

Regulations made by the Secretary of State, laid before Parliament under section 55(3) of the Sanctions and Anti-Money Laundering Act 2018 (c. 13), for approval by resolution of each House of Parliament within twenty-eight days beginning with the day on which the instrument was made, subject to extension for periods of dissolution, prorogation or adjournment of both Houses for more than four days.

STATUTORY INSTRUMENTS

2024 No. 900

SANCTIONS

**The Russia (Sanctions) (EU Exit) (Amendment) (No. 4)
Regulations 2024**

<i>Made</i> - - - -	<i>4th September 2024</i>
<i>Laid before Parliament</i>	<i>5th September 2024</i>
<i>Coming into force</i> - -	<i>6th September 2024</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 the following Regulations in exercise of the powers conferred by sections 1, 5, 15(2), 17, 21(1) and 45 of, and paragraphs 11(a), 13, 14(a), (e), (f), (g) and (k) and 20 of Schedule 1 to, that Act.

Citation, commencement and extent

- 1.—(1) These Regulations may be cited as the Russia (Sanctions) (EU Exit) (Amendment) (No. 4) Regulations 2024.
- (2) They come into force on 6th September 2024.
- (3) They extend to England and Wales, Scotland and Northern Ireland.

Amendments to the Russia (Sanctions) (EU Exit) Regulations 2019

2. The Russia (Sanctions) (EU Exit) Regulations 2019(c) are amended in accordance with these Regulations.

Legal advisory services

3.—(1) Regulation 54D is amended as follows.

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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 and 45 are amended by the Economic Crime (Transparency and Enforcement) Act 2022 (c. 10), sections 57 and 62. See section 62(1) for the meaning of “prescribed”.
- (c) S.I. 2019/855 as amended by S.I. 2020/590, 951; S.I. 2022/123, 194, 195, 203, 205, 241, 395, 452, 477, 500, 792, 801, 814, 818, 850, 1110, 1122 and 1331; and S.I. 2023/149, 440, 665, 713, 1364, 1367, 2024/218.

(2) For paragraph (1), substitute—

“(1) A person must not provide legal advisory services directly or indirectly to any person (“C”) who is not a United Kingdom person knowing that the object or effect of those services is to enable or facilitate any activity being carried out, or proposed to be carried out, by C, (“the relevant activity”), whether or not C is a person in the United Kingdom, where—

- (a) the relevant activity is not taking place, or will not when carried out take place, in the United Kingdom, and
- (b) the relevant activity satisfies, or will when carried out satisfy, the condition in paragraph (2).”.

(3) In paragraph (2), for “Chapter 6B” substitute “regulation 54C”.

(4) In paragraph (4), omit—

- (a) “(“P””, and
- (b) the words from “, but it is a defence” to the end.

Exceptions relating to legal advisory services

4.—(1) In the heading to regulation 60DB, for “exception” substitute “exceptions”.

(2) In regulation 60DB—

(a) for paragraph (2), substitute—

“(2) The prohibitions in regulation 54D are not contravened by any act done by a person for the purpose of providing legal advisory services in relation to the discharge of or compliance with UK statutory or regulatory obligations.”;

(b) after paragraph (3), insert—

“(3A) The prohibitions in regulation 54D are not contravened by any act done by a person for the purpose of providing legal advisory services to any person on or in connection with—

- (a) compliance with, or the consequences of non-compliance with, any relevant law,
- (b) the discharge of obligations under any relevant law, or
- (c) the potential, or actual, application of punitive measures.”;

(c) in paragraph (5), after the definition of “legal advisory services” insert—

““punitive measures” mean any sanction which may be applied by a country in relation to a person (“P”) in retaliation for P engaging, or proposing to engage, in conduct which would render P liable to penalties under the law of that country if P were subject to its jurisdiction;

“relevant law” means—

- (a) any sanction, imposed by any jurisdiction;
- (b) any law of Russia that has as its primary object or effect the frustration of any sanctions referred to in paragraph (a), or
- (c) any criminal law imposed by any jurisdiction;

“sanction” includes any export or import control or other restrictive measure.”.

Definition of legal advisory services

5.—(1) Paragraph 8A(1) of Schedule 3J (meaning of legal advisory services) is amended as follows—

- (a) in paragraph (b)—
 - (i) in sub-paragraph (i), after “tribunals” insert “in any jurisdiction”;
 - (ii) in sub-paragraph (ii), after “proceedings” insert “in any jurisdiction”;
- (b) after paragraph (b), insert—
 - “(c) do not include the provision of legal advice or other services in connection with the management of claims under a contract of insurance or reinsurance.”.

4th September 2024

Anneliese Dodds
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 Russia (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/855) (the “2019 Regulations”). They amend the prohibition on the provision of certain legal advisory services to clarify the knowledge a person must have before the prohibition applies. They extend the exceptions to the prohibition to ensure that advice on compliance with the law and related advice is not caught by the prohibition, and amend the definition of legal advisory services.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public service is foreseen.

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