

*Regulations made by the Secretary of State, laid before Parliament under section 55(3) of the Sanctions and Anti-Money Laundering Act 2018, for approval by resolution of each House of Parliament within twenty-eight days beginning with the day on which the instrument is made, subject to extension for periods of dissolution or prorogation or during which both Houses are adjourned for more than four days.*

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S T A T U T O R Y   I N S T R U M E N T S

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**2023 No. 616**

**SANCTIONS**

**The Republic of Belarus (Sanctions) (EU Exit) (Amendment)  
Regulations 2023**

<i>Made</i> - - - -	<i>6th June 2023</i>
<i>Laid before Parliament</i>	<i>8th June 2023</i>
<i>Coming into force</i> - -	<i>9th June 2023</i>

The Secretary of State<sup>(a)</sup>, considering that the condition in section 45(2) of the Sanctions and Anti-Money Laundering Act 2018<sup>(b)</sup> is met, makes the following Regulations in exercise of the powers conferred by sections 1, 3(1)(b)(ii) and (iii), (c)(ii) and (iii), d(ii) and (iii) and (f), 5, 9(2), 10(2), 11(5), 11(6)(b), 15(2)(a), 16, 17, 45, 54(1) and (2) of, and paragraphs 2(b), 3(a) and (b), 4(b), (c) and (d), 5(a)(ii) and (b), 6(a)(ii) and (b), 7(b), 11(a)(i) and (ii), 13(b), (c), (i), (m), (n) and (q), 14(a), 17, 19(a), 20 to 22 and 27 of Schedule 1 to, that Act.

**PART 1**

**General**

**Citation and commencement**

**1.**—(1) These Regulations may be cited as the Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2023.

(2) These Regulations come into force on 9th June 2023.

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(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 the Act defines an “appropriate Minister” as including the Secretary of State.

(b) 2018 c. 13. Section 17(5)(b)(i) (enforcement) is amended by the Sentencing Act 2020 (c. 17), Schedule 24, paragraph 443(1). Sections 1, 11, 12, 14 and 45 are amended by the Economic Crime (Transparency and Enforcement) Act 2022 (c. 10), sections 57, 58, 59, 60, 62 and 65.

## **Amendments to the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019**

2. The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019(a) are amended as set out in regulations 3 to 22.

### **Amendment to regulation 2 (interpretation)**

3. In regulation 2(1), after the definition of “humanitarian assistance activity” insert—  
““OFCOM” means the Office of Communications;”.

## **PART 2**

### **Designation**

#### **Amendments to regulation 5 (designation of persons)**

4. In regulation 5—
- (a) in paragraph (1), after sub-paragraph (c) insert—  
“(ca) regulation 27P (internet services);”;
  - (b) in paragraph (1A), after sub-paragraph (c) insert—  
“(ca) regulation 27P (internet services);”.

#### **Amendments to regulation 6 (criteria: meaning of “involved person”)**

5. In regulation 6—
- (a) in paragraph (3A)—
    - (i) in sub-paragraph (c), after “Belarus,” omit “or”;
    - (ii) in sub-paragraph (d)(ii), after “sub-paragraph (b) or (c)” for “.” substitute “;”;
    - (iii) after sub-paragraph (d), insert—  
“(e) holding the right, directly or indirectly, to nominate at least one director (whether executive or non-executive), trustee or equivalent of—
      - (i) a Government of Belarus-affiliated entity, or
      - (ii) a person, other than an individual, which falls within sub-paragraph (b) or (c).”;
  - (b) after paragraph (3A), insert—  
“(3B) For the purposes of this regulation, a person is involved in “conduct destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine” or “obtaining a benefit from or supporting the Government of Belarus through carrying on a relevant business activity” if they work for, or are affiliated to, the Government of Belarus, as—
    - (a) an aide or adviser to the President of Belarus;
    - (b) a head or deputy head of any public body, service or committee subordinate to the President of Belarus or the Council of Ministers of the Republic of Belarus, including the Administration of the President of the Republic of Belarus;
    - (c) a member of the Security Council of Belarus;
    - (d) a Prime Minister, First Deputy Prime Minister or Deputy Prime Minister of Belarus;

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(a) S.I. 2019/600, as amended by S.I. 2020/590; S.I. 2020/951; S.I. 2021/1146; S.I. 2022/748; S.I. 2022/500 (C. 18); S.I. 2022/818; S.I. 2023/149; and by the Sentencing Act 2020 (c. 17).

- (e) a Minister or Deputy Minister of any Ministry of Belarus;
  - (f) a Chairperson or member of the Board of Directors of the National Bank of the Republic of Belarus;
  - (g) a head or deputy head of the Minsk City Executive Committee or any Regional Executive Committee;
  - (h) a head or deputy head of any other public body, committee or agency of the Government of Belarus;
  - (i) a member of the armed forces or law-enforcement organs of Belarus holding a rank of Lieutenant-Colonel, or equivalent, or higher;
  - (j) a member of the Belarussian security and intelligence services of the rank of Lieutenant-Colonel, or equivalent, or higher; or
  - (k) a director or manager, or equivalent position or higher, of a Government of Belarus-affiliated entity.
- (3C) In paragraph (2)(d), being “associated with” a person includes—
- (a) obtaining a financial benefit or other material benefit from that person;
  - (b) being an immediate family member of that person.”;
- (c) in paragraph (4), after the definition of “Government of Belarus-affiliated entity”, insert—
- ““immediate family member” means—
- (a) a wife or husband;
  - (b) a civil partner;
  - (c) a parent or step-parent;
  - (d) a child or step-child;
  - (e) a sibling or step-sibling;
  - (f) a niece or nephew;
  - (g) an aunt or uncle;
  - (h) a grandparent;
  - (i) a grandchild;”.

## PART 3

### Financial restrictions

#### **Amendment of regulation 15A (dealing with transferable securities or money-market instruments)**

**6. In regulation 15A—**

- (a) in paragraph (2B), for “by a relevant person” substitute—
  - “by—
  - (a) a relevant person;
  - (b) a person, other than an individual, acting on behalf or upon the direction of a person falling within any of sub-paragraphs (a) to (c) of the definition of relevant person in regulation 15D(1)”;
- (b) in paragraph (2C)—
  - (i) in sub-paragraph (b), after “sub-paragraph (a)” for “.” substitute “; or”;
  - (ii) after sub-paragraph (b) insert—

“(c) a person, other than an individual, acting on behalf or at the direction of a person falling within sub-paragraph (a) or sub-paragraph (b).”.

## PART 4

### Trade sanctions

#### Amendments to regulation 20 (interpretation of other expressions used in this Part)

##### 7. In regulation 20—

###### (a) in paragraph (3)—

(i) in the definition of “transfer”, after “Schedule 1 to the Act” for “.” substitute “;”;

(ii) insert the following definitions in the appropriate places—

““banknotes” means—

(a) sterling denominated banknotes issued by the Bank of England and banks in Scotland and Northern Ireland, and

(b) banknotes denominated in any official currency of the European Union;”;

““cement” has the meaning given to it in paragraph 2 of Schedule 2J;”;

““chemical and biological weapons-related goods” means—

(a) any thing specified in Part 2 of Schedule 2H, other than chemical and biological weapons-related technology (but see paragraph (4)), and

(b) any tangible storage medium on which chemical and biological weapons-related technology is recorded or from which it can be derived;”;

““chemical and biological weapons-related technology” means any thing specified as technology or software in Part 2 of Schedule 2H, other than technology which is—

(a) the minimum necessary for—

(i) the installation, operation, maintenance and repair of any goods which are not subject to a prohibition under this Part, or

(ii) patent applications,

(b) in the public domain,

(c) a medical device, or

(d) used for basic scientific research;”;

““gold” has the meaning given to it in paragraph 3 of Schedule 2J;”;

““gold jewellery” has the meaning given to it in paragraph 4 of Schedule 2J;”;

““machinery-related goods” means any thing falling within Part 2 of Schedule 2I, other than—

(a) any thing which is machinery-related technology, or

(b) any thing for the time being specified in—

(i) Schedule 2 or 3 to the Export Control Order 2008(a),

(ii) Annex I of the Dual-Use Regulation(b), or

(iii) Schedule 2C (critical-industry goods and critical-industry technology);”;

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(a) S.I. 2008/3231. Schedule 2 was substituted by S.I. 2017/85 and Schedule 3 was substituted by S.I. 2010/2007. Subsequent amendments to those Schedules were made by S.I. 2012/1910; S.I. 2014/1069; S.I. 2015/940; S.I. 2017/85; S.I. 2017/697; S.I. 2018/165; S.I. 2018/939; S.I. 2019/137; S.I. 2019/989; S.I. 2019/1159; S.I. 2020/1502; S.I. 2021/586; S.I. 2022/1042 and S.I. 2023/302. There are other instruments which amend other parts of the Order, which are not relevant to these Regulations.

(b) See regulation 2 of the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019 for the definition of “the Dual-Use Regulation”.

““machinery-related technology” means any thing described in Part 2 of Schedule 2I as software or technology, other than any thing for the time being specified in—

- (a) Schedule 3 to the Export Control Order 2008,
- (b) Annex I of the Dual-Use Regulation, or
- (c) Schedule 2C;”;

““relevant processed gold” means gold which—

- (a) has been processed in a third country, and
- (b) incorporates gold that, on or after 21st July 2022—
  - (i) originated in Belarus, and
  - (ii) has been exported from Belarus;”;

““rubber” has the meaning given to it in paragraph 5 of Schedule 2J;”;

““wood” has the meaning given to it in paragraph 6 of Schedule 2J.”;

- (b) after regulation 20(3), insert—

“(3A) The definition of “chemical and biological weapons-related goods” does not apply to anything specified in Schedule 2H—

- (a) which is—
  - (i) a pharmaceutical formulation designed for human administration in the treatment of a medical condition, and
  - (ii) pre-packaged for distribution as a medicinal product, or
- (b) which is a medical device.”.

#### **Amendments to Chapter 2 of Part 5 (exports to Belarus and related activities)**

##### **8. In Chapter 2 of Part 5—**

- (a) in regulation 21(1) (exports of goods to, or for use in, Belarus), for sub-paragraphs (a) to (i) substitute—
  - “(a) banknotes;
  - (b) chemical and biological weapons-related goods;
  - (c) critical-industry goods;
  - (d) dual-use goods;
  - (e) interception and monitoring goods;
  - (f) internal repression goods;
  - (g) luxury goods;
  - (h) machinery-related goods;
  - (i) military goods;
  - (j) oil refining goods;
  - (k) quantum computing and advanced materials goods;
  - (l) tobacco industry goods.”;
- (b) in regulation 22(1) (supply and delivery of goods from a third country to Belarus) for sub-paragraphs (a) to (i) substitute—
  - “(a) banknotes;
  - (b) chemical and biological weapons-related goods;
  - (c) critical-industry goods;
  - (d) dual-use goods;
  - (e) interception and monitoring goods;

- (f) internal repression goods;
  - (g) luxury goods;
  - (h) machinery-related goods;
  - (i) military goods;
  - (j) oil refining goods;
  - (k) quantum computing and advanced materials goods;
  - (l) tobacco industry goods.”;
- (c) in regulation 23(1A) (making available goods and technology to a person connected with, or for use in, Belarus) for sub-paragraphs (a) to (i) substitute—
- “(a) banknotes;
  - (b) chemical and biological weapons-related goods and chemical and biological weapons-related technology;
  - (c) critical-industry goods and critical-industry technology;
  - (d) dual-use goods and dual-use technology;
  - (e) interception and monitoring goods and interception and monitoring technology;
  - (f) internal repression goods and internal repression technology;
  - (g) luxury goods;
  - (h) machinery-related goods and machinery-related technology;
  - (i) military goods and military technology;
  - (j) oil refining goods and oil refining technology;
  - (k) quantum computing and advanced materials goods and quantum computing and advanced materials technology;
  - (l) tobacco industry goods.”;
- (d) in regulation 24(1A) (transfer of technology to a place in, or person connected with, Belarus) for sub-paragraphs (a) to (g) substitute—
- “(a) chemical and biological weapons-related technology;
  - (b) critical-industry technology;
  - (c) dual-use technology;
  - (d) interception and monitoring technology;
  - (e) internal repression technology;
  - (f) machinery-related technology;
  - (g) military technology;
  - (h) oil refining technology;
  - (i) quantum computing and advanced materials technology.”;
- (e) in regulation 25(1A) (technical assistance relating to certain goods and technology) for sub-paragraphs (a) to (g) substitute—
- “(a) chemical and biological weapons-related goods and chemical and biological weapons-related technology;
  - (b) critical-industry goods and critical-industry technology;
  - (c) dual-use goods and dual-use technology;
  - (d) interception and monitoring goods and interception and monitoring technology;
  - (e) internal repression goods and internal repression technology;
  - (f) machinery-related goods and machinery-related technology;
  - (g) military goods and military technology;
  - (h) oil refining goods and oil refining technology;

- (i) quantum computing and advanced materials goods and quantum computing and advanced materials technology.”;
- (f) for regulation 26(6) (financial services and funds relating to certain arrangements), substitute—
  - “(6) In this regulation—
    - “relevant goods” means—
      - (a) chemical and biological weapons-related goods;
      - (b) critical-industry goods;
      - (c) dual-use goods;
      - (d) interception and monitoring goods;
      - (e) internal repression goods;
      - (f) machinery-related goods;
      - (g) military goods;
      - (h) oil refining goods;
      - (i) quantum computing and advanced materials goods;
    - “relevant technology” means—
      - (a) chemical and biological weapons-related technology;
      - (b) critical-industry technology;
      - (c) dual-use technology;
      - (d) interception and monitoring technology;
      - (e) internal repression technology;
      - (f) machinery-related technology;
      - (g) military technology;
      - (h) oil refining technology;
      - (i) quantum computing and advanced materials technology.”.

**Amendments to Chapter 2B of Part 5 (imports from Belarus and related activities)**

**9. In Chapter 2B of Part 5—**

- (a) in regulation 27I (import of goods originating in, or consigned from, Belarus)—
  - (i) in paragraph (3), for sub-paragraphs (a) to (d) substitute—
    - “(a) arms and related materiel;
    - (b) cement;
    - (c) gold and gold jewellery which has been exported from Belarus on or after the relevant day;
    - (d) iron and steel products;
    - (e) mineral products;
    - (f) potash;
    - (g) relevant processed gold;
    - (h) rubber;
    - (i) wood.”;
  - (ii) after paragraph (6), insert—
    - “(7) In this Chapter, “relevant day” means the day on which this paragraph comes into force.”;

- (b) in regulation 27J(2) (acquisition of goods connected to Belarus), for sub-paragraphs (a) to (d) substitute—
  - “(a) arms and related materiel;
  - (b) cement;
  - (c) gold and gold jewellery which has been exported from Belarus on or after the relevant day;
  - (d) iron and steel products;
  - (e) mineral products;
  - (f) potash;
  - (g) rubber;
  - (h) wood.”;
- (c) in regulation 27K (supply and delivery of goods to places outside the UK)—
  - (i) in paragraph (3), for sub-paragraphs (a) to (d) substitute—
    - “(a) arms and related materiel;
    - (b) cement;
    - (c) gold and gold jewellery which has been exported from Belarus on or after the relevant day;
    - (d) iron and steel products;
    - (e) mineral products;
    - (f) potash;
    - (g) rubber;
    - (h) wood.”;
  - (ii) in paragraph (3A), for sub-paragraphs (a) and (b) substitute—
    - “(a) cement;
    - (b) gold and gold jewellery which has been exported from Belarus on or after the relevant day;
    - (c) mineral products;
    - (d) potash;
    - (e) rubber;
    - (f) wood.”;
- (d) in regulation 27L(1) (technical assistance relating to certain activities)—
  - (i) in sub-paragraphs (a), (b) and (c), for “iron and steel products, mineral products or potash”, in each place it occurs, substitute “cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, iron and steel products, mineral products, potash, relevant processed gold, rubber or wood”;
  - (ii) in sub-paragraph (d), for “mineral products or potash” substitute “cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, mineral products, potash, relevant processed gold, rubber or wood”;
- (e) in regulation 27M(1) (financial services, funds and brokering services relating to certain arrangements)—
  - (i) in sub-paragraphs (a), (b) and (c), for “iron and steel products, mineral products or potash”, in each place it occurs, substitute “cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, iron and steel products, mineral products, potash, relevant processed gold, rubber or wood”;
  - (ii) in sub-paragraph (d), for “mineral products or potash”, substitute “cement, gold and gold jewellery which has been exported from Belarus on or after the relevant day, mineral products, potash, relevant processed gold, rubber or wood”.



## **Trade: internet services**

10. In Part 5 (Trade), after Chapter 2C (other trade prohibitions), insert—

### **“CHAPTER 2D**

#### **Internet services**

#### **Preventing provision of internet services to or for the benefit of designated persons**

**27P.**—(1) A person who provides a social media service must take reasonable steps to prevent content that is generated directly on the service, or uploaded to or shared on the service, by a designated person being encountered by a user of the service in the United Kingdom.

(2) A person who provides an internet access service must take reasonable steps to prevent a user of the service in the United Kingdom from accessing, by means of that service, an internet service provided by a designated person.

(3) A person who provides an application store through which an application for an internet service may be downloaded or otherwise accessed must take reasonable steps to prevent a user of the application store in the United Kingdom from downloading or otherwise accessing, by means of that application store, an internet service provided by a designated person.

(4) A person who fails to comply with the requirement in paragraph (1), paragraph (2) or paragraph (3) commits an offence.

(5) In this regulation—

“content” means anything communicated by means of an internet service, whether publicly or privately, including written material or messages, oral communications, photographs, videos, visual images, music and data of any description;

“designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of this regulation;

“encounter”, in relation to content, means read, view, hear or otherwise experience content;

“internet access service” means a service that provides access to virtually all (or just some) of the end points of the internet;

“internet service” means a service that is made available by means of the internet;

“social media service” has the meaning given by section 43(3) of the Finance Act 2020(a).”.

## **PART 5**

### **Exceptions and licences**

#### **Amendments to regulation 31D (trade: exceptions relating to travellers, diplomatic missions and international organisations)**

11. In regulation 31D—

- (a) in paragraph (1), after “critical-industry technology,” add “machinery-related goods, machinery-related technology,”;
- (b) after paragraph (3), insert—

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(a) 2020 c. 14.

“(3A) The prohibitions in regulations 21 to 23 (export of goods, supply and delivery of goods, and making available goods and technology) are not contravened by a relevant activity where—

- (a) the luxury goods are gold jewellery;
- (b) the relevant activity is the export of those goods to Belarus by a person who is travelling to Belarus (“P”);
- (c) the jewellery is—
  - (i) of a non-commercial nature;
  - (ii) for the personal use of P or of any immediate family member of P who is travelling with P (“I”); and
  - (iii) contained in P or I’s luggage;
- (d) the gold jewellery is owned by any of the persons referred to in sub-paragraph (c)(ii); and
- (e) the jewellery is not intended for sale.

(3B) The prohibitions in Chapter 2B of Part 5 (imports from Belarus and related activities) are not contravened by a relevant activity in relation to any gold, gold jewellery and relevant processed gold which is necessary for the official purposes of a diplomatic mission or consular post in Belarus, or an international organisation enjoying immunities in accordance with international law.

(3C) The prohibitions in Chapter 2B of Part 5 are not contravened by a relevant activity where—

- (a) the relevant activity is the import or acquisition of gold jewellery by a person who is travelling to the United Kingdom (“P”);
- (b) the gold jewellery is—
  - (i) of a non-commercial nature;
  - (ii) for the personal use of P or of any immediate family member of P who is travelling with P (“I”); and
  - (iii) contained in P or I’s luggage;
- (c) the gold jewellery is owned by any of the persons referred to in sub-paragraph (b)(ii); and
- (d) the gold jewellery is not intended for sale.”;

(2) in paragraph (4), for subparagraph (a) substitute—

““critical-industry goods”, “critical-industry technology”, “gold”, “gold jewellery”, “luxury goods”, “machinery-related goods”, “machinery-related technology”, “quantum computing and advanced materials goods”, “quantum computing and advanced materials technology” and “relevant processed gold” have the meanings given in regulation 20(3) (interpretation of Part 5);”.

#### **Amendments to regulation 31E (trade: exceptions relating to consumer communication devices and software updates)**

12. In regulation 31E—

- (a) in paragraph (1), after “critical-industry technology” insert “, machinery-related goods, machinery-related technology”;
- (b) in paragraph (3)(d), after ““critical-industry technology”” insert “, “machinery-related goods”, “machinery-related technology””.

#### **Amendments to regulation 31F (trade: exception for emergencies in certain cases)**

13. In regulation 31F—

- (a) in paragraph (2), after “critical-industry technology,” insert “machinery-related goods, machinery-related technology,”;
- (b) in paragraph (3), after the definition of “critical-industry goods” and “critical industry technology” insert—
  - ““machinery-related goods” and “machinery-related technology” have the meanings given in regulation 20(3);”.

### **Trade: exceptions**

14. After regulation 31I (ships: exceptions relating to port entry in emergencies), insert—

#### **“Trade: exceptions in relation to banknotes**

**31J.**—(1) Subject to paragraph (2), the prohibitions in regulations 21 to 23 (export of goods, supply and delivery of goods, and making available goods and technology) do not apply to the making available, supply, export or delivery of banknotes where the making available, supply, export or delivery is necessary for the personal use of natural persons travelling to Belarus or members of their immediate families travelling with them.

(2) The exception in paragraph (1) applies only to banknotes up to the value of £10,000 or its equivalent in any official currency of the European Union.

(3) The prohibitions in regulations 21 to 23 do not apply to the making available, supply, export or delivery of banknotes where the making available, supply, export or delivery is necessary for the official purposes of diplomatic missions, consular posts or international organisations in Belarus enjoying immunities in accordance with international law.

(4) The prohibitions in regulations 21 to 23 do not apply to anything done by a person who did not know and had no reasonable cause to suspect that the banknotes were ultimately—

- (a) to be exported, supplied, delivered or made available to a person connected with Belarus; or
- (b) for use in Belarus.

#### **Trade: exceptions in relation to machinery-related goods and machinery-related technology**

**31K.**—(1) The prohibitions in Chapter 2 of Part 5 (exports to Belarus and related activities), in so far as they related to machinery-related goods and machinery-related technology, do not apply to the sale, supply, making available or export of such goods, or to the related provision of technical and financial services, funds and brokering, for non-military use by a non-military end-user, necessary for a purpose specified in paragraph (2).

(2) The purposes are—

- (a) humanitarian assistance activity,
- (b) addressing a health emergency;
- (c) providing a response to a natural disaster;
- (d) medical or pharmaceutical purposes for the benefit of the civilian population of a country;
- (e) temporary use by news media;
- (f) ensuring cyber-security and information security for persons in Belarus except for the Government of Belarus or any undertakings directly or indirectly controlled by it.”.

## PART 6

### Information and records

#### **Amendment to regulation 43 (trade: application of information powers in CEMA)**

15. In regulation 43(2)(a) for “or 2C” substitute “, 2C or 2D”.

#### **Internet services**

16. After regulation 45 (general trade licences: inspection of records) insert—

##### **“Internet services: power to request information and produce documents**

**45A.**—(1) OFCOM may request a person to provide information within paragraph (2) if OFCOM believe that the person may be able to provide the information.

(2) Information within this paragraph is such information as OFCOM may reasonably require for the purpose of monitoring compliance with or detecting evasion of regulation 27P (preventing provision of certain internet services to or for the benefit of designated persons).

(3) OFCOM may specify the way in which, and the period within which, information is to be provided.

(4) If no such period is specified, the information which has been requested must be provided within a reasonable time.

(5) A request may include a continuing obligation to keep OFCOM informed as circumstances change, or on such regular basis as OFCOM may specify.

(6) A request may include a request to produce specified documents or documents of a specified description.

(7) Where OFCOM request that documents be produced, OFCOM may—

- (a) take copies of or extracts from any document so produced,
- (b) request any person producing a document to give an explanation of it, and
- (c) where that person is a body corporate, partnership or unincorporated body other than a partnership, request any person who is—
  - (i) in the case of a partnership, a present or past partner or employee of the partnership, or
  - (ii) in any other case, a past or present officer or employee of the body concerned, to give such an explanation.

##### **Internet services: information offences**

**45B.**—(1) A person commits an offence, if that person—

- (a) without reasonable excuse, refuses or fails within the time and in the manner specified (or, if no time has been specified, within a reasonable time) to comply with any request under regulation 45A;
- (b) knowingly or recklessly gives any information, or produces any document, which is false in a material particular in response to such a request;
- (c) with intent to evade any provision of regulation 45A, destroys, mutilates, defaces, conceals or removes any document;
- (d) otherwise intentionally obstructs OFCOM in the exercise of their powers under regulation 45A.

(2) Where a person is convicted of an offence under this regulation, the court may make an order requiring that person, within such period as may be specified in the order, to comply with the request.”.

**17.** In regulation 46 (disclosure of information)—

- (a) in paragraph (1), after “the Treasury” insert “, OFCOM”;
- (b) in paragraph (2)—
  - (i) for “.” substitute “,” at the end of sub-paragraph (d)(ii);
  - (ii) insert “or” at the end of sub-paragraph (d)(iii);
  - (iii) after sub-paragraph (d)(iii) insert—
    - “(iv) in relation to a monetary penalty under regulation 56A (OFCOM: power to impose monetary penalties).”.

## PART 7

### Enforcement

#### **Amendments to regulation 48 (penalties for offences)**

**18.** In regulation 48(4), in the opening words—

- (a) for “or”, occurring immediately before “42 (information offences in connection with Part 3)”, substitute “,”;
- (b) after “42 (information offences in connection with Part 3)” insert “, or 45B (internet services: information offences)”.

#### **Amendments to regulation 50 (jurisdiction to try offences)**

**19.** In regulation 50(1)—

- (a) for “or”, occurring immediately before “regulation 38(6), substitute “,”;
- (b) after “42 (information offences in connection with Part 3)” insert “, or 45B (internet services: information offences)”.

#### **Amendments to regulation 53 (trade enforcement: application of CEMA)**

**20.** In regulation 53, after paragraph (3), insert—

“(3A) The Commissioners may not investigate the suspected commission of an offence listed in paragraph (3B) (a “suspected offence”), unless the suspected offence has been the subject of—

- (a) a referral to the Commissioners by—
  - (i) the Secretary of State,
  - (ii) the Treasury, or
  - (iii) OFCOM, where such referral relates to a suspected offence under regulation 27P(4); or
- (b) a decision by the Commissioners to treat the suspected offence as if it had been referred to them under sub-paragraph (a).

(3B) Paragraph (3A) applies to the suspected commission of an offence under any of the following provisions—

- (a) regulation 22(3),
- (b) regulation 24A(3),
- (c) regulation 27(3),

- (d) regulation 27K(5),
- (e) regulation 27L(3) insofar as it applies to the prohibitions at regulation 27L(1)(c) and (d),
- (f) regulation 27M(4) insofar as it applies to the prohibitions at regulation 27M(1)(c) and (d),
- (g) regulation 27M(5) insofar as it applies to any activity prohibited under regulation 27M(2) which relates to arrangements described in sub-paragraphs 27M(1)(c) and (d),
- (h) regulation 27P(4).

(3C) Regulation 53(3A) also applies to the suspected commission of a relevant offence under any of regulations 36(1), 36(2), 44(6) and 45(5) insofar as—

- (a) the suspected offence relates to a licence issued under regulation 33, and
- (b) the prohibited activity authorised by that licence would, if no licence had been issued, amount to an offence specified in paragraph (3B)(a) to (h).”.

## **OFCOM: enforcement**

**21.** After regulation 56 (monetary penalties) insert—

### **“OFCOM: power to impose monetary penalties**

**56A.**—(1) OFCOM may impose a monetary penalty on a person if they are satisfied, on the balance of probabilities, that—

- (a) the person has failed to comply with a requirement that is imposed under regulation 27P (internet services), or
- (b) the person has failed to comply with an obligation that is imposed by or under regulation 45A (internet services: power to request information and produce documents).

(2) The amount of the penalty is to be such amount as OFCOM may determine, not exceeding £1,000,000.

(3) Any monetary penalty payable under this regulation is recoverable by OFCOM as a civil debt.

(4) Any monetary penalty received by OFCOM by virtue of this regulation must be paid into the Consolidated Fund.

### **OFCOM: monetary penalties: procedural rights**

**56B.**—(1) Before imposing a monetary penalty on a person under regulation 56A, OFCOM must inform the person of their intention to do so.

(2) OFCOM must also—

- (a) explain the grounds for imposing the penalty,
- (b) specify the amount of the penalty,
- (c) explain that the person is entitled to make representations, and
- (d) specify the period within which any such representations must be made.

(3) If (having considered any representations), OFCOM decides to impose the penalty, OFCOM must inform the person of their decision.

(4) A person to which the decision relates may appeal to the Upper Tribunal against the decision.

(5) On an appeal under paragraph (4), the Upper Tribunal may—

- (a) dismiss the appeal,

- (b) quash OFCOM’s decision to impose the penalty, or
- (c) uphold that decision but substitute a different amount for the amount determined by OFCOM.”.

## PART 8

### Schedules

#### **New Schedules 2H to 2J**

**22.** After Schedule 2G (quantum computing and advanced materials goods and technology), insert the following Schedules, which are set out in the Schedule to these Regulations—

- (a) Schedule 2H (chemical and biological weapons-related goods and chemical and biological weapons-related technology);
- (b) Schedule 2I (machinery-related goods and machinery-related technology);
- (c) Schedule 2J (cement, gold, gold jewellery, rubber and wood products).

6th June 2023

*David Rutley*  
Parliamentary Under Secretary of State  
Foreign, Commonwealth and Development Office

## SCHEDULE

Regulation 22

### “SCHEDULE 2H

Regulation 20(3)

### Chemical and Biological Weapons-Related Goods and Chemical and Biological Weapons-Related Technology

#### PART 1

##### **Interpretation**

**1.** For the purposes of this Schedule “CAS Number” when followed by a numerical sequence is a reference to the CAS Registry Numbers assigned to chemicals by the Chemical Abstracts Service<sup>(a)</sup>.

#### PART 2

##### **Chemical and biological weapons-related goods and chemical and biological weapons-related technology**

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
Aluminium chloride	(7446-70-0)
Ammonia	(7664-41-7)

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(a) <https://www.cas.org/cas-data/cas-registry>.

Dichloromethane	(75-09-2)
N,N-Dimethylaniline	(121-69-7)
Isopropyl bromide	(75-26-3)
Isopropyl ether	(108-20-3)
Monoisopropylamine	(75-31-0)
Potassium Bromide	(7758-02-3)
Pyridine	(110-86-1)
Sodium bromide	(7647-15-6)
Sodium metal	(7440-23-5)
Tributylamine	(102-82-9)
Triethylamine	(121-44-8)
Trimethylamine	(75-50-3)
Diethylenetriamine	(111-40-0)
Butyrylcholinesterase (BCHE)	Not Applicable
Pyridostigmine bromide	(101-26-8)
Obidoxime chloride	(114-90-9)
Acetylene	(CAS 74-86-2)
Acetone	(CAS 67-64-1)
Antimony	(CAS 7440-36-0)
Arsenic	(CAS 7440-38-2)
Arsenic trioxide	(CAS 1327-53-3)
Bis(2-chloroethyl)ethylamine hydrochloride	(CAS 3590-07-6)
Bis(2-chloroethyl)methylamine hydrochloride	(CAS 55-86-7)
Benzil	(CAS 134-81-6)
Benzaldehyde	(CAS 100-52-7)
Benzoin	(CAS 119-53-9)
2-bromochloroethane	(CAS 107-04-0)
Chlorine	(CAS 7782-50-5)
Diethyl ether	(CAS 60-29-7)
Dimethyl ether	(CAS 115-10-6)
Dimethylaminoethanol	(CAS 108-01-0)
Dicyclohexylamine (DCA)	(CAS 101-83-7)
Ethylene	(CAS 74-85-1)
Ethylene dichloride	(CAS 107-06-2)
2-methoxyethanol	(CAS 109-86-4)
Ethyl bromide	(CAS 74-96-4)
Ethyl chloride	(CAS 75-00-3)
Ethylamine	(CAS 75-04-7)
Ethylene oxide	(CAS 75-21-8)
Fluorapatite	(CAS 1306-05-4)
Hexamine	(CAS 100-97-0)
Hydrogen sulfide	(CAS 7783-06-4)
Isocyanatomethane	(CAS 624-83-9)
Isopropanol, 95% concentration or greater	(CAS 67-63-0)
Mandelic acid	(CAS 90-64-2)
Methylamine	(CAS 74-89-5)
Methyl bromide	(CAS 74-83-9)
Methyl chloride	(CAS 74-87-3)
Methyl iodide	(CAS 74-88-4)
Methylmercaptan	(CAS 74-93-1)



Monoethylene Glycol (MEG)	(CAS 107-21-1)
Nitromethane	(CAS 75-52-5)
Oxalyl chloride	(CAS 79-37-8)
Picric acid	(CAS 88-89-1)
Potassium sulfide	(CAS 1312-73-8)
Potassium thiocyanate	(CAS 333-20-0)
Quinaldine	(CAS 91-63-4)
Thiophosphoryl chloride	(CAS 3982-91-0)
Tributylphosphite	(CAS 102-85-2)
Triisobutylphosphite	(CAS 1606-96-8)
Tris(2-chloroethyl)amine hydrochloride	(CAS 817-09-4)
Sodium hypochlorite	(CAS 7681-52-9)
Sulfur trioxide	(CAS 7446-11-9)
White/yellow phosphorus	(CAS 12185-10-3, 7723-14-0)
Mercury	(7439-97-6)
Barium chloride	(10361-37-2)
Sulphuric acid, with a concentration by weight of 90% or greater	(7664-93-9)
3,3-dimethyl-1-butene	(558-37-2)
2,2-dimethylpropanal	(630-19-3)
2,2-dimethylpropylchloride	(753-89-9)
2-methylbutene	(26760-64-5)
2-chloro-3-methylbutane	(631-65-2)
2,3-dimethyl-2,3-butanediol	(76-09-5)
2-methyl-2-butene	(513-35-9)
Butyl lithium	(109-72-8)
Bromo(methyl)magnesium	(75-16-1)
Formaldehyde	(50-00-0)
Diethanolamine	(111-42-2)
Dimethylcarbonate	(616-38-6)
Methyldiethanolamine hydrochloride	(54060-15-0)
Methanol	(67-56-1)
Ethanol	(64-17-5)
1-butanol	(71-36-3)
2-butanol	(78-92-2)
Iso-butanol	(78-83-1)
Tert-butanol	(75-65-0)
Cyclohexanol	(108-93-0)
Diethylamine hydrochloride	(660-68-4)
Diisopropylamine hydrochloride	(819-79-4)
3-Quinuclidinone hydrochloride	(1193-65-3)
3-Quinuclidinol hydrochloride	(6238-13-7)
(R)-3- Quinuclidinol hydrochloride	(42437-96-7)
N,N-Diethylaminoethanol hydrochloride	(14426-20-1)
Acetyl-alpha-methylfentanyl	101860-00-8
Alfentanil	71195-58-9
Alpha-methylfentanyl	79704-88-4
Alpha-methylthiofentanyl	103963-66-2
Beta-hydroxyfentanyl	78995-10-5
Beta-hydroxy-3-methylfentanyl	78995-14-9
Fentanyl	437-38-7

3-methylfentanyl	42045-86-3
3-methylthiofentanyl	86052-04-2
Para-fluorofentanyl	90736-23-5
Remifentanyl	132875-61-7
Sufentanyl	56030-54-7
Thiofentanyl	60771-38-2
Acryloylfentanyl (Acrylfentanyl)	82003-75-6
Carfentanyl	59708-52-0
4-Fluoroisobutyrylfentanyl (4-FIBF, pFIBF)	244195-32-2
Furanyl fentanyl	101345-66-8
Ocfentanyl	101343-69-5
Tetrahydrofuranlyl fentanyl (THF-F)	2142571-01-3
Cyclopropylfentanyl	1169-68-2
Methoxyacetylfentanyl	101345-67-9
Orthofluorofentanyl	910616-29-4
Parafluorobutyrylfentanyl	244195-31-1
Crotonylfentanyl	760930-59-4
Valeryl fentanyl	122882-90-0
4-Anilino- <i>N</i> -phenethylpiperidine (ANPP)	21409-26-7
<i>N</i> -Phenethyl-4-piperidone (NPP)	39742-60-4
Dialkyl( $\leq$ C10) chlorophosphates	N/A
Dialkyl( $\leq$ C10) fluorophosphates	N/A
N,N-Methylisopropylacetamide	1339185-57-7
N,N-Methylethylacetamide	1339632-40-4
N,N-Ethylisopropylacetamide	1339156-10-3
N,N-Methylpropylacetamide	1344238-28-3
N,N-Ethylpropylacetamide	1339737-43-7
N,N-Isopropylpropylacetamide	1341389-98-7
N,N-Methylethylpropanamide	1339424-26-8
N,N-Ethylisopropylpropanamide	1344354-09-1
N,N-Methylpropylpropanamide	1340216-25-2
N,N-Ethylpropylpropanamide	1341493-60-4
N,N-Isopropylpropylpropanamide	1343225-93-3
N,N-Methylisopropylpropanamide	1339042-55-5
N,N-Methylethylbutanamide	1341049-51-1
N,N-Methylpropylbutanamide	1343721-02-7
N,N-Ethylpropylbutanamide	1343806-12-1
N,N-Isopropylpropylbutanamide	1343316-02-8
N,N-Methylisopropylbutanamide	1340219-94-4
N,N-Ethylisopropylbutanamide	1342204-10-7
N,N-Methylethylisobutanamide	1342365-47-2
N,N-Ethylpropylisobutanamide	1342566-58-8
N,N-Methylpropylisobutanamide	1342270-21-6
N,N-Isopropylpropylisobutanamide	1342156-11-9
N,N-Methylisopropylisobutanamide	1341992-96-8
N,N-Ethylisopropylisobutanamide	1339048-76-8
N,N-Dimethylacetamide hydrobromide	1801188-12-4
N,N-Dimethylacetamide hydrochloride	2909-15-1
N,N-Diethylacetamide hydrochloride	91400-32-7
N,N-Diethylacetamide hydrobromide	78053-54-0
N,N-Dimethylpropanamide	79972-73-9

dihydrochloride	
N,N-Dimethylpropanamide hydrochloride	56776-15-9
Calcium carbide	75-20-7
Carbon monoxide	630-08-0
Monoethyleneglycol	107-21-1
Sulphur	7704-34-9
Sulphur dioxide	7446-09-5

## Equipment

### *Item (1)*

Floor-mounted fume hoods (walk-in style) with a minimum nominal width of 2.5 metres.
Full face-mask air-purifying and air-supplying respirators.
Class II biosafety cabinets and glove boxes.
Batch centrifuges with a rotor capacity of 4 L or greater, usable with biological materials.
Fermenters with an internal volume of 10 L – 20 L, usable with biological materials.
Reaction vessels, reactors, agitators, heat exchangers, condensers, pumps (including single seal pumps), valves, storage tanks, containers, receivers, and distillation or absorption columns that meet AG performance parameters, regardless of their materials of construction.
Conventional or turbulent air-flow clean-air rooms and self-contained fan-HEPA filter units that may be used for P3 or P4 (BSL 3, BSL 4, L3, L4) containment facilities.
Vacuum pumps with a manufacturer's specified maximum flow-rate greater than 1 m <sup>3</sup> /h (under standard temperature and pressure conditions), casings (pump bodies), preformed casing-liners, impellers, rotors, and jet pump nozzles designed for such pumps, in which all surfaces that come into direct contact with the chemicals being processed are made from controlled materials.
Laboratory equipment, including parts and accessories for such equipment, for the analysis or detection, destructive or non-destructive, of chemical substances.
Whole chlor-alkali electrolysis cells – mercury, diaphragm, and membrane.
Titanium electrodes (including those with coatings produced from other metal oxides), specially designed for use in chlor-alkali cells.
Nickel electrodes (including those with coatings produced from other metal oxides), specially designed for use in chlor-alkali cells.
Bipolar titanium nickel electrodes (including those with coatings produced from other metal oxides), specially designed for use in chlor-alkali cells.
Asbestos diaphragms specially designed for use in chlor-alkali cells.
Fluoropolymer based diaphragms specially designed for use in chlor-alkali cells.
Fluoropolymer based ion exchange membranes specially designed for use in chlor-alkali cells.

Compressors specially designed to compress wet or dry chlorine, regardless of material of construction.
Microwave reactors— Machinery, plant or laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature such as heating 84 19 89 98 00.
Microreactors— Instruments and apparatus for physical or chemical analysis: 90 27 89 90 00 BE (classified similar item to 90 27 80 17 90, now invalid due to code changes), for similar microreactors.
Solid & Liquid Aerosol generating equipment— Mechanical appliances (whether or not hand-operated), for projecting, dispersing or spraying liquids or powders: 84 24 89 70 00.

### Laboratory equipment

#### *Item (1)*

Next-generation (second generation) and third generation DNA and RNA sequencers
PCR Machines and qPCR (real-time) PCR machines
Solid phase DNA and RNA synthesisers
Peptide synthesizers
Automated nucleic acid extraction systems
Ultracentrifuges
Probe sonicators
Fast protein liquid chromatography (FPLC) systems (medium pressure chromatography systems)
Cell disruptors and tissue homogenisers, with a volume of 1 L or greater

### Associated Parts and Consumables

#### *Item (1)*

Next generation (second generation) and third generation DNA and RNA sequencers

PCR Machines and qPCR (real-time) PCR machines

Solid phase DNA and RNA synthesisers

Peptide synthesizers

Automated nucleic acid extraction systems

Ultracentrifuges

Probe sonicators

#### *(2)*

DNA and RNA sequencing reagent kits

Library and template preparation kits

Cluster generation kits

Flow cells

Nucleoside phosphoramidites

Columns

Solid support resin

Reagent kits

Synthesis reagents

Fmoc and T-Boc protected amino acids

Resins

Synthesis reagents

Reagents

Rotor adapters

Ultracentrifuge rotors with total capacity 1 L or greater

Sonicator probes over 25mm diameter

High volume (1 L or greater) sonicator

Fast protein liquid chromatography (FPLC) systems (medium pressure chromatography systems)

continuous flow cell  
FPLC columns

Cell disruptors and tissue homogenisers

Reagents

### Other related items

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#### *Item (1)*

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0B999 Specific processing equipment as follows:

- a. Ring magnets.
- b. Hot cells.
- c. Glove boxes suitable for use with radioactive materials.

0D999 Specific software, as follows:

- a. Software for neutronic calculations/modelling;
- b. Software for radiation transport calculations/modelling;
- c. Software for hydrodynamic calculations/modelling.

1A995 Protective and detection equipment as follows and specially designed components therefor.

- a. Personal radiation monitoring dosimeters;
- b. Equipment limited by design or function to protect against hazards specific to civil industries, such as mining, quarrying, agriculture, pharmaceuticals, medical, veterinary, environmental, waste management, or to the food industry.

*Note: This entry does not control items for protection against chemical or biological agents that are consumer goods, packaged for retail sale or personal use, or medical products, such as latex exam gloves, latex surgical gloves, liquid disinfectant soap, disposable surgical drapes, surgical gowns, surgical foot covers, and surgical masks.*

1A999 Specific processing equipment as follows:

Radiation detection, monitoring and measurement equipment

Radiographic detection equipment such as x-ray converters, and storage phosphor image plates.

1C991 Vaccines, immunotoxins, medical products, diagnostic and food testing kits, as follows.

*Technical note:- For the purpose of this entry, ‘immunotoxins’ are monoclonal antibodies linked to a toxin with the intention of destroying a specific target cell while leaving adjacent cells intact. For the purpose of this entry, “medical products” are: (1) pharmaceutical formulations designed for testing and human (or veterinary) administration in the treatment of medical conditions, (2) prepackaged for distribution as clinical or medical products. For the purpose of this entry, “diagnostic and food testing kits” are specifically developed, packaged and marketed for diagnostic or public health purposes. For the purpose of this entry, “vaccine” is defined as a medicinal (or veterinary) product in a pharmaceutical formulation that is intended to stimulate a protective immunological response in humans or animals in order to prevent disease in those to whom or to which it is administered.*

*Technical Note: For purposes of the controls described in this entry ‘toxins’ refers to those toxins, or their subunits, controlled under 1C351.d of Annex I of the Dual-Use Regulation*

- a. Vaccines containing, or designed for use against, items controlled by 1C351, 1C353 or 1C354 of Annex I of the Dual-Use Regulation;
- b. Immunotoxins containing items controlled by 1C351.d of Annex I of the Dual-Use Regulation;
- c. Medical products that contain any of the following:
  - c.1. Toxins controlled by 1C351.d of Annex I of the Dual-Use Regulation (*except for* botulinum toxins controlled by 1C351.d.3 of Annex I of the Dual-Use Regulation, conotoxins controlled by 1C351.d.6, of Annex I of the Dual-Use Regulation or items controlled for CW reasons under 1C351.d.11 or .d.12 of Annex I of the Dual-Use

Regulation); or

c.2. Genetically modified organisms or genetic elements controlled by 1C353.a.3 of Annex I of the Dual-Use Regulation (*except for* those that contain, or code for, botulinum toxins controlled by C351.d.3 of Annex I of the Dual-Use Regulation or conotoxins controlled by 1C351.d.6 of Annex I of the Dual-Use Regulation);

d. Medical products not controlled by 1C991.c that contain any of the following:

d.1. Botulinum toxins controlled by 1C351.d.3 of Annex I of the Dual-Use Regulation;

d.2. Conotoxins controlled by 1C351.d.6 of Annex I of the Dual-Use Regulation; or

d.3. Genetically modified organisms or genetic elements controlled by 1C353.a.3 of Annex I of the Dual-Use Regulation that contain, or code for, botulinum toxins controlled by 1C351.d.3 of Annex I of the Dual-Use Regulation or conotoxins controlled by 1C351.d.6 of Annex I of the Dual-Use Regulation;

e. Diagnostic and food testing kits containing items controlled by 1C351.d of Annex I of the Dual-Use Regulation.

1C995 Mixtures that contain chemicals controlled by 1C350 or 1C450 of Annex 1 of the Dual-Use Regulation and medical, analytical, diagnostic, and food testing kits that contain chemicals controlled by 1C350, as follows:

For the purpose of this entry, “medical, analytical, diagnostic, and food testing kits” are pre-packaged materials of defined composition that are specifically developed, packaged and marketed for medical, analytical, diagnostic, or public health purposes.

a. Mixtures containing the following concentrations of precursor chemicals controlled by 1C350 of Annex I of the Dual-Use Regulation:

a.1. Mixtures containing 10 per cent or less, by weight, of any of the following—

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
Arsenic trichloride;	7784-34-1
Benzilic acid;	76-93-7
Diethyl ethylphosphonate;	78-38-6
Diethyl methylphosphonate;	683-08-9
Diethyl methylphosphonite	15715-41-0
Diethyl-N,N-dimethylphosphoroamidate;	2404-03-7
N,N-Diisopropylaminoethanethiol hydrochloride;	41480-75-5
N,N-Diisopropyl-beta-aminoethane thiol;	5842-07-9
N,N-Diisopropyl-beta-aminoethanol;	96-80-0
N,N-Diisopropyl-beta-aminoethyl chloride;	96-79-7
N,N-Diisopropyl-beta-aminoethyl chloride hydrochloride;	4261-68-1
Dimethyl ethylphosphonate;	6163-75-3
Dimethyl methylphosphonate;	756-79-6
N,N-dimethylamino-phosphoryl dichloride;	677-43-0
Ethyl phosphonous dichloride [Ethyl phosphinyl dichloride];	1498-40-4
Ethyl phosphonus difluoride [Ethyl phosphinyl difluoride];	430-78-4
Ethyl phosphonyl dichloride;	1066-50-8
Methylphosphonic acid;	993-13-5
Methylphosphonothioic dichloride.	676-98-2
Pinacolyl alcohol;	464-07-3
3-Quinuclidinol;	1619-34-7
Thiodiglycol.	111-48-8

a.2. Mixtures containing less than 30 per cent., by weight, of:

a.2.a. Any of the following—

<i>Chemical Name</i>	<i>CAS Number</i>
Diethyl phosphite;	762-04-9
Dimethyl phosphite (dimethyl hydrogen phosphite);	868-85-9
Ethyldiethanolamine;	139-87-7
Phosphorus oxychloride;	10025-87-3
Phosphorus pentachloride;	10026-13-8
Phosphorus trichloride;	7719-12-2
Sulfur dichloride;	10545-99-0
Sulfur monochloride;	10025-67-9
Thionyl chloride;	7719-09-7
Triethanolamine;	102-71-6
Triethyl phosphite;	122-52-1
Trimethyl phosphite.	121-45-9

or

a.2.b. Any of the following single precursor chemicals—

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
Ammonium hydrogen fluoride;	1341-49-7
2-Chloroethanol;	107-07-3
Diethylamine;	109-89-7
N,N-Diethylaminoethanol;	100-37-8
Diethyl chlorophosphite;	589-57-1
O,O-Diethyl phosphorodithioate;	298-06-6
O,O-Diethyl phosphorothioate;	2465-65-8
Di-isopropylamine;	108-18-9
Dimethylamine;	124-40-3
Dimethylamine hydrochloride;	506-59-2
Ethyl chlorofluorophosphate;	762-77-6
Ethyl dichlorophosphate;	1498-51-7
Ethyl difluorophosphate;	460-52-6
Hydrogen fluoride;	7664-39-3
3-Hydroxyl-1-methylpiperidine;	3554-74-3
Methyl benzilate;	76-89-1
Methyl chlorofluorophosphate;	754-01-8
Methyl dichlorophosphate;	677-24-7
Methyl difluorophosphate;	22382-13-4
N,N Diethylacetamidine;	14277-06-6
N,N-Diethylbutanamidine;	53510-30-8
N,N-Diethylformamidine;	90324-67-7
N,N Diethylisobutanamidine;	1342789-47-2
N,N-Diethylpropanamidine;	84764-73-8
N,N-Diisopropylbutanamidine;	1315467-17-4
N,N-Diisopropylformamidine;	857522-08-8
N,N-Dimethylacetamidine;	2909-14-0
N,N-Dimethylbutanamidine;	1340437-35-5
N,N-Dimethylformamidine;	44205-42-7
N,N-Dimethylisobutanamidine;	321881-25-8
N,N-Dimethylpropanamidine;	56776-14-8
N,N-Dipropylacetamidine;	1339586-99-0
N,N-Dipropylbutanamidine;	1342422-35-8

N,N-Dipropylformamidine;	48044-20-8
N,N-Dipropylisobutanamidine;	1342700-45-1
N,N-Dipropylpropanamidine;	1341496-89-6
Phosphorus pentasulfide;	1314-80-3
Pinacolone;	75-97-8
Potassium bifluoride;	7789-29-9
Potassium cyanide;	151-50-8
Potassium fluoride;	7789-23-3
3-Quinuclidone;	3731-38-2
Sodium bifluoride;	1333-83-1
Sodium cyanide;	143-33-9
Sodium fluoride;	7681-49-4
Sodium hexafluorosilicate;	16893-85-9
Sodium sulfide;	1313-82-2
Triethanolamine hydrochloride;	637-39-8
Tri-isopropyl phosphite.	116-17-6

b. Mixtures containing the following concentrations of toxic or precursor chemicals controlled by 1C450 of Annex I of the Dual-Use Regulation—

b.1. Mixtures containing the following concentrations of CWC Schedule 2 chemicals controlled by 1C450.a.2, 1C450.b1, 1C450.b2, 1C450.b.3, 1C450.b.4, 1C450.b.5 or 1C450.b.6 of Annex I of the Dual-Use Regulation;

b.1.a. Mixtures containing 1 per cent. or less, by weight, of any single CWC Schedule 2 chemical controlled by 1C450.a.2 of Annex I of the Dual-Use Regulation (i.e., mixtures containing PFIB); or

b.1.b. Mixtures containing 10 per cent. or less, by weight, of any single CWC Schedule 2 chemical controlled by 1C450.b1, 1C450.b2, 1C450.b.3, 1C450.b.4, 1C450.b.5 or 1C450.b.6 of Annex I of the Dual-Use Regulation.

b.2. Mixtures containing less than 30 per cent., by weight, of any single CWC Schedule 3 chemical controlled by 1C450.a.4, 1C450.a.5, 1C450.a.6, 1C450.a.7, 1C450.b.8, of Annex I of the Dual-Use Regulation.

c. “Medical, analytical, diagnostic, and food testing kits” that contain precursor chemicals controlled by the following in an amount not exceeding 300 grams per chemical.

<i>Chemical Name (1)</i>	<i>CAS Number (2)</i>
Ammonium hydrogen fluoride;	1341-49-7
2-Chloroethanol;	107-07-3
Diethylamine;	109-89-7
N,N-Diethylaminoethanol;	100-37-8
Diethyl chlorophosphite;	589-57-1
O,O-Diethyl phosphorodithioate;	298-06-6
O,O-Diethyl phosphorothioate;	2465-65-8
Di-isopropylamine;	108-18-9
Dimethylamine;	124-40-3
Dimethylamine hydrochloride;	506-59-2
Ethyl chlorofluorophosphate;	762-77-6
Ethyl dichlorophosphate;	1498-51-7
Ethyl difluorophosphate;	460-52-6
Hydrogen fluoride;	7664-39-3
3-Hydroxyl-1-methylpiperidine;	3554-74-3
Methyl benzilate;	76-89-1
Methyl chlorofluorophosphate;	754-01-8



Methyl dichlorophosphate;	677-24-7
Methyl difluorophosphate;	22382-13-4
N,N Diethylacetamide;	14277-06-6
N,N-Diethylbutanamide;	53510-30-8
N,N-Diethylformamide;	90324-67-7
N,N Diethylisobutanamide;	1342789-47-2
N,N-Diethylpropanamide;	84764-73-8
N,N-Diisopropylbutanamide;	1315467-17-4
N,N-Diisopropylformamide;	857522-08-8
N,N-Dimethylacetamide;	2909-14-0
N,N-Dimethylbutanamide;	1340437-35-5
N,N-Dimethylformamide;	44205-42-7
N,N-Dimethylisobutanamide;	321881-25-8
N,N-Dimethylpropanamide;	56776-14-8
N,N-Dipropylacetamide;	1339586-99-0
N,N-Dipropylbutanamide;	1342422-35-8
N,N-Dipropylformamide;	48044-20-8
N,N-Dipropylisobutanamide;	1342700-45-1
N,N-Dipropylpropanamide;	1341496-89-6
Phosphorus pentasulfide;	1314-80-3
Pinacolone;	75-97-8
Potassium bifluoride;	7789-29-9
Potassium cyanide;	151-50-8
Potassium fluoride;	7789-23-3
3-Quinuclidone;	3731-38-2
Sodium bifluoride;	1333-83-1
Sodium cyanide;	143-33-9
Sodium fluoride;	7681-49-4
Sodium hexafluorosilicate;	16893-85-9
Sodium sulfide;	1313-82-2
Triethanolamine hydrochloride;	637-39-8
Tri-isopropyl phosphite.	116-17-6

## SCHEDULE 2I

Regulation 20(3)

### Machinery-Related Goods and Machinery-Related Technology

#### PART 1

##### **Interpretation**

**1.**—(1) Paragraph 1 of Schedule 2B applies for the purposes of interpreting Part 2 of this Schedule.

(2) Terms printed in quotation marks and not defined in this Schedule have the meaning given to them in—

- (a) Schedules 2 and 3 to the Export Control Order 2008(a), or  
 (b) Annex I of the Dual-Use Regulation(b),  
 as applicable.

## PART 2

### Machinery-related goods

#### 2. Any thing falling within—

- (a) a commodity code mentioned in column 1 of the following table, and  
 (b) the description in column 2 corresponding to that code.

<i>Commodity code (1)</i>	<i>Description (2)</i>
8401	Nuclear reactors; fuel elements (cartridges), non-irradiated, for nuclear reactors; machinery and apparatus for isotopic separation:
8402	Steam or other vapour generating boilers (other than central heating hot water boilers capable also of producing low pressure steam); superheated water boilers:
8404	Auxiliary plant for use with boilers of heading 8402 or 8403 (for example, economisers, superheaters, soot removers, gas recoverers); condensers for steam or other vapour power units
8405	Producer gas or water gas generators, with or without their purifiers; acetylene gas generators and similar water process gas generators, with or without their purifiers
8406	Steam turbines and other vapour turbines:
8407	Spark-ignition reciprocating or rotary internal combustion piston engines
8408	Compression-ignition internal combustion piston engines (diesel or semidiesel engines):
8409	Parts suitable for use solely or principally with the engines of heading 8407 or 8408
8410	Hydraulic turbines, water wheels, and regulators therefor
8412	Other engines and motors
8413	Pumps for liquids, whether or not fitted with a measuring device; liquid elevators:
8415	Air-conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated
8416	Furnace burners for liquid fuel, for pulverised solid fuel or for gas; mechanical stokers, including their mechanical grates, mechanical ash dischargers and similar appliances
Ex 84 18	Heat pumps other than air-conditioning machines of heading 8415
8420	Calendering or other rolling machines, other than for metals or glass, and cylinders therefor

- (a) S.I. 2008/3231. Schedule 2 was substituted by S.I. 2017/85 and Schedule 3 was substituted by S.I. 2010/2007. Subsequent amendments to those Schedules were made by S.I. 2012/1910; S.I. 2014/1069; S.I. 2015/940; S.I. 2017/85; S.I. 2017/697; S.I. 2018/165; S.I. 2018/939; S.I. 2019/137; S.I. 2019/989; S.I. 2019/1159; S.I. 2020/1502; S.I. 2021/586; S.I. 2022/1042 and S.I. 2023/302. There are other instruments which amend other parts of the Order, which are not relevant to these Regulations.
- (b) See regulation 2 of the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019 for the definition of “the Dual-Use Regulation”.

8421	Centrifuges, including centrifugal dryers; filtering or purifying machinery and apparatus, for liquids or gases
Ex 84 22	Machinery for cleaning or drying bottles or other containers; machinery for filling, closing, sealing or labelling bottles, cans, boxes, bags or other containers; machinery for capsuling bottles, jars, tubes and similar containers; other packing or wrapping machinery (including heat-shrink wrapping machinery); machinery for aerating beverages
8423	Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight-operated counting or checking machines; weighing machine weights of all kinds
8424	Mechanical appliances (whether or not hand-operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers, whether or not charged; spray guns and similar appliances; steam or sandblasting machines and similar jet projecting machines
8425	Pulley tackle and hoists other than skip hoists; winches and capstans; jacks
8426	Ships' derricks; cranes, including cable cranes; mobile lifting frames, straddle carriers and works trucks fitted with a crane
8427	Fork-lift trucks; other works trucks fitted with lifting or handling equipment
8428	Other lifting, handling, loading or unloading machinery (for example, lifts, escalators, conveyors, teleferics)
8429	Self-propelled bulldozers, angledozers, graders, levellers, scrapers, mechanical shovels, excavators, shovel loaders, tamping machines and roadrollers
8430	Other moving, grading, levelling, scraping, excavating, tamping, compacting, extracting or boring machinery, for earth, minerals or ores; piledrivers and pile extractors; snowploughs and snowblowers
8431	Parts suitable for use solely or principally with the machinery of headings 8425 to 8430
8439	Machinery for making pulp of fibrous cellulosic material or for making or finishing paper or paperboard
8440	Bookbinding machinery, including book-sewing machines
8441	Other machinery for making up paper pulp, paper or paperboard, including cutting machines of all kinds
8442	Machinery, apparatus and equipment (other than the machine tools of headings 8456 to 8465 ) for preparing or making plates, cylinders or other printing components; plates, cylinders and other printing components; plates, cylinders and lithographic stones, prepared for printing purposes (for example, planed, grained or polished)
8443	Printing machinery used for printing by means of plates, cylinders and other printing components of heading 8442; other printers, copying machines and facsimile machines, whether or not combined; parts and accessories thereof
8444 00	Machines for extruding, drawing, texturing or cutting man-made textile materials:
8445	Machines for preparing textile fibres; spinning, doubling or twisting machines and other machinery for producing textile yarns; textile reeling or winding (including weft-winding) machines and machines for preparing textile yarns for use on the machines of heading 8446 or 8447
8447	Knitting machines, stitch-bonding machines and machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net and machines for tufting
8448	Auxiliary machinery for use with machines of heading 8444 , 8445 , 8446 or 8447 (for example, dobbies, jacquards, automatic stop motions,

	shuttle changing mechanisms); parts and accessories suitable for use solely or principally with the machines of this heading or of heading 8444 , 8445 , 8446 or 8447 (for example, spindles and spindle flyers, card clothing, combs, extruding nipples, shuttles, healds and heald-frames, hosiery needles)
8449 00 00	Machinery for the manufacture or finishing of felt or nonwovens in the piece or in shapes, including machinery for making felt hats; blocks for making hats
8453	Machinery for preparing, tanning or working hides, skins or leather or for making or repairing footwear or other articles of hides, skins or leather, other than sewing machines
8454	Converters, ladles, ingot moulds and casting machines, of a kind used in metallurgy or in metal foundries
8455	Metal-rolling mills and rolls therefor
8457	Machining centres, unit construction machines (single station) and multi- station transfer machines, for working metal
8458	Lathes (including turning centres) for removing metal
8466	Parts and accessories suitable for use solely or principally with the machines of headings 8456 to 8465 , including work or tool holders, self- opening dieheads, dividing heads and other special attachments for machine tools; tool holders for any type of tool for working in the hand
8467	Tools for working in the hand, pneumatic, hydraulic or with self-contained electric or non-electric motor
8468	Machinery and apparatus for soldering, brazing or welding, whether or not capable of cutting, other than those of heading 8515 ; gas-operated surface tempering machines and appliances
8471	Automatic data-processing machines and units thereof; magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data, not elsewhere specified or included
8474	Machinery for sorting, screening, separating, washing, crushing, grinding, mixing or kneading earth, stone, ores or other mineral substances, in solid (including powder or paste) form; machinery for agglomerating, shaping or moulding solid mineral fuels, ceramic paste, unhardened cements, plastering materials or other mineral products in powder or paste form; machines for forming foundry moulds of sand
8475	Machines for assembling electric or electronic lamps, tubes or valves or flashbulbs, in glass envelopes; machines for manufacturing or hot working glass or glassware
8477	Machinery for working rubber or plastics or for the manufacture of products from these materials, not specified or included elsewhere in this chapter
8479	Machines and mechanical appliances having individual functions, not specified or included elsewhere in this chapter
8480	Moulding boxes for metal foundry; mould bases; moulding patterns; moulds for metal (other than ingot moulds), metal carbides, glass, mineral materials, rubber or plastics
8481	Taps, cocks, valves and similar appliances for pipes, boiler shells, tanks, vats or the like, including pressure-reducing valves and thermostatically controlled valves
8482	Ball or roller bearings
8483	Transmission shafts (including cam shafts and crank shafts) and cranks; bearing housings and plain shaft bearings; gears and gearing; ball or roller screws; gear boxes and other speed changers, including torque converters; flywheels and pulleys, including pulley blocks; clutches and shaft couplings (including universal joints)

8484	Gaskets and similar joints of metal sheeting combined with other material or of two or more layers of metal; sets or assortments of gaskets and similar joints, dissimilar in composition, put up in pouches, envelopes or similar packings; mechanical seals
8501	Electric motors and generators (excluding generating sets)
8502	Electric generating sets and rotary converters
8503	Parts suitable for use solely or principally with electric motors and generators, electric generating sets or rotary converters not specified elsewhere
8504	Electrical transformers, static converters (for example, rectifiers) and inductors; parts thereof
8505	Electromagnets (other than for medical use); permanent magnets and articles intended to become permanent magnets after magnetisation; electromagnetic or permanent magnet chucks, clamps and similar holding devices; electromagnetic couplings, clutches and brakes; electromagnetic lifting heads; parts thereof
8507	Electric accumulators, incl. separators therefor, whether or not square or rectangular; parts thereof (excl. spent and those of unhardened rubber or textiles)
8511	Electrical ignition or starting equipment of a kind used for spark-ignition or compression-ignition internal combustion engines (for example, ignition magnetos, magneto-dynamos, ignition coils, sparking plugs and glow plugs, starter motors); generators (for example, dynamos, alternators) and cut-outs of a kind used in conjunction with such engines; parts thereof
8514	Industrial or laboratory electric furnaces and ovens (including those functioning by induction or dielectric loss); other industrial or laboratory equipment for the heat treatment of materials by induction or dielectric loss; parts thereof
8529	Parts suitable for use solely or principally with the apparatus of headings 8525 to 8528
8537	Boards, panels, consoles, desks, cabinets and other bases, equipped with two or more apparatus of headings 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of Chapter 90, and numerical control cabinets (excl. switching apparatus for line telephony or line telegraphy or videophones)
8538	Parts suitable for use solely or principally with the apparatus of headings 8535, 8536 or 8537 not specified elsewhere
8539	Electric filament or discharge lamps, including sealed beam lamp units and ultraviolet or infra-red lamps; arc lamps; parts thereof
8544	Insulated (incl. enamelled or anodised) wire, cable (incl. coaxial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors
8545	Carbon electrodes, carbon brushes, lamp carbons, battery carbons and other articles of graphite or other carbon, with or without metal, of a kind used for electrical purposes
8547	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal (for example, threaded sockets) incorporated during moulding solely for purposes of assembly, other than insulators of heading 8546; electrical conduit tubing and joints therefor, of base metal lined with insulating material
8548	Waste and scrap of primary cells, primary batteries and electric

accumulators; spent primary cells, spent primary batteries and spent electric accumulators; electrical parts of machinery or apparatus, not specified elsewhere in Chapter 85  
Confidential products under Chapter 85; goods under Chapter 85 transported by post or by parcel post (extra)/reconstituted code for statistical distribution

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**Machinery-related technology**

3. “Software” for the “development”, “production” or “use” of any thing falling within paragraphs 2 and 3.
4. “Technology” for the “development”, “production” or “use” of any thing falling within paragraphs 2 to 4.

**SCHEDULE 2J**

Regulation 20(3)

**Cement, Gold, Gold Jewellery, Rubber and Wood Products**

**PART 1**

**Interpretation**

1. Paragraph 1 of Schedule 2B applies for the purposes of interpreting Part 2 of this Schedule.

**PART 2**

**Cement, gold, gold jewellery, rubber and wood products**

2. “cement” means any thing falling within—
  - (a) a commodity code mentioned in column 1 of the following table, and
  - (b) the description in column 2 corresponding to that code.

<i>(1)</i> <i>Commodity Code</i>	<i>(2)</i> <i>Description</i>
2523	Cement, incl. cement clinkers, whether or not coloured
6810	Articles of cement, concrete or artificial stone, whether or not reinforced

3. “gold” means any thing falling within—
  - (a) a commodity code mentioned in column 1 of the following table, and
  - (b) the description in column 2 corresponding to that code.

<i>(1)</i> <i>Commodity Code</i>	<i>(2)</i> <i>Description</i>
7108	Gold (including gold plated with platinum), unwrought or in semi-manufactured forms, or in powder form
71129 10000	Waste and scrap of gold, including metal

	clad with gold but excluding sweepings containing other precious metals
ex 7118 9000	Gold coin

4. “gold jewellery” means any thing falling within—
- a commodity code mentioned in column 1 of the following table, and
  - the description in column 2 corresponding to that code.

<i>(1)</i> <i>Commodity Code</i>	<i>(2)</i> <i>Description</i>
Ex 7113	Articles of jewellery and parts thereof, of gold, containing gold or of metal clad with gold
Ex 7114	Articles of goldsmiths’ or silversmiths’ wares and parts thereof, of gold, containing gold or of metal clad with gold

5. “rubber” means any thing falling within—
- a commodity code mentioned in column 1 of the following table, and
  - the description in column 2 corresponding to that code.

<i>(1)</i> <i>Commodity Code</i>	<i>(2)</i> <i>Description</i>
4011	New pneumatic tyres, of rubber

6. “wood” means any thing falling within—
- a commodity code mentioned in column 1 of the following table, and
  - the description in column 2 corresponding to that code.

<i>(1)</i> <i>Commodity Code</i>	<i>(2)</i> <i>Description</i>
44	Wood and articles of wood; wood charcoal

## 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 Republic of Belarus (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/600) (“the 2019 Regulations”).

Regulation 3 amends Part 1 of the 2019 Regulations to include a definition of OFCOM.

Regulations 4 and 5 amend Part 2 of the 2019 Regulations. Regulation 4 confers on the Secretary of State the power to designate a person for the purposes of new regulation 27P.

Regulation 5 clarifies when a person may be involved in “conduct destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine” or “obtaining a benefit from or supporting the Government of Belarus through carrying on a relevant business activity” for the purposes of the designation criteria, by including holding the right to nominate a director or relevant entities and a list of people who work for, or are affiliated to, the

Government of Belarus. That regulation also clarifies when a person may be considered to be a member of, or associated with, an involved person for the purposes of the designation criteria. This includes a list of immediate family members.

Regulation 6 amends Part 3 of the 2019 Regulations to limit the funds that Belarus can raise by restricting its access to the UK securities.

Regulations 7 to 10 amend Part 5 of the 2019 Regulations relating to trade, and insert new Schedules. New restrictions are imposed in relation to trade in—

- banknotes;
- chemical and biological weapons-related goods and technology (as specified in new Schedule 2H);
- machinery-related goods and technology (as specified in new Schedule 2I);
- gold, gold jewellery and relevant processed gold (as specified in new Schedule 2J);
- cement, rubber and wood products (as specified in new Schedule 2J);
- internet services (as specified in new Chapter 2D of Part 5).

Regulation 7 inserts new definitions of the goods and services listed above for the purposes of Part 5 of the 2019 Regulations;

Regulation 8 extends the prohibitions in Chapter 2 of Part 5 of the 2019 Regulations relating to exports to Belarus and related activities relating to banknotes, chemical and biological weapons-related goods and technology and machinery-related goods and technology and makes consequential amendments;

Regulation 9 extends the prohibitions in Chapter 2B of Part 5 of the 2019 Regulations relating to imports from Belarus and related activities relating to gold, gold jewellery, relevant processed gold, cement, rubber and wood products and makes consequential amendments;

Regulation 10 creates new regulation 27P of the 2019 Regulations and requires providers of social media services, internet access services (i.e. internet service providers) and application stores to take reasonable steps to prevent their users in the United Kingdom from encountering or accessing online content generated by designated persons. Failure to comply with a requirement imposed under new regulation 27P is a criminal offence.

Regulations 11-14 amend Part 6 of the 2019 Regulations to create exceptions to some of the new prohibitions.

Regulations 15-17 confer on OFCOM the power to request a person to provide information for the purpose of monitoring compliance with or detecting evasion of new regulation 27P and make consequential amendments.

Regulations 18, 19 and 21 confer on OFCOM the power to impose civil monetary penalties, of up to £1,000,000, in relation to a failure to comply with a requirement imposed under new regulation 27P or a failure to comply with any request for information or documents. New regulation 56B sets out the procedure for imposing such a penalty. They also make consequential amendments.

Regulation 20 amends regulation 53 so that certain “relevant offences” may only be investigated by HM Revenue and Customs following a referral by either a Secretary of State, the Treasury or OFCOM.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector has been published alongside these Regulations and is available from [legislation.gov.uk](http://legislation.gov.uk) or from the Foreign, Commonwealth and Development Office, King Charles Street, London SW1A 2AH.



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