SANCTIONS AND ASSET-FREEZING (IMPLEMENTATION OF EXTERNAL SANCTIONS) (JERSEY) ORDER 2021

Official Consolidated Version

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Showing the law from 3 April 2026 to Current

SANCTIONS AND ASSET-FREEZING (IMPLEMENTATION OF EXTERNAL SANCTIONS) (JERSEY) ORDER 2021

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SANCTIONS AND ASSET-FREEZING (IMPLEMENTATION OF EXTERNAL SANCTIONS) (JERSEY) ORDER 2021

THE MINISTER FOR EXTERNAL RELATIONS makes this Order under Articles 3, 4 and 27(2) of the Sanctions and Asset-Freezing (Jersey) Law 2019 –

Commencement [see endnotes]

1 Interpretation

(1) In this Order –

"Law" means the Sanctions and Asset-Freezing (Jersey) Law 2019;

"UK sanctions instrument" means an instrument enacted in the UK that is specified in column 2 of the table in Schedule 1.

(2) A reference in this Order to a UK sanctions instrument is to that instrument as amended from time to time, and Article 6 of the Legislation (Jersey) Law 2021 applies in relation to such a reference as if instruments enacted in the UK were enactments for the purpose of that Law.[1]

2 Effect given to UK sanctions instruments subject to modifications[2]

A UK sanctions instrument has effect as if it was an enactment, subject to –

(a) Articles 3(2), 3(3), 3(3A), 5(2) and 7(4);

(b) the exceptions and modifications made by the general provisions contained in Schedule 2; and

(c) any exceptions and modifications made, in relation to that UK sanctions instrument, by the special provisions contained in Schedule 3.

3 Asset-freezes: designations, exceptions and licences[3]

(1) A person is a designated person for the purpose of Part 3 of the Law if the person is, for the purpose of a UK sanctions instrument, a designated person as defined by a provision specified in column 4 of the table in Schedule 1 in relation to that instrument.

(2) In relation to a person designated under paragraph (1), if a provision (the "UK asset-freezing provision") of the UK sanctions instrument corresponds to a provision of Part 3 of the Law or relates to the power to designate the person –

(a) that UK asset-freezing provision does not have effect, subject to paragraphs (3) and (3A); and

(b) Part 3 of the Law and paragraph (1) of this Article apply accordingly instead of the UK asset-freezing provision.[4]

(3) If a UK asset-freezing provision is a UK exception provision, it has effect solely as an exception, under Article 15(3A) of the Law, to the corresponding Part 3 prohibition.[5]

(3A) If a UK asset-freezing provision is a UK licence provision, it has effect solely as a ground for the granting of a licence, under Article 16(3A)(b) of the Law, in relation to the corresponding Part 3 prohibition.[6]

(3B) For the purpose of paragraphs (3) and (3A), and without limiting Schedule 2, a UK exception provision and a UK licence provision are to be read with any necessary modification for their application to Jersey, including in particular by reading a reference to an office or officer in the UK as a reference to an office or officer in Jersey that performs an equivalent function.[7]

(3C) In paragraphs (3) and (3A) "corresponding Part 3 prohibition" means the prohibition in Part 3 of the Law that corresponds to the UK asset-freezing provision that is the prohibition to which the UK exception provision or UK licence provision relates.[8]

(3D) In paragraphs (3) to (3C) "UK exception provision" and "UK licence provision" have the meanings given by Article 3(8)(a) and (b) of the Law.[9]

(4) This Article is subject to any exception or modification made by a special provision contained in Schedule 3 in relation to a particular UK sanctions instrument.

4 Offences of contravention of certain implemented provisions other than asset-freezes

(1) A person commits an offence if the person –

(a) contravenes a non-asset-freezing provision of a UK sanctions instrument, as that provision has effect under Article 2 when read with the other provisions of the same UK sanctions instrument as they have effect under that Article; or

(b) intentionally participates in an activity knowing that the object or effect of the activity is (whether directly or indirectly) to circumvent such a provision, or to enable or facilitate the contravention of such a provision.[10]

(1A) A provision of a UK sanctions instrument is a "non-asset-freezing provision" if –

(a) the provision imposes a prohibition or an obligation; and

(b) the UK sanctions instrument provides that a person (however described) who contravenes that prohibition or obligation commits a criminal offence.[11]

(1B) A person who commits an offence under paragraph (1) is liable –

(a) to the penalty specified in Article 32(3) of the Law if the provision –

(i) requires or permits a person to provide information, or prohibits a person from disclosing information; and

(ii) does not fall within paragraph 6(a) or (b) of Schedule 2; and

(b) in any other case, to imprisonment for a term of 7 years and to a fine.[12]

(2) Paragraph (1) does not apply to an act –

(a) of the Minister, when performing a function under the Law or under this Order;

(b) of any other person, when performing such a function as a delegate of the Minister under Article 46 of the Law or Article 28 of the States of Jersey Law 2005; or

(c) to the extent that the act –

(i) is authorised by a licence granted under Article 5 or by a general licence given effect by paragraph A1(2) or 4(2) of Schedule 3, and

(ii) does not contravene any condition to which that licence is subject.[13]

(3) Paragraph (1)(a) is subject to any defence available under the UK sanctions instrument in respect of an offence in that instrument that is constituted by the contravention of the provision referred to in that sub-paragraph, and to any provision in that instrument that relates to that defence.

5 Licences in relation to implemented provisions other than asset-freezes

(1) The Minister may grant a general licence for any act, or description of acts, that would otherwise constitute an offence under Article 4.[14]

(1A) The Minister may grant a licence to a category of persons or to a particular person for any act, or description of acts, that would otherwise constitute an offence under Article 4 –

(a) if the Minister is satisfied that a licence could be granted under the relevant UK sanctions instrument for an equivalent act, or class of act, in the UK; or

(b) if –

(i) an equivalent act, or class of act, is the subject of an exception provision in the relevant UK sanctions instrument, and

(ii) the Minister is satisfied that that exception provision does not have effect under Article 2.[15]

(2) Articles 16(3), (3A), (4), (5) and 33(4) of the Law apply in relation to a licence under this Article as they apply in relation to a licence under Article 16 of the Law, but Article 16(3A)(a) applies with the modification that the Minister must also seek to ensure that the grant of a licence will not lead to the purpose of the relevant UK sanctions provision being frustrated.[16]

(2A) A provision of the relevant UK sanctions instrument that relates to licences does not have effect under Article 2 of this Order to the extent that a licence may be granted under this Article.[17]

(3) For the purpose of Article 16(3) of the Law, as applied by paragraph (2) –

(a) the power of the Minister, in deciding whether or not to grant a licence under paragraph (1) or (1A)(a), is not limited by whether any equivalent licence has or has not been granted under the UK sanctions instrument; and

(b) the power of the Minister, in deciding whether to grant a general licence or a licence for a particular person or category of persons under paragraph (1) or (1A)(a), is not limited by whether any equivalent licence under the UK sanctions instrument was granted as a general licence or as a licence for a particular person or category of persons.[18]

(4) A person commits an offence, and is liable to imprisonment for a term of 5 years and to a fine, if the person, for the purpose of obtaining a licence under this Article, knowingly or recklessly –

(a) provides information that is false in a material respect; or

(b) provides or produces a document that is not what it purports to be.

(5) A person commits an offence, and is liable to imprisonment for a term of 5 years and to a fine, if the person –

(a) purports to act under the authority of a licence granted under this Article or of a general licence given effect by paragraph A1(2) or 4(2) of Schedule 3; but

(b) contravenes any condition to which the licence is subject.[19]

(5A) A licence in respect of which an offence under paragraph (4) has been committed is void from the time the licence was granted.[20]

(6) In this Article –

"relevant UK sanctions instrument" means a UK sanctions instrument containing a relevant UK sanctions provision;

"relevant UK sanctions provision" means a provision the contravention of which would constitute an offence under Article 4.[21]

5A Director disqualification sanctions[22]

(1) A person is subject to director disqualification sanctions if the person is, under sanctions regulations, subject to director disqualification sanctions for the purposes of –

(a) section 11A of the Company Directors Disqualification Act 1986 of the UK; and

(b) Article 15A of the Company Directors Disqualification (Northern Ireland) Order 2002 (S.I. 2002/3150 (N.I. 4)).

(2) A person commits an offence, and is liable to imprisonment for a term of 2 years and to a fine, if the person is subject to director disqualification sanctions and –

(a) acts as a director of a company or directly or indirectly takes part in or is concerned in the promotion, formation or management of a company; or

(b) acts as a manager of a limited liability company or directly or indirectly takes part in or is concerned in the promotion, formation or management of a limited liability company.

(3) Paragraph (2) does not apply to anything done under the authority of a licence granted under Article 5B (director disqualification licences).

(4) It is a defence for a person charged with an offence under this Article to prove that they did not know, and could not reasonably have been expected to know, that they were subject to director disqualification sanctions when they engaged in the conduct that led to the charge.

(5) In this Article –

"company" has the meaning given in Article 1(1) of the Companies (Jersey) Law 1991;

"limited liability company" means a limited liability company registered under the Limited Liability Companies (Jersey) Law 2018;

"sanctions regulations" means a UK sanctions provision that imposes director disqualification sanctions within the meaning given by section 3A of the Sanctions and Anti-Money Laundering Act 2018 of the UK.

5B Director disqualification licences[23]

(1) The Minister may grant a licence to a disqualified person for any act, or description of acts, that would otherwise be an offence under Article 5A if the Minister is satisfied that a licence could be granted under sanctions regulations for an equivalent act or class of act in the UK.

(2) A licence granted under this Article –

(a) may be unconditional or subject to conditions; and

(b) may be unlimited or limited in duration.

(3) In deciding whether to grant or refuse a licence under this Article, and whether to impose conditions, the Minister must seek to ensure that the grant of a licence will not lead to the purpose of the sanctions regulations being frustrated.

(4) The Minister may at any time vary or revoke a licence granted to a disqualified person under this Article.

(5) The Minister must give the disqualified person written notice of the grant, variation or revocation of the licence.

(6) In this Article –

"disqualified person" means a person who is subject to director disqualification sanctions under Article 5A;

"sanctions regulations" has the meaning given in Article 5A.

5C Director disqualification: licensing offences[24]

(1) A person commits an offence, and is liable to imprisonment for a term of 2 years and to a fine, if the person, for the purpose of obtaining a licence under Article 5B (whether for that person or anyone else), knowingly or recklessly –

(a) provides information that is false in a material respect; or

(b) provides or produces a document that is not what it purports to be.

(2) A person commits an offence, and is liable to imprisonment for a term of 2 years and to a fine, if the person –

(a) purports to act under the authority of a licence granted under Article 5B; but

(b) contravenes any condition to which the licence is subject.

(3) A licence in respect of which an offence under paragraph (1) has been committed is void from the time the licence was granted.

6 Offence of disclosure of confidential information as to designation

(1) This Article applies to information relating to a designation under a UK sanctions instrument, if, at the request of the Secretary of State, the Minister –

(a) provides the information only to certain persons; and

(b) specifies that the information is to be treated as confidential.

(2) A person commits an offence, and is liable to imprisonment for a term of 2 years and to a fine, if the person –

(a) discloses information, to which this Article applies, provided to or otherwise obtained by that person; and

(b) knows, or has reasonable cause to suspect, that the information is to be treated as confidential.

(3) Paragraph (2) does not apply to –

(a) a disclosure of information that is already, or has previously been, available to the public from the Secretary of State or another source; or

(b) a disclosure made with lawful authority.

(4) For this purpose information is disclosed with lawful authority only if and to the extent that –

(a) the disclosure is by or to, or is authorised by, the Minister or the Secretary of State;

(b) the disclosure is by or with the consent of the person who is or was the subject of the designation;

(c) the disclosure is necessary to give effect to a requirement imposed by or under this Order or any other enactment; or

(d) the disclosure is required, under rules of court, tribunal rules or a court or tribunal order, for the purposes of legal proceedings of any description.

(5) On the application of the Minister or of the person who is the subject of the designation, the Royal Court may grant an order to prevent disclosure of information to which this Article applies.

7 Customs provisions applied in relation to offences

(1) If a UK sanctions instrument includes a customs-related offence provision –

(a) Article 48 of the Customs and Excise (Jersey) Law 1999 (the "1999 Law") applies to the arrest of a person for the customs-related offence as it applies to the arrest of a person for an offence under the 1999 Law; and

(b) Articles 64 to 67 of the 1999 Law apply in relation to the customs-related offence, and to proceedings and penalties for the customs-related offence, as they apply in relation to an offence under the 1999 Law and to proceedings and penalties for such an offence.

(2) For the purpose of paragraph (1) –

(a) the UK sanctions instrument includes a customs-related offence provision if –

(i) the UK sanctions instrument prohibits or restricts an act that, for the purpose of the 1999 Law, constitutes the importation or exportation, or attempted importation or exportation, of goods, and

(ii) contravention of the prohibition or restriction is an offence, by virtue of Article 4(1); and

(b) a reference to the "customs-related offence" is a reference to the offence described in sub-paragraph (a)(ii), to the extent that that offence is constituted by an act described in sub-paragraph (a)(i).

(3) Nothing in this Article is to be read as preventing –

(a) the contravention of a prohibition described in paragraph (2)(a)(i), that has effect by virtue of Article 2, from constituting an offence under the 1999 Law, including an offence under Article 61 of that Law as read with the Customs and Excise (Import and Export Control) (Jersey) Order 2006 and with the provisions of any licence under that Order; or

(b) Articles 48 and 64 to 67 of the 1999 Law from applying in relation to that offence.

(4) A provision of a UK sanctions instrument does not have effect to the extent that the provision relates to the Customs and Excise Management Act 1979 of the UK.

8 Prohibition of satisfaction of claims affected by certain UNSCRs between 1990 and 1994

(1) In this Article "EU claims Regulation" means –

(a) Council Regulation (EEC) No 3541/92 of 7 December 1992 (OJ L 361, 10.12.1992, p. 1) prohibiting the satisfying of Iraqi claims with regard to contracts and transactions, the performance of which was affected by United Nations Security Council Resolution 661 (1990) and related resolutions;

(b) Council Regulation (EC) No 3275/93 of 29 November 1993 (OJ L 295, 30.11.1993, p. 4) prohibiting the satisfying of claims with regard to contracts and transactions the performance of which was affected by the United Nations Security Council Resolution 883 (1993) and related resolutions;

(c) Council Regulation (EC) No 1264/94 of 30 May 1994 (OJ L 139, 2.6.1994, p. 4) prohibiting the satisfying of claims by the Haitian authorities with regard to contracts and transactions the performance of which was affected by the measures imposed by or pursuant to United Nations Security Council resolutions 917 (1994), 841 (1993), 873 (1993) and 875 (1993); or

(d) Council Regulation (EC) No 1733/94 of 11 July 1994 (OJ L 182, 16.7.1994, p. 1) prohibiting the satisfying of claims with regard to contracts and transactions the performance of which was affected by the United Nations Security Council Resolution 757(1992) and related resolutions.

(2) Articles 1, 2(1), 3 and 4 of each of the EU claims Regulations have effect as if they were enactments.

(3) A person commits an offence, and is liable to imprisonment for a term of 7 years and to a fine, if the person contravenes a prohibition in Article 2(1) of an EU claims Regulation.

9 [25]

10 Citation and commencement

This Order may be cited as the Sanctions and Asset-Freezing (Implementation of External Sanctions) (Jersey) Order 2021 and comes into force on 12th February 2021.

SCHEDULE 1[26]

(Articles 3 and 4)

UK SANCTIONS INSTRUMENTS IMPLEMENTED

1. Country or other convenient label	2. UK sanctions instrument	3. SI number	4. Provision for asset-freeze designation
Afghanistan	The Afghanistan (Sanctions) (EU Exit) Regulations 2020	2020/948	regulation 6
Anti-Corruption	The Global Anti-Corruption Sanctions Regulations 2021	2021/488	regulation 10
Belarus	The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019	2019/600	regulation 10
Bosnia and Herzegovina	The Bosnia and Herzegovina (Sanctions) (EU Exit) Regulations 2020	2020/608	regulation 10
Central African Republic	The Central African Republic (Sanctions) (EU Exit) Regulations 2020	2020/616	regulation 11
Chemical Weapons	The Chemical Weapons (Sanctions) (EU Exit) Regulations 2019	2019/618	regulation 10
Counter-Terrorism – International	The Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019	2019/573	regulation 10
Counter-Terrorism – National Security	The Counter-Terrorism (Sanctions) (EU Exit) Regulations 2019	2019/577	regulation 10
Cyber	The Cyber (Sanctions) (EU Exit) Regulations 2020	2020/597	regulation 10
Democratic People's Republic of Korea	The Democratic People's Republic of Korea (Sanctions) (EU Exit) Regulations 2019	2019/411	regulations 5 and 10
Democratic Republic of the Congo	The Democratic Republic of the Congo (Sanctions) (EU Exit) Regulations 2019	2019/433	regulation 11
Eastern Mediterranean	The Unauthorised Drilling Activities in the Eastern Mediterranean (Sanctions) (EU Exit) Regulations 2020	2020/1474	regulation 10
Global Human Rights	The Global Human Rights Sanctions Regulations 2020	2020/680	regulation 10
Global Irregular Migration and Trafficking	The Global Irregular Migration and Trafficking in Persons Sanctions Regulations 2025	2025/902	regulation 13
Guinea	The Guinea (Sanctions) (EU Exit) Regulations 2019	2019/1145	regulation 10
Guinea-Bissau	The Republic of Guinea-Bissau (Sanctions) (EU Exit) Regulations 2019	2019/554	regulation 10
Haiti	The Haiti (Sanctions) Regulations 2022	2022/1281	regulation 6

1. Country or other convenient label	2. UK sanctions instrument	3. SI number	4. Provision for asset-freeze designation
Iran 1	The Iran (Sanctions) (Nuclear) (EU Exit) Regulations 2019	2019/461	regulation 11
Iran 2	The Iran (Sanctions) Regulations 2023	2023/1314	regulation 14
Iraq	The Iraq (Sanctions) (EU Exit) Regulations 2020	2020/707	regulation 6(1) or (2)
ISIL (Da'esh) and Al-Qaida	The ISIL (Da'esh) and Al-Qaida (United Nations Sanctions) (EU Exit) Regulations 2019	2019/466	regulation 6
Lebanon 1	The Lebanon (Sanctions) (EU Exit) Regulations 2020	2020/612	none
Lebanon 2	The Lebanon (Sanctions) (Assassination of Rafiq Hariri and others) (EU Exit) Regulations 2020	2020/617	regulation 6
Libya	The Libya (Sanctions) (EU Exit) Regulations 2020	2020/1665	regulations 11 and 17
Mali	The Mali (Sanctions) (EU Exit) Regulations 2020	2020/705	regulation 11
Myanmar	The Myanmar (Sanctions) Regulations 2021	2021/496	regulations 10 and 79
Nicaragua	The Nicaragua (Sanctions) (EU Exit) Regulations 2020	2020/610	regulation 10
Russia	The Russia (Sanctions) (EU Exit) Regulations 2019	2019/855	regulation 10
Somalia	The Somalia (Sanctions) (EU Exit) Regulations 2020	2020/642	regulation 11
South Sudan	The South Sudan (Sanctions) (EU Exit) Regulations 2019	2019/438	regulation 11
Sudan	The Sudan (Sanctions) (EU Exit) Regulations 2020	2020/753	regulation 11
Syria 1	The Syria (Sanctions) (EU Exit) Regulations 2019	2019/792	regulation 10
Syria 2	The Syria (United Nations Sanctions) (Cultural Property) (EU Exit) Regulations 2020	2020/1233	none
Trade, Aircraft and Shipping	The Trade, Aircraft and Shipping Sanctions (Civil Enforcement) Regulations 2024	2024/948	none
Venezuela	The Venezuela (Sanctions) (EU Exit) Regulations 2019	2019/135	regulation 10
Yemen	The Yemen (Sanctions) (EU Exit) (No. 2) Regulations 2020	2020/1278	regulation 11
Zimbabwe	The Zimbabwe (Sanctions) (EU Exit) Regulations 2019	2019/604	regulation 10

SCHEDULE 2[27]

(Article 2(b))

GENERAL PROVISIONS

1 General modifications for effect in relation to Jersey

(1) The Minister has in Jersey any function given to a Secretary of State or to the Treasury of the UK by a UK sanctions instrument.

(2) Nothing in this Order or a UK sanctions instrument is to be read as conferring any power on the Minister, or on any other person in Jersey, to make an enactment or a designation.

(3) A reference in a UK sanctions instrument to the UK or a part of the UK (however expressed) is to be read as a reference to Jersey.

(4) A reference in a UK sanctions instrument to the Isle of Man is to be disregarded unless it is by way of a reference to all of the Crown Dependencies or to the British Islands.

(5) Without limiting the application of Article 45 of the Law to offences under this Order, a UK sanctions instrument is to be read, for the purpose of its effect under this Order, as if for any provision (other than in relation to an offence) specifying the application of the UK sanctions instrument to the sea or outside the UK there were substituted a provision applying the UK sanctions instrument –

(a) to Jersey, including –

(i) to the airspace and territorial waters of Jersey,

(ii) to a person in Jersey, and

(iii) to an act done in whole or in part in Jersey; and

(b) outside Jersey –

(i) to an aircraft or vessel under the jurisdiction of Jersey,

(ii) to a UK national, as defined in Article 45 of the Law, who is ordinarily resident in Jersey, and

(iii) to a legal person incorporated or constituted under the law of Jersey.

(6) Except as otherwise provided by this Schedule or Schedule 3 –

(a) a reference in a UK sanctions instrument to a person in the UK, being a person who performs a function, is to be read as a reference to both that person and the person, if any, in Jersey who performs an equivalent function;

(b) a reference in a UK sanctions instrument to an enactment of the UK is to be read as a reference to both that enactment and the enactment of Jersey, if any, that corresponds to the enactment of the UK; and

(c) a reference in a UK sanctions instrument to a matter, product or other thing within the meaning given in an enactment of the UK, is to be read as a reference to both that matter, product or other thing within the meaning given in that enactment of the UK and the corresponding matter, product or other thing and its meaning given in the corresponding enactment of Jersey, if any.

(7) Transitional provisions in a UK sanctions instrument do not have effect.

2 General modifications in relation to offences and related matters

(1) For the purpose of a reference in the Law to compliance with or evasion of the Law, or to an offence or function under the Law, a UK sanctions instrument is to be treated as if it were a provision of the Law to the extent that it is given effect by this Order.

(2) Sub-paragraph (1) –

(a) applies in particular to Articles 32(1)(b)(ii), 32(4)(b), 32(6)(b), 33(5)(b), 33(5)(c), 41(1), 44(1), 45(1) and 46(2) of the Law; and

(b) does not limit the application of Article 1(3) of the Law in relation to a UK sanctions instrument.

(3) To the extent that a provision of a UK sanctions instrument creates an offence (a "UK offence") –

(a) the provision does not have effect under Article 2 to create an offence in Jersey law, and any provision relating to the prosecution of the UK offence does not have effect under Article 2; but

(b) if the provision does not express the UK offence as the contravention of an obligation or prohibition contained in (rather than imposed by a person under) another provision, then the provision creating the UK offence has effect under Article 2 for the purpose of Article 4(1) as if it was a prohibition of an act that constitutes the UK offence.

(4) To the extent that a provision of a UK sanctions instrument creates or relates to a defence to a UK offence, that provision does not have effect other than by virtue of a provision of this Order that expressly relates to defences.

(5) A provision of a UK sanctions instrument that relates to enforcement does not have effect if there is a corresponding provision in the Law.

3 Exceptions for authorised acts outside Jersey

(1) In this paragraph –

"Jersey prohibition" means –

(a) a prohibition in, or given effect by, this Order; and

(b) a prohibition in Part 3 of the Law that applies, under Article 3 of this Order, in relation to a person by virtue of that person's designation;

"prohibition" includes an offence, and a reference to contravening the prohibition includes committing the offence;

"relevant country" means –

(a) any jurisdiction within the British Islands, other than Jersey; or

(b) a British overseas territory.

(2) If an act in a relevant country would, in the absence of this paragraph, contravene a Jersey prohibition, the Jersey prohibition is not contravened if the act is authorised by a licence or other authorisation that is granted –

(a) under the law of that relevant country, in exercise of a power that corresponds to a power to grant a licence under the Law or this Order; and

(b) for the purpose of disapplying a prohibition in that relevant country that corresponds to the Jersey prohibition.

(3) If an act that is neither in Jersey nor in a relevant country would, in the absence of this paragraph, contravene a Jersey prohibition, the Jersey prohibition is not

contravened if the act is authorised by a licence or other authorisation that is granted –

(a) under the Sanctions and Anti-Money Laundering Act 2018 of the UK, in exercise of a power that corresponds to a power to grant a licence under the Law or this Order; and

(b) for the purpose of disapplying a prohibition in that Act that corresponds to the Jersey prohibition.

(4) Nothing in this paragraph affects the application of a Jersey prohibition if it would be incompatible with a UN sanctions resolution for the Jersey prohibition not to apply.

4 Enforcement in relation to ships in Jersey waters

If a provision of a UK sanctions instrument confers or relates to a function falling within Article 7(5) of the Law, that provision does not have effect under Article 2 to the extent that the function may be exercised under Article 7(2) of the Law.

5 Application to corresponding relevant financial institutions and trust company business

(1) Sub-paragraph (2) applies to any obligation or prohibition that is imposed by a UK sanctions instrument on a description of UK-defined financial service provider in respect of –

(a) that provider's dealings with the finances of another person; or

(b) the provision, by that provider to or with another person, of a relevant service.

(2) The obligation or prohibition, as it has effect in Jersey, applies to –

(a) a relevant financial institution that provides a service corresponding to the relevant service in respect of which the obligation or prohibition is imposed; and

(b) any other person carrying on relevant trust company business.

(3) For the purpose of sub-paragraphs (1) and (2) –

(a) a person carries on relevant trust company business if the person –

(i) falls within Article 4(3) of the Law, and

(ii) carries on trust company business within the meaning of the Financial Services (Jersey) Law 1998, for which the person is required by Article 7 of that Law to be a registered person;

(b) a person is a UK-defined financial service provider if the person –

(i) has permission under Part 4A of the Financial Services and Markets Act 2000 of the UK to carry on regulated activities,

(ii) is otherwise a "relevant firm", or "UK credit or financial institution", within the meaning of the UK sanctions instrument, or

(iii) carries on any other description of business specified in the UK sanctions instrument, being business that would, if carried on in Jersey, be financial services business within the meaning of the Proceeds of Crime (Jersey) Law 1999; and

(c) a service is a relevant service if –

(i) the person who provides it does so by way of business, and

(ii) that business is the business by virtue of which the person is a UK-defined financial service provider.

(4) Sub-paragraph (5) applies if the UK sanctions instrument –

(a) contains –

(i) a requirement to freeze the funds or economic resources (within the meaning of that UK sanctions instrument) of a person, or not to make such funds or economic resources available to a person, and

(ii) an exception (whether general or by way of licence or otherwise) to that requirement;

(b) imposes the requirement –

(i) on all persons generally, or

(ii) on a description of persons that includes both UK-defined financial service providers and persons falling within sub-paragraph (6), whether or not also including other persons of any description; and

(c) makes the exception available only to UK-defined financial service providers who do not carry on business corresponding to trust company business within the meaning of the Financial Services (Jersey) Law 1998.

(5) The exception is to be read, as it has effect in Jersey, as applying to a person falling within sub-paragraph (6) in addition to any relevant financial institution to which it otherwise applies.

(6) A person falls within this sub-paragraph if the person –

(a) is a registered person, within the meaning of the Financial Services (Jersey) Law 1998;

(b) carries on trust company business within the meaning of that Law; and

(c) is not a relevant financial institution to which the exception would otherwise apply.

6 Information

If a provision of a UK sanctions instrument requires or permits a person to provide information, or prohibits a person from disclosing information, that provision does not have effect under Article 2 to the extent that the provision –

(a) relates to disclosure of information to which Article 6 applies; or

(b) is equivalent to any other provision of this Order or of Part 6 of the Law.

7 Immigration

(1) This paragraph applies to a person who is designated by or under a UK sanctions instrument for the purpose of a provision of that instrument that makes the person an excluded person for the purposes of section 8B of the Immigration Act 1971 of the UK as that section has effect in the UK.

(2) A person to whom this paragraph applies is to be treated as an excluded person for the purposes of section 8B of the Immigration Act 1971 of the UK, as extended to Jersey with modifications by the Immigration (Jersey) Order 2021.

(3) Section 8B of the Immigration Act 1971 of the UK, as extended to Jersey with modifications by the Immigration (Jersey) Order 2021, is subject to any exception provided by or under the UK sanctions instrument in relation to that section as it has effect in the UK.

SCHEDULE 3[28]

(Article 2(c))

SPECIAL PROVISIONS

A1 Republic of Belarus (Sanctions) (EU Exit) Regulations 2019: shipping and aircraft, and general licences

(1) In relation to the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019 (the "UK Belarus Regulations") –

(a)

(b) for the purpose of regulation 29A(A1), the persons who commit the offence in Article 4(1)(a) of contravening regulation 29A(A1) are the operator and pilot in command of the aircraft;

(c) for the purpose of regulation 29I(8) the reference to section 284(1), (2), (2A), (2B), (3) and (8) of the Merchant Shipping Act 1995 is to be read as to Article 177(1), (3) and (4) of the Shipping (Jersey) Law 2002, with the references to section 284(2A) corresponding to Article 177(3)(b) and section 284(1A)(a) to Article 177(2)(a);

(d) for the purpose of regulation 29J(3)(c) the reference to section 17(11) of the Merchant Shipping Act 1995 is to be read as to Article 20(10) of the Shipping (Jersey) Law 2002;

(e) regulations 56A and 56B do not have effect under Article 2; and

(f) a reference to OFCOM is to be read as a reference to the Minister.

(2) A general licence granted in the UK under the UK Belarus Regulations (a "UK Belarus general licence") has effect in Jersey in the same manner as a general licence granted by the Minister under Article 5 of this Order or Article 16 of the Law.

(3) If a UK Belarus general licence that has effect under sub-paragraph (2) is subject in the UK to a condition imposed under the UK Belarus Regulations, that condition has effect in Jersey in the same manner as a condition imposed by the Minister on a general licence under Article 5(2) of this Order and Article 16(3)(c) of the Law.

(4) Sub-paragraphs (2) and (3) apply –

(a) subject to any modification necessary for the licence or condition to have effect in Jersey;

(b) despite Article 3(3A), Article 5(2) and paragraph 1(1) of Schedule 2; and

(c) except to the extent that the Minister –

(i) grants a general licence under Article 5 of this Order or Article 16 of the Law in which a provision of the UK Belarus general licence is expressly modified or disapplied, or

(ii) publicises a notice that disapplies the UK Belarus general licence, by taking steps equivalent to those required by Article 16(5)(b) of the Law for revocation of a general licence granted by the Minister.

1 Democratic People's Republic of Korea (Sanctions) (EU Exit) Regulations 2019: designations, directions and shipping legislation

In relation to the Democratic People's Republic of Korea (Sanctions) (EU Exit) Regulations 2019 –

(a) for the purpose of column 4 of the table in Schedule 1 to this Order, regulations 5 and 10 are to be treated as if they defined "designated person" as a person designated by or under either of those regulations for the purposes of regulations 13 to 17;

(b) for the purpose of regulation 65(1), the persons who commit the offence in Article 4(1)(a) of contravening regulation 65(1) are the operator and pilot in command of the aircraft; and

(c) for the purpose of regulation 75(7) the reference to section 284(1), (2), (2A), (2B), (3) and (8) of the Merchant Shipping Act 1995 is to be read as to Article 177(1), (3) and (4) of the Shipping (Jersey) Law 2002, with the references to section 284(2A) corresponding to Article 177(3)(b) and section 284(1A)(a) to Article 177(2)(a).

1A Iran (Sanctions) Regulations 2023: shipping

In relation to the Iran (Sanctions) Regulations 2023 –

(a) for the purpose of regulation 49(8) the reference to section 284(1), (2), (2A), (2B), (3) and (8) of the Merchant Shipping Act 1995 is to be read as to Article 177(1), (3) and (4) of the Shipping (Jersey) Law 2002, with the references to section 284(2A) corresponding to Article 177(3)(b) and section 284(1A)(a) to Article 177(2)(a);

(b) for the purpose of regulation 54(1)(b) the reference to section 17(11) of the Merchant Shipping Act 1995 is to be read as to Article 20(10) of the Shipping (Jersey) Law 2002.

2 Iraq (Sanctions) (EU Exit) Regulations 2020: modification of application of Part 3 of Law for partial asset-freeze

In relation to a designated person as defined in regulation 6(1) of the Iraq (Sanctions) (EU Exit) Regulations 2020, the effect of Article 3 of this Order is modified so that for the purpose of the application of Part 3 of the Law –

(a) Article 10 of the Law applies only in relation to relevant funds or economic resources, as defined by regulation 8(4); and

(b) Articles 11 to 14 of the Law apply do not apply.

3 Libya (Sanctions) (EU Exit) Regulations 2020: modification of application of Part 3 of Law for partial asset-freeze

In relation to a designated person as defined in regulation 17 of the Libya (Sanctions) (EU Exit) Regulations 2020, the effect of Article 3 of this Order is modified so that for the purpose of the application of Part 3 of the Law –

(a) Article 10 of the Law applies only in relation to relevant funds or economic resources, as defined by regulation 18(4);

(b) Articles 11 and 12 of the Law apply only in relation to relevant funds, as defined by regulation 19(4); and

(c) Articles 13 and 14 of the Law do not apply.

4 Russia (Sanctions) (EU Exit) Regulations 2019: shipping and aircraft, and general licences

(1) In relation to the Russia (Sanctions) (EU Exit) Regulations 2019 (the "UK Russia Regulations") –

(a) a Crimean ports direction, a Donetsk ports direction or a Kherson and Zaporizhzhia ports direction, given by the Secretary of State under regulation 57, has effect in Jersey as if it was given by the Minister, and paragraph 1(1) of Schedule 2 does not apply to the power to make that direction;

(aa)

(b) for the purpose of regulation 57D(8) the reference to section 284(1), (2), (2A), (2B), (3) and (8) of the Merchant Shipping Act 1995 is to be read as to Article 177(1), (3) and (4) of the Shipping (Jersey) Law 2002, with the references to section 284(2A) corresponding to Article 177(3)(b) and section 284(1A)(a) to Article 177(2)(a);

(c) for the purpose of regulation 57E(3)(c) the reference to section 17(11) of the Merchant Shipping Act 1995 is to be read as to Article 20(10) of the Shipping (Jersey) Law 2002;

(d) for the purpose of regulation 57J(1), the persons who commit the offence in Article 4(1)(a) of contravening regulation 57J(1) are the operator and pilot in command of the aircraft;

(e) regulations 88A and 88B do not have effect under Article 2; and

(f) a reference to OFCOM is to be read as a reference to the Minister.

(2) A general licence granted in the UK under the UK Russia Regulations (a "UK Russia general licence") has effect in Jersey in the same manner as a general licence granted by the Minister under Article 5 of this Order or Article 16 of the Law.

(3) If a UK Russia general licence that has effect under sub-paragraph (2) is subject in the UK to a condition imposed under the UK Russia Regulations, that condition has effect in Jersey in the same manner as a condition imposed by the Minister on a general licence under Article 5(2) of this Order and Article 16(3)(c) of the Law.

(4) Sub-paragraphs (2) and (3) apply –

(a) subject to any modification necessary for the licence or condition to have effect in Jersey;

(b)

(c) despite Article 3(3A), Article 5(2) and paragraph 1(1) of Schedule 2; and

(d) except to the extent that the Minister –

(i) grants a general licence under Article 5 of this Order or Article 16 of the Law in which a provision of the UK Russia general licence is expressly modified or disapplied, or

(ii) publicises a notice that disapplies the UK Russia general licence, by taking steps equivalent to those required by Article 16(5)(b) of the Law for revocation of a general licence granted by the Minister.

5 Finance reporting obligations

In the UK sanctions instruments in the first column of the following table, the provisions listed in the second column are to be read as if –

(a) for "30th November" there were substituted "31 March"; and

(b) for "30th September" there were substituted "31 December".

UK sanctions instrument	Provisions
The Afghanistan (Sanctions) (EU Exit) Regulations 2020	regulation 30(4A) and (4B)
The Global Anti-Corruption Sanctions Regulations 2021	regulation 24(4A) and (4B)
The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019	regulation 38(4A) and (4B)
The Bosnia and Herzegovina (Sanctions) (EU Exit) Regulations 2020	regulation 24(4A) and (4B)
The Central African Republic (Sanctions) (EU Exit) Regulations 2020	regulation 39(4A) and (4B)
The Chemical Weapons (Sanctions) (EU Exit) Regulations 2019	regulation 24(4A) and (4B)
The Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019	regulation 34(4A) and (4B)
The Counter-Terrorism (Sanctions) (EU Exit) Regulations 2019	regulation 21(4A) and (4B)
The Cyber (Sanctions) (EU Exit) Regulations 2020	regulation 23(4A) and (4B)
The Democratic People's Republic of Korea (Sanctions) (EU Exit) Regulations 2019	regulation 99(4A) and (4B)
The Democratic Republic of the Congo (Sanctions) (EU Exit) Regulations 2019	regulation 39(4A) and (4B)
The Unauthorised Drilling Activities in the Eastern Mediterranean (Sanctions) (EU Exit) Regulations 2020	regulation 24(4A) and (4B)
The Global Human Rights Sanctions Regulations 2020	regulation 25(4A) and (4B)
The Global Irregular Migration and Trafficking in Persons Sanctions Regulations 2025	regulation 33(5) and (6)
The Guinea (Sanctions) (EU Exit) Regulations 2019	regulation 23(4A) and (4B)

UK sanctions instrument	Provisions
The Republic of Guinea-Bissau (Sanctions) (EU Exit) Regulations 2019	regulation 24(4A) and (4B)
The Haiti (Sanctions) Regulations 2022	regulation 31(4A) and (4B)
The Iran (Sanctions) (Nuclear) (EU Exit) Regulations 2019	regulation 46(4A) and (4B)
The Iran (Sanctions) Regulations 2023	regulation 68(4A) and (4B)
The Iraq (Sanctions) (EU Exit) Regulations 2020	regulation 40(4A) and (4B)
The ISIL (Da'esh) and Al-Qaida (United Nations Sanctions) (EU Exit) Regulations 2019	regulation 31(4A) and (4B)
The Lebanon (Sanctions) (Assassination of Rafiq Hariri and others) (EU Exit) Regulations 2020	regulation 18(4A) and (4B)
The Libya (Sanctions) (EU Exit) Regulations 2020	regulation 56(4A) and (4B)
The Mali (Sanctions) (EU Exit) Regulations 2020	regulation 25(4A) and (4B)
The Myanmar (Sanctions) Regulations 2021	regulation 50(4A) and (4B)
The Nicaragua (Sanctions) (EU Exit) Regulations 2020	regulation 23(4A) and (4B)
The Russia (Sanctions) (EU Exit) Regulations 2019	regulation 70(1ZB), (4A) and (4B)
The Somalia (Sanctions) (EU Exit) Regulations 2020	regulation 53(4A) and (4B)
The South Sudan (Sanctions) (EU Exit) Regulations 2019	regulation 39(4A) and (4B)
The Sudan (Sanctions) (EU Exit) Regulations 2020	regulation 40(4A) and (4B)
The Syria (Sanctions) (EU Exit) Regulations 2019	regulation 69(4A) and (4B)
The Venezuela (Sanctions) (EU Exit) Regulations 2019	regulation 41(4A) and (4B)
The Yemen (Sanctions) (EU Exit) (No. 2) Regulations 2020	regulation 39(4A) and (4B)
The Zimbabwe (Sanctions) (EU Exit) Regulations 2019	regulation 39(4A) and (4B)

6 Trade, Aircraft and Shipping Sanctions (Civil Enforcement) Regulations 2024

The following provisions of the Trade, Aircraft and Shipping (Civil Enforcement) Regulations 2024 do not have effect under Article 2 –

(a) Part 2 (enforcement);

(b) regulations 21 to 28 (information offences regime and disclosure of information by or to the Secretary of State);

(c) regulation 29 (supplementary), to the extent that it relates to regulations 27 or 28;

(d) Part 4 (miscellaneous).

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Jersey) Order 2021	R&O.11/2021	12 February 2021
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Amendment – Corruption) (Jersey) Order 2021	R&O.55/2021	27 April 2021
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Amendment – Myanmar) (Jersey) Order 2021	R&O.61/2021	30 April 2021
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Amendment – Belarus) (Jersey) Order 2021	R&O.104/2021	12 August 2021
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Amendment – Burundi) (Jersey) Order 2021	R&O.152/2021	14 December 2021
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Amendment – Russia) (Jersey) Order 2022	R&O.22/2022	2 March 2022
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Russia – Amendment No. 2) (Jersey) Order 2022	R&O.28/2022	4 March 2022
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Russia – Amendment No. 3) (Jersey) Order 2022	R&O.31/2022	10 March 2022
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Russia – Amendment No. 4) (Jersey) Order 2022	R&O.42/2022	1 April 2022
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Russia – Amendment No. 5) (Jersey) Order 2022	R&O.49/2022	20 April 2022
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Russia – Amendment No. 6) (Jersey) Order 2022	R&O.63/2022	4 May 2022

Legislation	Year and No	Commencement
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Russia – Amendment No. 7) (Jersey) Order 2022	R&O.76/2022	23 June 2022
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Belarus – Amendment No. 2) (Jersey) Order 2022	R&O.77/2022	6 July 2022
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Russia – Amendment No. 8) (Jersey) Order 2022	R&O.78/2022	16 July 2022
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Russia – Amendment No. 9) (Jersey) Order 2022	R&O.79/2022	19 July 2022
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Russia – Amendment No. 10) (Jersey) Order 2022	R&O.80/2022	21 July 2022
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Exceptions and Licences – Amendment) (Jersey) Order 2022	R&O.82/2022	26 July 2022
Sanctions and Asset-Freezing (Amendment – Automatic Implementation of UK Sanctions on Russia) (Jersey) Order 2022	R&O.90/2022	29 September 2022
Sanctions and Asset-Freezing (Amendment – Haiti and Miscellaneous) (Jersey) Order 2022	R&O.111/2022	16 December 2022 (except Article 3) 28 December 2022 (Article 3)
Sanctions and Asset-Freezing (Amendment of Law and Order) (Jersey) Order 2023	R&O.24/2023	30 March 2023
Sanctions and Asset-Freezing (Automatic Implementation of UK Sanctions on Belarus) (Jersey) Order 2023	R&O.41/2023	10 June 2023
Sanctions and Asset-Freezing (Amendment – Automatic Implementation of Ports Directions) (Jersey) Order 2023	R&O.53/2023	1 July 2023
Sanctions and Asset-Freezing (Amendment of Law and Order No. 2) (Jersey) Order 2023	R&O.73/2023	18 September 2023

Legislation	Year and No	Commencement
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Iran – Amendment) (Jersey) Order 2023	R&O.119/2023	14 December 2023
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Jersey) Amendment Order 2024	R&O.74/2024	5 December 2024
Sanctions and Asset-Freezing (Implementation of External Sanctions – Director Disqualification) (Jersey) Amendment Order 2025	R&O.9/2025	27 February 2025
Sanctions and Asset-Freezing (Implementation of External Sanctions – Syria) (Jersey) Amendment Order 2025	R&O.25/2025	25 April 2025
Sanctions and Asset-Freezing (Implementation of Global Irregular Migration and Trafficking) (Jersey) Amendment Order 2025	R&O.43/2025	23 July 2025
Sanctions and Asset-Freezing (Automatic Implementation of UK Sanctions) (Jersey) Amendment Order 2025	R&O.89/2025	5 December 2025
Sanctions and Asset-Freezing (Trade, Aircraft and Shipping Sanctions) (Jersey) Amendment Order 2026	R&O.52/2026	3 April 2026

◦Projets available at statesassembly.gov.je

Table of Endnote References

[1] *Article 1(2)* — *amended by R&O.55/2021, R&O.111/2022*
[2] *Article 2* — *amended by R&O.82/2022*
[3] *Article 3* — *heading amended by R&O.82/2022*
[4] *Article 3(2)* — *amended by R&O.82/2022*
[5] *Article 3(3)* — *substituted by R&O.82/2022*
[6] *Article 3(3A)* — *inserted by R&O.82/2022*
[7] *Article 3(3B)* — *inserted by R&O.82/2022*
[8] *Article 3(3C)* — *inserted by R&O.82/2022*
[9] *Article 3(3D)* — *inserted by R&O.82/2022, editorial change, "Article 3(10)(a) and (b)" deleted, "Article 3(8)(a) and (b)" inserted instead*
[10] *Article 4(1)* — *amended by R&O.90/2022, R&O.89/2025*
[11] *Article 4(1A)* — *inserted by R&O.89/2025*
[12] *Article 4(1B)* — *inserted by R&O.89/2025*
[13] *Article 4(2)* — *amended by R&O.90/2022, R&O.73/2023*
[14] *Article 5(1)* — *substituted by R&O.24/2023*
[15] *Article 5(1A)* — *inserted by R&O.24/2023*
[16] *Article 5(2)* — *amended by R&O.90/2022, substituted by R&O.24/2023*
[17] *Article 5(2A)* — *inserted by R&O.24/2023*
[18] *Article 5(3)* — *amended by R&O.90/2022, R&O.24/2023*

[19] *Article 5(5)*	*amended by R&O.90/2022, R&O.73/2023*
[20] *Article 5(5A)*	*inserted by R&O.9/2025*
[21] *Article 5(6)*	*inserted by R&O.24/2023*
[22] *Article 5A*	*inserted by R&O.9/2025*
[23] *Article 5B*	*inserted by R&O.9/2025*
[24] *Article 5C*	*inserted by R&O.9/2025*
[25] *Article 9*	*spent, omitted*
[26] *Schedule 1*	*amended by R&O.55/2021, R&O.61/2021, R&O.104/2021, R&O.152/2021, R&O.22/2022, R&O.28/2022, R&O.31/2022, R&O.42/2022, R&O.49/2022, R&O.63/2022, R&O.76/2022, R&O.77/2022, R&O.78/2022, R&O.79/2022, R&O.80/2022, R&O.90/2022, R&O.111/2022, R&O.41/2023, R&O.73/2023, R&O.119/2023, R&O.74/2024, R&O.25/2025, R&O.43/2025, R&O.89/2025, R&O.52/2026*
[27] *Schedule 2*	*amended by R&O.111/2022, R&O.24/2023, R&O.43/2025*
[28] *Schedule 3*	*amended by R&O.28/2022, R&O.31/2022, R&O.63/2022, R&O.77/2022, R&O.90/2022, R&O.41/2023, R&O.53/2023, R&O.73/2023, R&O.119/2023, R&O.25/2025, R&O.89/2025, R&O.52/2026*