

Zimbabwe Sanctions Guidance

MAY 2024



Isle of Man
Government

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1. Prohibitions and requirements imposed by the Regulations

This guidance is provided in relation to the Zimbabwe (Sanctions) (EU Exit) Regulations 2019 (the “Regulations”). These Regulations have effect in the Island by the Sanctions (Implementation of UK Sanctions) Regulations 2024, made under the Sanctions Act 2024.

These Regulations impose financial, trade and immigration sanctions for the purposes of encouraging the Government of Zimbabwe to respect democratic principles and institutions, refrain from actions, policies or activities which repress civil society in Zimbabwe and to comply with international human rights law and respect for human rights.

In order to achieve their stated purposes, the Regulations impose a number of prohibitions and requirements. In order to enforce these, the Regulations establish penalties and offences. These are set out in detail in the Annex.

The sanctions imposed by these Regulations apply within the territory of the Isle of Man (IOM) and in relation to the conducts of all Island persons wherever they are in the world. Island person includes -

- (a) a British citizen, a British overseas territories citizen, a British National (Overseas) or a British overseas citizen who is resident in the Isle of Man;
- (b) a person who under the British Nationality Act 1981 (of Parliament)¹ is a British subject who is resident in the Isle of Man;
- (c) a British protected person within the meaning of that Act who is resident in the Isle of Man; or
- (d) a body incorporated under the law of the Isle of Man.

The maritime enforcement powers contained in Part 9 of the Regulations apply in relation to Manx ships in international or foreign waters, ships without nationality in international waters and foreign ships in international waters.

It is prohibited to intentionally participate in any activities if you know that the object or effect of them is to directly or indirectly circumvent the prohibitions imposed by these Regulations or to enable or facilitate the contravention of those prohibitions.

If you are unclear about any aspects of the Regulations, in particular about whether action you are considering taking could contravene these Regulations, you are advised to seek independent legal advice.

Prohibitions and requirements for the financial, trade and immigration sanctions contained in these Regulations are set out below.

1.1 Designation of persons

Where the UK Secretary of State has designated a person, that designation also has effect in the Isle of Man from the same time, and any variation or revocation of the designation will also have effect in the Island.

The [UK Sanctions List](#) lists the people designated under the Regulations, and details of the sanctions in respect of which they have been designated.

¹ 1981 Chapter 61.

1.2 Financial sanctions

Asset Freeze

The Regulations impose financial sanctions through a targeted asset freeze on designated persons and prohibitions on making funds or economic resources available. This involves the freezing of funds and economic resources (non-monetary assets, such as property or vehicles) of designated persons and ensuring that funds and economic resources are not made available to, or for the benefit of, designated persons or entities, either directly or indirectly.

1.3 Trade Sanctions

The Regulations impose trade prohibitions relating to:

- military goods and military technology (as specified in [Schedule 2 to the Export Control Order 2008](#))
- goods and technology which might be used for internal repression in Zimbabwe (as specified in Schedule 2 to the Regulations)
- military-related services to or for the benefit of the Zimbabwe Defence Forces, or any person acting on its behalf or under its direction.

There are circumstances (set out in the relevant lists of controlled items) in which certain items are not controlled, for example when body armour or a helmet is accompanying a person for that person's own protection. Please check the relevant lists as applicable.

Further detail on these trade prohibitions, including key terminology used, is explained below. Please have regard to the relevant legislation which contains full definitions of terms used here.

Export of goods

The concept of "export" is set out in customs legislation, but is further detailed in the Regulations, which clarifies that "export" means export from the Isle of Man, but does not capture where goods are removed to the United Kingdom from the Isle of Man.

The export prohibition in the Regulations covers export to Zimbabwe as well as exports that are for use in Zimbabwe. This means that, even if the immediate destination is not Zimbabwe, the prohibition may still apply. Exporters should check the ultimate end use of goods and may apply for a licence or contact the [Export Control Joint Unit](#) (ECJU) if you know or think the items may be used in Zimbabwe.

For general guidance on export controls and trade sanctions, visit the [Export Control Joint Unit](#) website (the Isle of Man imposes the same export and trade controls as the UK).

Supply and delivery of goods

Supply and delivery prohibitions in the Regulations prohibit a person from directly or indirectly supplying or delivering goods from a third country to a place in Zimbabwe. Regulation 22 specifies that for the purposes of this regulation a third country is a country that is not the UK, Isle of Man or Zimbabwe.

Making goods and technology available

Prohibitions in the Regulations on making restricted goods or technology available (e.g. through a sale) include directly or indirectly making them available for use in Zimbabwe or to a "person connected with Zimbabwe". Regulation 20(4) sets out when a person is to be regarded as "connected with" Zimbabwe (and this applies where the term is used in other trade prohibitions in this Part of the Regulations).

Transfer of technology

Prohibitions in the Regulations on the transfer of restricted technology include transfer to a place in Zimbabwe or a person “connected with” Zimbabwe.

The term ‘transfer’ means a transfer by any means (or combination of means), including oral communication and that transfer of goods on which the technology is recorded or from which it can be derived, other than the export of such goods.

Where restricted technology is contained within a good, it would be classified as a restricted good under the accompanying goods-related provisions. This includes information contained on USB memory devices, laptops, tablets and the like.

Technical assistance

The term “technical assistance” in relation to goods or technology is defined in regulation 20, which states that it means:

- technical support relating to the repair, development, production, assembly, testing, use or maintenance of the goods or technology, or
- any other technical service relating to the goods or technology.

Prohibitions apply where the technical assistance relates to certain specified goods or technology.

The prohibitions apply to the direct or indirect provision of such technical assistance -

- to persons “connected with” Zimbabwe or
- for use in Zimbabwe.

This means that, even if the person to whom you are providing the relevant technical assistance, is not in or “connected with” Zimbabwe, the prohibition may still apply if the goods or technology to which the technical assistance relates are for use in Zimbabwe. Therefore, if you are providing technical assistance you should check whether the goods or technology may be used in Zimbabwe and apply for a licence or contact ECJU if so.

Financial services and funds related to goods and technology

‘Financial services’ refer to any services of a financial nature in many different forms including insurance and banking. Financial services include payment and money transmission services. The full definition of ‘financial services’ can be found in the [Section 61 of SAMLA](#).

‘Funds’ means financial assets and benefits of every kind, including cash, securities and interest. The full definition of ‘funds’ can be found in the [Section 60 of SAMLA](#).

Trade sanctions prohibitions on the provision of financial services and funds apply where they relate to certain specified goods or technology.

The prohibitions in the Regulations apply to the direct or indirect provision of financial services, and the direct or indirect making available of funds to persons connected with Zimbabwe in pursuance of or in connection with an arrangement set out in the Regulations. This captures arrangements where the object or effect falls into one of the prohibitions, for example the export of goods or direct or indirect supply or delivery of goods.

These prohibitions also prohibit the direct or indirect provision of financial services or funds in pursuance of or in connection with specific arrangements as set out in regulation 26(3).

Brokering services

The definition of 'brokering services' is set out in regulation 20, which states that it means any service to secure, or otherwise in relation to, an arrangement, including (but not limited to):

- the selection or introduction of persons as parties or potential parties to the arrangement
- the negotiation of the arrangement
- the facilitation of anything that enables the arrangement to be entered into, and
- the provision of any assistance that in any way promotes or facilitates the arrangement.

The Regulations prohibit the direct or indirect provision of brokering services where they relate to specific arrangements. Those arrangements are set out in regulation 27.

Other service provisions

Certain other services are prohibited in the Regulations. This includes the direct or indirect provision of certain "military-related services" to or for the benefit of, the Zimbabwe Defence Forces or to any person acting on its behalf or under its direction.

The definition of a 'military-related service' as set out in regulation 28 means any of the following services to the extent that they relate to military activities of the recipient in Zimbabwe:

- (a) the provision of technical assistance,
- (b) the provision of armed military personnel,
- (c) the provision of financial services or funds, or
- (d) the provision of brokering services in relation to an arrangement whose object or effect is to provide, in a non-IOM country any of the services mentioned in paragraphs (a) - (c).

For general guidance on export controls and trade sanctions, visit the [Export Control Joint Unit](#) website (the Isle of Man imposes the same export and trade controls as the UK).

1.4 Immigration Statistics

The effect of the Regulations is to impose a travel ban on persons who are designated by the UK Secretary of State for the purposes of being made subject to immigration sanctions under the Sanctions Act. Such persons are excluded persons for the purposes of section 8B of the Immigration Act 1971 (as that has effect in the Isle of Man).

This means that those individuals will be refused leave to enter or remain in the UK/IOM. Any applications they make for a visa to travel to the UK/IOM, including for transit purposes, will be refused. Any foreign national who is subject to a travel ban under the Regulations, and who is currently in the UK/IOM, will have their permission to stay in the UK/IOM cancelled and steps will be taken to remove them.

If you are the subject of an immigration sanction and try to travel to the UK/IOM, carriers are required to deny you boarding.

2 Information and Record Keeping

Part 7 of the Regulations places obligations on relevant firms (the definition of which is set out in the Regulations) to report information to the Treasury about known or suspected designated

persons or about persons who may have committed an offence under specified provisions of these Regulations.

Reports must be made to the Financial Intelligence Unit (FIU), via [THEMIS](#).

It also grants powers to the Treasury to request information from, amongst others, a designated person, including powers to request the production of documents. It also establishes offences for failing to comply with these requests (including providing false information in respect of Treasury licences).

If you have obligations or responsibilities under Part 7 of these Regulations, it is important that you familiarise yourself with them. If you are unclear of your obligations or responsibilities, you are advised to seek independent legal advice.

3. How will these sanctions be enforced?

The Regulations make it a criminal offence to contravene the financial sanctions, as well as to enable or facilitate a contravention of, or to circumvent, any of the prohibitions in these Regulations. They also prescribe the mode of trial and penalties that apply to such offences.

In addition to the below, further details on offences and penalties can be found in the Annex.

3.1 Financial Sanctions

Breaches of financial sanctions are a serious criminal offence. Any breach of the main financial prohibitions in the Regulations is an offence that is triable either way and carries a maximum sentence on indictment of 7 years' imprisonment or a fine (or both).

Offences under regulations 39(6) or 43 (information offences in connection with financial sanctions under the Regulations) carry a maximum sentence of 6 months' imprisonment or a fine (or both).

The Treasury is responsible for monitoring compliance with financial sanctions and investigating suspected breaches.

The Treasury works with other parts of government, supervisory bodies and regulators to consider all cases reported to it, sharing relevant information accordingly.

If you find out that a person or organisation you are dealing with is subject to the financial sanctions detailed in the Regulations –

1. you must freeze the assets **immediately** upon identification
2. you must review the information you hold for that person against the UK Sanctions List to ensure you do not have a false positive identification
3. do not deal with those assets or make them available to, or for the benefit of the designated person unless –
 - o you have a legal exemption
 - o you have a licence
4. you must report the frozen assets to the Financial Intelligence Unit ("FIU").

More detailed information on the Treasury's approach to compliance and enforcement can be found in the Guidance section of the sanctions website.

3.2 Trade Sanctions

Any breach of the prohibitions relating to the trade sanctions contained in the Regulations is triable either way and carries a maximum sentence of 10 years' imprisonment or a fine (or both). Any breach of the trade licensing provisions is also triable either way and carries a maximum sentence on indictment of 2 years' imprisonment or a fine (or both).

The Treasury is responsible for enforcing the trade prohibitions and investigating suspected offences.

If you discover that you have breached any of the trade prohibitions, you should report the irregularity to the FIU as soon as possible.

You should provide:

- details of the export or transaction, including dates
- any relevant documents, such as export documentation and commercial invoices
- details of how the breach was discovered, why it occurred and what steps you have put in place to ensure it does not happen again.

4. Are there circumstances when I can get an authorisation or licence for a sanctioned activity?

Licensing and exception provisions are contained in Part 6 of the Regulations.

4.1 Exceptions

The Regulations set out the exceptions to some of the sanctions prohibitions which apply within certain defined circumstances. An exception applies automatically, and does not require you to obtain a licence.

The Regulations establish exceptions relating to financial sanctions including for the crediting of a frozen account, providing that any such interest or other earnings are frozen in accordance with the relevant legislation underpinning the asset freeze. An exception also exists from the prohibition on making funds available when funds are transferred to a relevant institution for crediting to an account held or controlled by a designated person in discharge (or partial discharge) of an obligation which arose before the recipient became a designated person.

Regulation 31A establishes an exception to regulations 11 to 15 and Chapters 2 and 3 of Part 5 (Trade) which provides that prohibitions are not contravened if conduct is authorised by a licence which is issued under the law of the United Kingdom, the Channel Islands or any British Overseas Territory for the purpose of disapplying a prohibition in that jurisdiction which corresponds to the relevant prohibition.

The Regulations also include an exception in relation to any prohibition or requirement imposed by these Regulations for acts done for the purposes of national security or prevention of serious crime.

These exceptions do not apply to all prohibitions. If you are unsure whether an exception applies in your circumstances, you are advised to seek independent legal advice.

4.2 Licensing for financial sanctions

Where a person has been designated for the purposes of financial sanctions and had their assets frozen, the designated person or a representative may apply for a licence from the Treasury in order to be able to use their funds or economic resources (non-monetary assets, such as property or vehicles). Schedule 3 to the Regulations sets out the purposes pursuant

to which, or for which activities, the Treasury may grant an individual licence. In summary these are:

- basic needs
- reasonable legal fees or reasonable expenses associated with the provision of legal services
- reasonable fees for the routine holding or maintenance of frozen funds and economic resources
- extraordinary expenses
- pre-existing judicial decisions etc.
- prior obligations
- diplomatic missions
- extraordinary situations

More detailed information on the Treasury's approach to exemptions and licensing grounds can be found in the Guidance section of the sanctions website.

4.3 Licensing for trade sanctions

Licences may also be issued for certain trade activities that would otherwise be prohibited by the Regulations.

The Treasury is responsible for administering the licensing provisions for all trade sanctions. In exercising these powers, the Treasury seeks and considers advice from other Isle of Man and United Kingdom government departments.

In making decisions on whether to grant a licence to permit something which would otherwise be prohibited under Part 5 of the Regulations, the Treasury will consider each application on a case-by-case basis to determine whether granting a licence would be consistent with the stated purposes of the sanctions regime and any UN or other relevant international law obligations.

For some prohibitions there are some specific activities which the UK's Department for International Trade considers are likely to be consistent with the aims of the sanctions. These can be found [here](#) (section 3.3). If you think that your proposed activity falls within one of these specific descriptions, you should make this clear and explain why you believe this to be the case in your application for a licence.

You should not assume that a licence will be granted or engage in any activities prohibited by trade sanctions until your licence has been granted.

When you export goods, you may need to submit an electronic export declaration via the National Export System (NES), part of the Customs Handling of Import and Export Freight (CHIEF) system. Guidance is available on [how to make an export declaration](#)

4.4 Overlap with strategic export licensing:

Military goods and technology

Please note that the export of, and other trade in, military goods and military technology are also controlled under the Export Control Order 2008 and so you may also need a licence which is valid under that legislation. This means that all licence applications relating to military goods and technology will also need to be considered against the [strategic export licensing criteria](#). A licence under these Regulations is unlikely to be granted if a licence is refused for the same activity under the Export Control Order 2008.

The way this will work in practice is that the [Export Control Joint Unit](#) will consider an application for a licence which relates to activities that are licensable under both these Regulations and

the Export Control Order 2008 as an application under both pieces of legislation. This means that only a single licence application is required.

The application will be considered against the relevant licensing criteria. If a licence is granted it will be valid under both the Export Control Order 2008 and the Regulations.

Overlap between trade sanctions and financial sanctions

If you import or export goods, you need to consider if financial sanctions apply to you. For instance, where your licensable trade activity may also be making funds or an economic resource available to, or for the benefit of, a designated person. You may need a licence from the Treasury as well as from the UK's [Export Control Joint Unit](#).

4.5 Directions in respect of immigration sanctions

If you are subject to immigration sanctions the Home Office may direct, on a case by case basis, that the sanction does not apply in particular circumstances, such as for travel to, or through, the UK/IOM for a UN sponsored meeting.

5. Further Information

Sign up to receive [Notices to Exporters](#) for updates on trade sanctions.

To receive an email alerting you to any changes to the UK Sanctions List, you can subscribe to the Sanctions and Export Control news feed. Visit the Sanctions and Export Control website for more information on how to do this.

5.3 Contact details for enquiries

Enquiries concerning this Notice may be made by –

- Email sanctions@gov.im
- Telephone 01624 648109

5.4 Privacy Notice

The Treasury collects information about you in order to administer taxation and carry out other functions for which it is responsible (e.g. National Insurance, customs and excise duties, property rates, social security benefits, state pensions and legal aid etc.), and for the detection and prevention of crime.

Whilst that information will primarily be provided by you, where the law allows we may also get information about you from other organisations, or give information about you to them. This may be to check the accuracy of the information provided, prevent or detect crime or protect public funds in other ways. These organisations may include other government departments, the police and other agencies.

To find out more about how we collect and use personal information, contact any of our offices or visit our website at:

<https://www.gov.im/about-the-government/departments/the-treasury/privacy-notice/>

Annex A

Table of financial sanctions offences

Type of Sanctions offences	Specific offence	Relevant prohibition or requirement	Maximum penalty
Breach of financial sanctions	<ol style="list-style-type: none"> 1. Dealing with funds or economic resources owned, held or controlled by a designated person 2. Making funds available directly or indirectly to a designated person 3. Making funds available for the benefit of a designated person 4. Making economic resources available directly or indirectly to a designated person 5. Making economic resources available for benefit of a designated person 	<ol style="list-style-type: none"> 1. Reg. 11 2. Reg. 12 3. Reg. 13 4. Reg. 14 5. Reg. 15 	<p>Liable on summary conviction -</p> <ul style="list-style-type: none"> • to custody for a term not exceeding 12 months, or to a fine not exceeding level 5 on the standard scale, or to both. <p>Liable on conviction on information -</p> <ul style="list-style-type: none"> • to custody for a term not exceeding 7 years or to a fine, or to both.
Circumvention etc. of prohibitions	Circumventing directly or indirectly the prohibitions of regs. 11-15 (Part 3 Finance) or enabling the contravention of prohibitions.	Reg. 16	
Breach of requirements under Treasury licences	<ol style="list-style-type: none"> 1. Knowingly or recklessly providing false information or providing a document that is not what it purports to be for the purpose of obtaining a Treasury licence 2. Failing to comply with the conditions of a Treasury licence 	Reg. 36	
Breach of reporting obligations	<ol style="list-style-type: none"> 1. Failure to inform the Treasury about knowledge or reasonable cause to suspect that a person is a designated person or has committed an offence under Part 3 of the Regulations or regulation 36 (finance: licensing offences). 2. Failure to provide the Treasury with information on which the knowledge or suspicion is based or information by which the person can be identified. 	Reg. 39	<p>Liable on summary conviction -</p> <ul style="list-style-type: none"> • to custody for a term not exceeding 6 months, or to a fine not exceeding level 5 on the standard scale, or to both.

	3. Failure to provide the Treasury with information about any funds or economic resources it holds for a designated person at the time when it first had knowledge or suspicion.		
Failure to comply with requests for information	<ol style="list-style-type: none"> 1. Failure to provide information in the time and manner requested under reg. 41 2. Knowingly and recklessly providing false information in respect of information requested under reg. 41 3. Evasion of requests made under reg. 41 or reg. 42. 4. Obstruction of Treasury requests for information made under reg. 41 or reg. 42. 	Reg. 43	

Annex B

Table of trade sanctions offences

Type of Sanctions offences	Specific offence	Relevant prohibition or requirement	Maximum penalty
Breach of controls on exporting restricted goods	Exporting restricted goods	Reg. 21.	Liable on summary conviction - <ul style="list-style-type: none"> • to a penalty of £5,000 or of three times the value of the goods whichever is the greater, or to custody for a term not exceeding 6 months, or to both. Liable on conviction on information - <ul style="list-style-type: none"> • to a penalty of any amount, or to custody for a term not exceeding 10 years (this a modification to the 7 year maximum set out in the Customs and Excise Management Act 1986)
Breach of controls on restricted goods and technology	<ol style="list-style-type: none"> 1. Supplying or delivering restricted goods. 2. Making restricted goods and technology available. 3. Transferring restricted technology. 4. Providing technical assistance relating to restricted goods and military technology. 5. Providing financial services and funds relating to restricted goods and technology. 6. Providing brokering services relating to restricted goods and technology. 	<ol style="list-style-type: none"> 1. Reg.22 2. Reg.23 3. Reg.24 4. Reg.25 5. Reg.26 6. Reg.27 	Liable on summary conviction - <ul style="list-style-type: none"> • to custody to a term not exceeding 12 months or a fine (or both). Liable on conviction on information - <ul style="list-style-type: none"> • to custody for a term not exceeding 10 years or a fine (or both).
Breach of controls on military –related services	Providing military-related services	Reg.28	

Circumvention etc. of prohibitions	Intentionally participate in activities knowing that the object or effect of them is, whether directly or indirectly to circumvent any of the prohibitions in regs. 21-28 (Trade) or to enable or facilitate the contravention of any such prohibition.	Reg. 29	
Breach of confidential information provision	Disclosure of information specified by the UK Secretary of State as confidential where knowledge or reasonable cause to suspect that the information is to be treated as confidential.	Reg 9	<p> LIABLE ON SUMMARY CONVICTION -</p> <ul style="list-style-type: none"> to custody to a term not exceeding 12 months or a fine (or both).
Licensing offences	<ol style="list-style-type: none"> Knowingly or recklessly: <ol style="list-style-type: none"> Providing information that is false in a material respect, or Providing or producing a document that is not what it purports to be, for the purpose of obtaining a trade licence. Purporting to act under the authority of a trade licence but failing to comply with any condition contained in the licence. 	Reg. 37	<p> LIABLE ON CONVICTION ON INFORMATION -</p> <ul style="list-style-type: none"> to custody for a term not exceeding 2 years or a fine (or both).
Information Offences	<ol style="list-style-type: none"> Failing to comply with record keeping requirements in reg. 45 and 46. <ol style="list-style-type: none"> Intentionally obstructing an official in the performance of any of the official's functions Failing to produce a register, record or document when reasonably required to do so by an official. 	<ol style="list-style-type: none"> Reg. 45 Reg. 46 	