

Amendments to regulation 17 (making small arms, light weapons and ammunition available)

8. In regulation 17—

- (a) in the heading, for “small arms, light weapons and ammunition” substitute “military goods and military technology”;
- (b) in paragraph (1), omit “ directly or indirectly make small arms, light weapons and ammunition available to, or for use in, Haiti.”;
- (c) in paragraph (1), after “not” insert—

“__

- (a) directly or indirectly make military goods or military technology available to a person connected with Haiti;
- (b) directly or indirectly make military goods or military technology available for use in Haiti.”;
- (d) in paragraph (3), omit “ 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 goods were for use in Haiti.”;
- (e) in paragraph (3), after “but” insert—

“__

- (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 Haiti;
- (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 Haiti.”.

Insertion of regulations into Part 4 (trade)

9. After regulation 17, insert—

“Transfer of military technology

18.—(1) A person must not—

- (a) transfer military technology to a place in Haiti;
- (b) transfer military technology to a person connected with Haiti.

- (2) Paragraph (1) is subject to Part 5 (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 Haiti;
 - (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 Haiti.

Technical assistance relating to military goods and military technology

- 19.**—(1) A person must not directly or indirectly provide technical assistance relating to military goods or military technology—
- (a) to a person connected with Haiti, or
 - (b) for use in Haiti.
- (2) Paragraph (1) is subject to Part 5 (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 Haiti;
 - (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 Haiti.

Financial services and funds relating to military goods and military technology

- 20.**—(1) A person must not directly or indirectly provide, to a person connected with Haiti, financial services in pursuance of or in connection with an arrangement whose object or effect is—
- (a) the export of military goods,
 - (b) the direct or indirect supply or delivery of military goods,
 - (c) directly or indirectly making military goods or military technology available to a person,
 - (d) the transfer of military technology, or
 - (e) the direct or indirect provision of technical assistance relating to military goods or military technology.
- (2) A person must not directly or indirectly make funds available to a person connected with Haiti 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 military goods to, or for use in, Haiti,
 - (b) the direct or indirect supply or delivery of military goods to a place in Haiti,
 - (c) directly or indirectly making military goods or military technology available—
 - (i) to a person connected with Haiti, or
 - (ii) for use in Haiti,

- (d) the transfer of military technology—
 - (i) to a person connected with Haiti, or
 - (ii) to a place in Haiti, or
- (e) the direct or indirect provision of technical assistance relating to military goods or military technology—
 - (i) to a person connected with Haiti, or
 - (ii) for use in Haiti.

(4) Paragraphs (1) to (3) are subject to Part 5 (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 Haiti;
- (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 activity relating to military goods and military technology

21.—(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 of military goods from a third country to a place in Haiti,
- (b) directly or indirectly making military goods available in a third country for direct or indirect supply or delivery—
 - (i) to a person connected with Haiti, or
 - (ii) to a place in Haiti,
- (c) directly or indirectly making military technology available in a third country for transfer—
 - (i) to a person connected with Haiti, or
 - (ii) to a place in Haiti,
- (d) the transfer of military technology from a place in a third country—
 - (i) to a person connected with Haiti, or
 - (ii) to a place in Haiti,
- (e) the direct or indirect provision, in a non-UK country, of technical assistance relating to military goods or military technology—
 - (i) to a person connected with Haiti, or
 - (ii) for use in Haiti,
- (f) the direct or indirect provision, in a non-UK country, of financial services—
 - (i) to a person connected with Haiti, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 20(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 20(3),
 - (g) directly or indirectly making funds available, in a non-UK country, to a person connected with Haiti, where arrangement A, or any other arrangement in connection with which arrangement A is entered into, is an arrangement mentioned in regulation 20(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 20(3).
- (2) Paragraph (1) is subject to Part 5 (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;
 - “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 Haiti, and
 - (b) for the purposes of any other provision in paragraph (1), a country that is not the United Kingdom or Haiti.

Enabling or facilitating the conduct of armed hostilities

- 22.**—(1) A person must not directly or indirectly provide—
- (a) technical assistance,
 - (b) financial services or funds, or
 - (c) brokering services in relation to an arrangement whose object or effect is to provide, in a non-UK country, anything mentioned in sub-paragraphs (a) to (c),
- where such provision enables or facilitates the conduct of armed hostilities in Haiti.
- (2) Paragraph (1) is subject to Part 5 (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 armed hostilities in Haiti.
- (4) In this regulation—
- “non-UK country” means a country that is not the United Kingdom;
 - “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 Part 4.”

Amendment to regulation 36 (application of information powers under CEMA)

10. In regulation 36(2)(a), for “small arms, light weapons and ammunition” substitute “military goods”.

Amendment to regulation 37 (disclosure of information)

11. In regulation 37(2)(d)(ii), for “small arms, light weapons and ammunition” substitute “military goods”.

Amendment to regulation 46 (trade offences in CEMA: modification of a penalty)

12. In regulation 46(1), for “small arms, light weapons and ammunition” substitute “military goods”.

Amendment to regulation 48 (monetary penalties)

13. In regulation 48—

- (a) in sub-paragraph (a), for “small arms, light weapons and ammunition available” substitute “military goods and military technology”.
- (a) after sub-paragraph (a), insert—
 - “(b) regulation 18(1)(b) (transfer of military technology);
 - (c) regulation 20(1) and (2) (financial services relating to military goods and military technology);
 - (d) regulation 21(1)(f)(i) and (g) (brokering services relating to financial services and funds);
 - (e) regulation 22(1) (enabling or facilitating the conduct of armed hostilities).”.

Amendment to regulation 49 (exercise of maritime enforcement powers)

14. In regulation 49—

- (a) in sub-paragraphs 2(a) and 2(b) for “small arms, light weapons and ammunition” substitute “military goods”.
- (b) in sub-paragraph 2(c) for “small arms, light weapons and ammunition” substitute “military goods and military technology”.
- (c) after sub-paragraph 2(c) insert—
 - “(d) the prohibition in regulation 18(1)(a) or (b) (transfer of military technology);
 - (e) the prohibition imposed by a condition of a trade licence in relation to a prohibition mentioned in sub-paragraphs (a) to (d).”.

Omission of Schedule 1A (Definition of small arms, light weapons and ammunition)

15. Omit Schedule 1A.

1st July 2025

Stephen Doughty
Minister of State
Foreign, Commonwealth and Development Office

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 amend the Haiti (Sanctions) Regulations 2022 (S.I. 2023/1281) (the “2022 Regulations”). These amendments are being made to ensure compliance with the UK's UN obligations, specifically to ensure changes made by UN Security Council Resolution 2752 (2024), adopted by the UN Security Council on 18th October 2024, are reflected.

Regulation 4 of the 2022 Regulations is amended to include reference to the extension of the scope of the arms embargo by Resolution 2752 to include a broader range of arms and related materiel. Regulations 15, 16, 17, 36, 37, 48 and 49 of the 2022 Regulations are amended accordingly. Regulations 18 to 22 are inserted; these provisions reintroduce measures relevant to the broader arms embargo, which had previously been omitted by the Haiti (Sanctions) (Amendment) Regulations 2023 (S.I. 2023/1320) in consequence of the more limited arms embargo introduced by UN Security Council resolution 2699 (2023) adopted by the Security Council on 2nd October 2023, and resolution 2700 (2023) adopted by UN Security Council on 19th October 2023. The definition of "small arms, light weapons and ammunition" set out in Schedule 1A is omitted in consequence of the broader arms embargo.

A full impact assessment has not been produced for these Regulations as no, or no significant, impact on the private, voluntary or public sector is foreseen. An Impact Assessment was, however, produced for the Sanctions and Anti-Money Laundering Act 2018 and can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/653271/Sanctions_and_Anti-Money_Laundering_Bill_Impact_Assessment_18102017.pdf.

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