

This Statutory Instrument has been made to correct an error in S.I. 2020/1571 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2021 No. 288

**OVERSEAS TERRITORIES
SANCTIONS**

**The Russia (Sanctions) (Overseas
Territories) (Amendment) Order 2021**

Made - - - - 10th March 2021

Coming into force - - 11th March 2021

At the Court at Windsor Castle, the 10th day of March 2021

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 63(3)(c) and (4) of the Sanctions and Anti-Money Laundering Act 2018⁽¹⁾, is pleased, by and with the advice of Her Privy Council, to make the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Russia (Sanctions) (Overseas Territories) (Amendment) Order 2021 and comes into force on 11th March 2021.

(2) This Order extends to each British overseas territory listed in the Schedule.

Amendment of the Russia (Sanctions) (Overseas Territories) Order 2020

2.—(1) The Russia (Sanctions) (Overseas Territories) Order 2020⁽²⁾ is amended as follows.

(2) In Schedule 2 (modifications to be made in the extension of the Russia (Sanctions) (EU Exit) Regulations 2019 to each British overseas territory listed in Schedule 1), for paragraph 55 substitute—

“**55.** For regulation 80 (penalties for offences) substitute—

⁽¹⁾ 2018 c.13.
⁽²⁾ S.I. 2020/1571.

- “80.—**(1) Paragraphs (3) to (7) apply to—
- (a) Anguilla;
 - (b) British Antarctic Territory;
 - (c) British Indian Ocean Territory;
 - (d) Cayman Islands;
 - (e) Montserrat;
 - (f) Pitcairn, Henderson, Ducie and Oeno Islands;
 - (g) Turks and Caicos Islands;
 - (h) Virgin Islands.
- (2) Paragraphs (8) to (12) apply to—
- (a) Falkland Islands;
 - (b) St Helena, Ascension and Tristan da Cunha;
 - (c) South Georgia and the South Sandwich Islands;
 - (d) the Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus.
- (3) A person who commits an offence under any provision of Part 3 (Finance), Part 6 (Ships) or regulation 67 (finance: licensing offences) is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 6 months, or a fine not exceeding £5,000 or its equivalent in the currency of the Territory, or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 7 years, or a fine, or both.
- (4) A person who commits an offence under any provision of Part 5 (Trade) is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 6 months, or a fine not exceeding £5,000 or its equivalent in the currency of the Territory, or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 10 years, or a fine, or both.
- (5) A person who commits an offence under regulation 9(6) (confidentiality), 68, 76(6) or 77(5) (offences in connection with trade licences) is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 6 months, or a fine not exceeding £5,000 or its equivalent in the currency of the Territory, or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years, or a fine, or both.
- (6) A person who commits an offence under regulation 70(6) or 74 (information offences in connection with Part 3) is liable, on summary conviction, to imprisonment for a term not exceeding 6 months, or a fine not exceeding £5,000 or its equivalent in the currency of the Territory, or both.
- (7) A person who commits an offence under regulation 75A (trade: information offences) is liable, on summary conviction, to a fine not exceeding £1,000 or its equivalent in the currency of the Territory.

(8) A person who commits an offence under any provision of Part 3 (Finance), Part 6 (Ships) or regulation 67 (finance: licensing offences) or Part 6 (Ships) is liable on conviction to imprisonment for a term not exceeding 7 years, or a fine, or both.

(9) A person who commits an offence under any provision of Part 5 (Trade) is liable on conviction to imprisonment for a term not exceeding 10 years, or a fine, or both.

(10) A person who commits an offence under regulation 9(6) (confidentiality), 68, 76(6) or 77(5) (offences in connection with trade licences) is liable on conviction to imprisonment for a term not exceeding 2 years, or a fine, or both.

(11) A person who commits an offence under regulation 70(6) or 74 (information offences in connection with Part 3) is liable on conviction to imprisonment for a term not exceeding 6 months, or a fine not exceeding £5,000 or its equivalent in the currency of the Territory, or both.

(12) A person who commits an offence under regulation 75A (trade: information offences) is liable on conviction to a fine not exceeding £1,000 or its equivalent in the currency of the Territory.

(13) Where a fine in this regulation is expressed to be a sum in sterling or its equivalent in the currency of the Territory, the Governor may issue guidance specifying how to calculate the amount in the currency of the Territory which is to be considered equivalent to that sum in sterling.””

Ceri King
Deputy Clerk of the Privy Council

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Article 1(2)

British overseas territories

Anguilla
British Antarctic Territory
British Indian Ocean Territory
Cayman Islands
Falkland Islands
Montserrat
Pitcairn, Henderson, Ducie and Oeno Islands
St Helena, Ascension and Tristan da Cunha
South Georgia and the South Sandwich Islands
The Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus
Turks and Caicos Islands
Virgin Islands

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to the Russia (Sanctions) (Overseas Territories) Order 2020 (S.I. 2020/1571) (“the 2020 Order”).

The 2020 Order extends with modifications the Russia (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/855) (“the Regulations”) as amended from time to time to all British overseas territories except Bermuda and Gibraltar (which implement sanctions under their own legislative arrangements).

Article 2 of this Order amends the 2020 Order in order to correct an omission in the modifications made to the Regulations. The amendment replaces the modification to regulation 80 (penalties for offences) as the original modification omitted to supply a penalty for the offence of failing to comply with a Crimean ports direction under Part 6 (Ships).

An Impact Assessment has not been prepared for this Order: the territorial extent of both this Order, and the 2020 Order which it amends, is the British overseas territories listed in the Schedule, and no, or no significant, impact is foreseen on the private, voluntary or public sector in the United Kingdom.