

This Statutory Instrument has been made in consequence of a defect in S.I. 2023/1320 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2024 No. 178

SANCTIONS

The Haiti (Sanctions) (Amendment) Regulations 2024

<i>Made</i>	- - - -	<i>20th February 2024</i>
<i>Laid before Parliament</i>		<i>22nd February 2024</i>
<i>Coming into force</i>	- -	<i>14th March 2024</i>

The Secretary of State(a), in exercise of the powers conferred by sections 1(1)(a) and (3)(a), 5, 16, 17, and 54(1) of, and paragraphs 2(b), 4(b), 6(b) and 21 of Schedule 1 to, the Sanctions and Anti-Money Laundering Act 2018(b), makes the following Regulations:

Citation, commencement and extent

- 1.—(1) These Regulations may be cited as the Haiti (Sanctions) (Amendment) Regulations 2024.
- (2) These Regulations come into force on 14th March 2024.
- (3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendment of the Haiti (Sanctions) Regulations 2022

- 2.—(1) The Haiti (Sanctions) Regulations 2022(c) are amended as follows.
- (2) In regulation 15 (export of small arms, light weapons and ammunition), in paragraph (1) for “military goods” substitute “small arms, light weapons and ammunition”.
- (3) In regulation 16 (supply and delivery of small arms, light weapons and ammunition), in paragraph (1) for “military goods” substitute “small arms, light weapons and ammunition”.
- (4) In regulation 17 (making small arms, light weapons and ammunition available), in paragraph (1) for “military goods or military technology” substitute “small arms, light weapons and ammunition”.
- (5) In regulation 36 (trade: application of information powers in CEMA), in paragraph (2)(a) for “(export of military goods)” substitute “(export of small arms, light weapons and ammunition)”.

(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. Section 17(5)(b)(i) (enforcement) is amended by the Sentencing Act 2020 (c. 17), Schedule 24, paragraph 443(1). Sections 1, 11, 12 and 16 are amended by the Economic Crime (Transparency and Enforcement) Act 2022 (c. 10), sections 57, 58, 59 and 65. Section 3A is inserted by the Economic Crime and Corporate Transparency Act 2023 (c. 56), section 35(3) and is in force only for the limited purpose of conferring power to make regulations.

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

(6) In regulation 46 (trade offences in CEMA: modification of penalty), in paragraph 1 for “(export of military goods)” substitute “(export of small arms, light weapons and ammunition)”.

(7) In Schedule 1A (definition of small arms, light weapons and ammunition), in paragraph 6(a), for “ML4.b” substitute “ML4”.

Anne-Marie Trevelyan
Minister of State

20th February 2024

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) for the purposes of implementing obligations that the United Kingdom has by virtue of the arms embargo contained in UN Security Council Resolution 2653 (2022), adopted by the UN Security Council on 21st October 2022, as amended by UN Security Council Resolution 2699 (2023), adopted by the UN Security Council on 2nd October 2023, and UN Security Council Resolution 2700 (2023), adopted by the UN Security Council on 19th October 2023.

On 28th December 2023, the Haiti (Sanctions) (Amendment) Regulations 2023 (S.I. 2023/1320) (“the 2023 Regulations”) came into force and which amended the Haiti (Sanctions) Regulations 2022 (S.I. 2022/1281) (“the 2022 Regulations”). These Regulations correct errors and omissions in the 2022 Regulations as introduced by the 2023 Regulations. Regulations 15(1), 16(1) and 17(1) are amended so that references to “military goods” or “military goods or military technology” are replaced by references to “small arms, light weapons and ammunition”. These Regulations also amend regulations 36(2)(a) and 46(1) of the 2022 Regulations, as amended by the 2023 Regulations, so that the header to regulation 15 has the identifier “(export of small arms, light weapons and ammunition)” instead of “(export of military goods)”. A further amendment is made to paragraph 6(a) of Schedule 1A to the 2022 Regulations, which was introduced by the 2023 Regulations, and concerns the definition of “small arms, light weapons and ammunition”. This amendment expands the definition slightly by reference to Schedule 2 to the Export Control Order 2008 (S.I. 2008/3231).

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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