STATUTORY INSTRUMENTS

2015 No. 97

CUSTOMS

The Export Control (Various Amendments) Order 2015

Made - - - -	*29th January 2015*
Laid before Parliament	*3rd February 2015*
Coming into force - -	*24th February 2015*

The Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972(**1**) in relation to measures relating to the interruption or reduction, in part or completely, of economic relations with one or more countries which are not Member States(**2**).

The Secretary of State, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972 and by sections 1, 2, 3, 4, 5 and 7 of the Export Control Act 2002(**3**), makes the following Order.

Citation and Commencement

1. This Order may be cited as the Export Control (Various Amendments) Order 2015 and comes into force on 24th February 2015.

Amendment of the Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014

2.—(1) The Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014(**4**) is amended as follows.

(2) In article 2(1)—

(a) for the definition of "EU authorisation", substitute—

> ""EU authorisation" means an authorisation granted under Articles 2(2), 3 or 4(3) of the Russia Sanctions Regulation and Article 2e of the Crimea and Sevastopol Regulation;";

(**1**) 1972 c.68; section 2(2) was amended by section 27(1) of the Legislative and Regulatory Reform Act 2006 (c.51) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c.7).
(**2**) S.I. 1994/757, to which there are amendments not relevant to this Order.
(**3**) 2002 c.28.
(**4**) S.I. 2014/2357, as amended by S.I. 2014/2932.

(b) in the definition of "the Russia Sanctions Regulation", for "as amended by Council Regulation (EU) No 960/2014", substitute "as last amended by Council Regulation (EU) No 1290/2014(**5**)";

(c) in the definition of "the Crimea and Sevastopol Regulation", for "as amended by Council Regulation (EU) No 825/2014", substitute "as last amended by Council Regulation (EU) No 1351/2014(**6**)".

(3) For article 4(1), substitute—

"(1) Except under the authority of an EU authorisation, items listed in Annex II of the Russia Sanctions Regulation are prohibited to be exported from the United Kingdom, to any natural or legal person, entity or body in Russia, including its Exclusive Economic Zone and Continental Shelf or in any other State, if such items are for use in Russia, including its Exclusive Economic Zone and Continental Shelf.".

(4) In article 4(2)(a)—

(a) for "technologies", substitute "goods";

(b) for paragraph (i), substitute—

"(i) Article 3(1) (authorisation required for the sale, supply, etc. of items as listed in Annex II to any natural or legal person, entity or body in Russia, including its Exclusive Economic Zone and Continental Shelf or in any other State, if such items are for use in Russia, including its Exclusive Economic Zone and Continental Shelf);";

(c) for paragraph (ii), substitute—

"(ii) Article 4(3)(a) (authorisation required for the provision of technical assistance or brokering services related to items listed in Annex II to any natural or legal person, entity or body in Russia, including its Exclusive Economic Zone and Continental Shelf or, if such assistance concerns items for use in Russia, including its Exclusive Economic Zone and Continental Shelf, to any person, entity or body in any other State);";

(d) for paragraph (iii), substitute—

"(iii) Article 4(3)(b) (authorisation required for the provision of financing or financial assistance related to items referred to in Annex II to any natural or legal person, entity or body in Russia, including its Exclusive Economic Zone and Continental Shelf or, if such assistance concerns items for use in Russia, including its Exclusive Economic Zone and Continental Shelf, to any person, entity or body in any other State);".

(5) For article 5A, substitute—

"**Offences related to certain associated services necessary for certain types of oil exploration and production**

5A. A person who is knowingly concerned in an activity prohibited by Article 3a(1) of the Russia Sanctions Regulation (prohibition on the provision of certain associated services necessary for certain types of oil exploration and production in Russia, including its Exclusive Economic Zone and Continental Shelf) with intent to evade the prohibition in that Article commits an offence and may be arrested.".

(6) For articles 7 and 8, substitute—

(**5**) OJ No L 349, 5.12.2014, p20.
(**6**) OJ No L 365, 19.12.2014, p46.

"**Offences related to restrictions on financing enterprises in Crimea or Sevastopol**

7. Unless authorised by an EU authorisation, a person who is knowingly concerned in an activity prohibited by any of the following Articles of the Crimea and Sevastopol Regulation with intent to evade a prohibition in those Articles commits an offence and may be arrested—

(a) Article 2a(1)(a) (prohibition on the acquisition or extension of a participation in ownership of real estate located in Crimea or Sevastopol);

(b) Article 2a(1)(b) (prohibition on the acquisition or extension of a participation in ownership or control of an entity in Crimea or Sevastopol, including the acquisition in full of such an entity or the acquisition of shares, and other securities of a participating nature of such entity);

(c) Article 2a(1)(c) (prohibition on the granting of or participation in any arrangement to grant any loan or credit or otherwise provide financing, including equity capital, to an entity in Crimea and Sevastopol, or for the documented purpose of financing such entity);

(d) Article 2a(1)(d) (prohibition on the creation of any joint venture in Crimea or Sevastopol or with an entity in Crimea or Sevastopol);

(e) Article 2a(1)(e) (prohibition on the provision of investment services directly related to the activities referred to in points (a) to (d) of Article 2a).

Offences related to equipment and technology listed in Annex II

8. Unless authorised by an EU authorisation, a person who is knowingly concerned in an activity, other than the export of goods, prohibited by any of the following Articles of the Crimea and Sevastopol Regulation with intent to evade a prohibition in those Articles commits an offence and may be arrested—

(a) Article 2b(1) (prohibition on the sale etc. of goods and technology as listed in Annex II to any natural or legal person, entity or body in Crimea or Sevastopol or for use in Crimea or Sevastopol);

(b) Article 2b(2)(a) (prohibition on the provision of technical assistance or brokering services related to the goods and technology as listed in Annex II to any natural or legal person, entity or body in Crimea or Sevastopol or for use in Crimea or Sevastopol);

(c) Article 2b(2)(b) (prohibition on the provision of financing or financial assistance related to the goods and technology as listed in Annex II to any natural or legal person, entity or body in Crimea or Sevastopol or for use in Crimea or Sevastopol).

Offences related to infrastructure in certain sectors

8A. Unless authorised by an EU authorisation, a person who is knowingly concerned in an activity prohibited by Article 2c(1) of the Crimea and Sevastopol Regulation (prohibition on the provision of technical assistance, or brokering, construction or engineering services directly relating to infrastructure in Crimea or Sevastopol in the sectors referred to in Article 2b(1) as defined on the basis of Annex II) with intent to evade the prohibition in that Article commits an offence and may be arrested.

Offences related to tourism activities in Crimea or Sevastopol

8B. A person who is knowingly concerned in an activity prohibited by either of the following Articles of the Crimea and Sevastopol Regulation with intent to evade a prohibition in those Articles commits an offence and may be arrested—