STATUTORY INSTRUMENTS

2015 No. 213

OVERSEAS TERRITORIES

The Russia, Crimea and Sevastopol (Sanctions) (Overseas Territories) (Amendment) Order 2015

Made - - - -	*11th February 2015*
Laid before Parliament	*18th February 2015*
Coming into force - -	*11th March 2015*

At the Court at Buckingham Palace, the 11th day of February 2015

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 112 of the Saint Helena Act 1833(**1**), the British Settlements Acts 1887 and 1945(**2**), and all of the other powers enabling Her to do so, is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the Russia, Crimea and Sevastopol (Sanctions) (Overseas Territories) (Amendment) Order 2015 and comes into force on 11th March 2015.

(2) In this Order, "the principal Order" means the Russia, Crimea and Sevastopol (Sanctions) (Overseas Territories) Order 2014(**3**).

(3) This Order extends to the territories listed in Schedule 1 to the principal Order.

Amendments to the principal Order

2. The principal Order is amended as follows.

3. In article 3(1) at the appropriate place insert—

> ""entity in Crimea or Sevastopol" means any entity having its registered office, central administration or principal place of business in Crimea or Sevastopol, its subsidiaries or affiliates under its control in Crimea or Sevastopol, or branches and other entities operating in Crimea or Sevastopol;

(**1**) 1833 c.85.
(**2**) 1887 c.54 and 1945 c.7.
(**3**) S.I. 2014/2710 as amended by S.I. 2014/2919.

"exploration and production projects" means—

(a) oil exploration and production in waters deeper than 150 metres;

(b) oil exploration and production in the offshore area north of the Arctic Circle; or

(c) projects that have the potential to produce oil from resources located in shale formations by way of hydraulic fracturing, excluding the exploration and production through shale formations to locate or extract from non-shale reservoirs;

"in Russia" includes, for the purposes of articles 8, 8A, 9 or 13, its Exclusive Economic Zone and Continental Shelf;".

4. For article 5 substitute—

"**Investment in Crimea or Sevastopol**

5.—(1) It is an offence for a person to knowingly—

(a) acquire any new or extend any existing participation in ownership of real estate located in Crimea or Sevastopol;

(b) acquire any new or extend any existing participation in ownership or control of an entity in Crimea or Sevastopol, including the acquisition in full of such entity or the acquisition of shares and other securities of a participating nature in such entity;

(c) grant or be part of any arrangement to grant any loan or credit or otherwise provide financing, including equity capital, to an entity in Crimea or Sevastopol, or for the documented purpose of financing such entity;

(d) create any joint venture in Crimea or Sevastopol or with an entity in Crimea or Sevastopol;

(e) provide investment services directly related to the activities referred to in sub-paragraphs (a) to (d).

(2) Nothing in paragraph (1) prevents —

(a) the conduct of legitimate business with entities outside Crimea or Sevastopol where the related investments are not destined for entities in Crimea or Sevastopol; or

(b) the execution of an obligation arising from a contract concluded before 11th March 2015, or ancillary contracts necessary for the execution of such a contract, provided that the Governor has been informed at least five working days in advance.

(3) This article is subject to articles 13 and 14.".

5. In article 6—

(a) for "equipment" in the heading and paragraphs (1) to (3) substitute "goods";

(b) for "Annex III" in paragraphs (1) to (3) substitute "Annex II";

(c) for paragraph (4) substitute—

"(4) Nothing in paragraph (1) prevents the execution until 21st June 2015 of an obligation arising from a contract concluded before 11th March 2015, or ancillary contracts necessary for the execution of such a contract, provided that the Governor has been informed at least five working days in advance.

(5) This article is subject to articles 13 and 14.".

6. After article 6 insert—

"**Prohibition of assistance and services related to infrastructure in Crimea or Sevastopol**

6A.—(1) It is an offence for a person to knowingly provide (directly or indirectly) technical assistance, brokering, construction or engineering services directly relating to infrastructure in Crimea and Sevastopol in the following sectors—

(a) transport;

(b) telecommunications;

(c) energy; or

(d) prospecting for, exploration and production of oil, gas and mineral resources.

(2) Nothing in paragraph (1) prevents the execution until 21st June 2015 of an obligation arising from a contract concluded before 11th March 2015, or ancillary contracts necessary for the execution of such a contract.

Prohibition on services related to tourism activities in Crimea or Sevastopol

6B.—(1) It is an offence for a person to knowingly provide services directly related to tourism activities in Crimea or Sevastopol, including by arranging for or facilitating any cruise ship to enter into or call at any port listed in Annex III to the Crimea and Sevastopol Regulation.

(2) Nothing in paragraph (1) prevents —

(a) the arrangement or facilitation of a ship entering or calling at one of the ports listed in Annex III to the Crimea and Sevastopol Regulation for reasons of maritime safety in cases of emergency. In such cases, the Governor shall be informed within five working days;

(b) the execution of an obligation arising from a contract concluded before 11th March 2015, or ancillary contracts necessary for the execution of such a contract, provided that the Governor has been informed at least five working days in advance.

(3) For the purposes of this article "cruise ship" means a ship providing cruise services which is registered in the Territory or is owned by or under the operational control of a person falling within article 2(1)(a) or (b).".

7. In article 7, for paragraph (3) substitute —

"(3) Nothing in paragraph 1(c) prevents —

(a) the execution of contracts concluded before 11th March 2015, or ancillary contracts necessary for the execution of such contracts;

(b) any sale, supply, transfer or export of dual-use goods and technology intended for the aeronautics and space industry for non-military use and for a non-military end-user.

(4) This article is subject to articles 13 and 14.".

8. In article 8(1)—

(a) for "technologies" substitute "items";

(b) for sub-paragraph (b) substitute—

"(b) to any person in any other State or territory, if such items are for use in Russia.".

9. For article 8A, substitute—