STATUTORY INSTRUMENTS

2014 No. 383

CRIMINAL LAW

The Zimbabwe (Financial Sanctions) (Amendment) Regulations 2014

Made - - - -	*24th February 2014*
Laid before Parliament	*24th February 2014*
Coming into force - -	*25th February 2014*

The Treasury are designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to restrictive measures against persons or bodies listed by an international organisation.

These Regulations make provision for a purpose mentioned in section 2(2) of that Act and it appears to the Treasury that it is expedient for any reference to Council Regulation (EU) No. 153/2014 of 17 February 2014(**c**) amending Council Regulation (EC) No. 314/2004 concerning certain restrictive measures in respect of Zimbabwe to be construed as a reference to that Regulation as amended from time to time.

The Treasury make the following Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972.

Citation and commencement

1. These Regulations may be cited as the Zimbabwe (Financial Sanctions) (Amendment) Regulations 2014 and come into force on 25th February 2014.

Amendments to the Zimbabwe (Financial Sanctions) Regulations 2009

2. The Zimbabwe (Financial Sanctions) Regulations 2009(**d**) are amended as follows.

3. For regulation 3 (designated persons) substitute—

"Designated Persons

3. For the purposes of these Regulations, except for the purposes of regulations 6 and 7, a person is a designated person if listed in Annex III of the EC Regulations.".

(**a**) S.I. 2010/1834.
(**b**) 1972 c.68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c.51) and the European Union (Amendment) Act 2008 (c.7), Schedule, Part 1. Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 and amended by S.I. 2007/1388 and the European Union (Amendment) Act 2008, Schedule, Part 1.
(**c**) O.J. L 50, 20.2.2014, p.1.
(**d**) S.I. 2009/847.

4. After regulation 3, insert—

"**3A.** For the purposes of regulations 6 and 7 a person is a designated person if listed in Annex III and not listed in Annex IV of the EC Regulation.".

5. In regulation 15(1), after "under regulation", omit "5(1)(a) or (2)(a) or".

Revocations

6. Regulations 4 (Treasury's power to designate persons) and 5 (directions: further provisions) of the Zimbabwe (Financial Sanctions) Regulations 2009 are revoked.

7. The Zimbabwe (Financial Sanctions) (Suspension) Regulations 2013(**a**) are revoked.

Stephen Crabb
David Evennett
24th February 2014 Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

Council Regulation (EC) No. 314/2004 ("the Council Regulation") of 19 February 2004 concerning certain restrictive measures in respect of Zimbabwe (O.J. L 55, 24.2.2004, p.1) contains various sanctions measures imposed in respect of the Government of Zimbabwe and those connected with it. Those measures include financial sanctions which require the funds and economic resources of certain persons, entities and bodies, listed in Annex III of the Council Regulation, to be frozen. Regulations 6 to 10 of the Zimbabwe (Financial Sanctions) Regulations 2009 ("the 2009 Regulations") provide for criminal penalties for breach of the freeze on funds and economic resources contained in the Council Regulation.

The freeze on funds and economic resources contained in the Council Regulation has been suspended in relation to certain persons, entities or bodies by Council Regulation (EU) No. 153/2014 of 17 February 2014 (O.J. L 50, 20.2.2014, p.1) ("the 2014 Regulation"). The 2014 Regulation lists those against whom the freeze is suspended in an Annex and inserts that list as a new Annex IV of the Council Regulation. Other restrictions and obligations contained in that Council Regulation continue to apply to those listed in Annex IV, however.

Regulation 3 substitutes a new regulation 3 in the 2009 Regulations so that the definition of "designated persons" in regulation 3 does not apply to regulations 6 and 7 of the 2009 Regulations.

Regulation 4 inserts a new regulation 3A into the 2009 Regulations so that those listed in Annex IV of the Council Regulation are removed from the definition of "designated persons" in the 2009 Regulations for the purposes of regulations 6 and 7 of the 2009 Regulations. The effect is to suspend regulations 6 to 7 of the 2009 Regulations, insofar as they relate to persons listed in the new Annex IV of the Council Regulation

Regulation 6 revokes the power of the Treasury to make directions designating a person where there were reasonable grounds to suspect that the person was a person listed in Annex III of the Council Regulation. It also revokes other provisions concerning directions made by the Treasury. Regulation 5 makes an amendment to the 2009 Regulations consequent upon those revocations.

Regulation 7 revokes the Zimbabwe (Financial Sanctions) (Suspension) Regulations 2013, which had implemented a previous temporary suspension of sanctions.

(**a**) S.I. 2013/795.

A list of designated persons is available on the internet at: www.gov.uk/government/publications/financial-sanctions-consolidated-list-of-targets or can be obtained from Financial Sanctions, H.M. Treasury, 1 Horse Guards Road, London SW1A 2HQ.

Further information is available from Financial Sanctions, HM Treasury, 1 Horse Guards Road, London SW1A 2HQ and on the H.M. Treasury website (www.gov.uk/government/organisations/hm-treasury).

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