Department for International Trade

General Trade Licence
Russia Sanctions – Financial Services and Funds related to Fertilisers

November 2022

REVOKED 18 DECEMBER 2025

GENERAL TRADE LICENCE

General Trade Licence (Russia Sanctions – Financial Services and Funds related to Fertilisers)
Dated 09 November 2022 granted by the Secretary of State.

The Secretary of State, in exercise of powers conferred by the Russia (Sanctions) (EU Exit) Regulations 2019 ("the Regulations") and in particular Regulation 65 (Trade licences) with reference to Regulation 28 (Financial services and funds relating to restricted goods) and Regulation 46Z1 (Financial services and funds relating to G7 dependency and further goods list goods), hereby grants the following General Trade Licence:

REVOKED 18 DECEMBER 2025

Licence

1. Subject to the exclusions, conditions and requirements set out below, this licence authorises:
   (a) the direct or indirect provision of financial services, as otherwise prohibited by Regulations 28(1)(b) or (c) or 46Z1(1)(b) or (c) of the Regulations, to a person connected with Russia in pursuance of or in connection with an arrangement whose object or effect is:
      1. the direct or indirect supply or delivery of specified fertiliser goods from Russia to a third country;
      2. directly or indirectly making specified fertiliser goods available from Russia to a person in a third country,
   (b) directly or indirectly making funds available, as otherwise prohibited by Regulations 28(2) or 46Z1(2) of the Regulations, to a person connected with Russia in pursuance of or in connection with an arrangement mentioned in paragraph 1(a).

Exclusions

2. This licence does not apply:

   (a) if the specified fertiliser goods are intended for any purpose other than agricultural use;
   (b) if the activity undertaken by the Provider is prohibited by any provision of the Regulations other than Regulations 28(1)(b) or (c),

28(2), 46Z1(1)(b) or (c) or 46Z1(2);

(c) if the Provider has been informed by a competent UK authority, or is aware that the activities will be carried out contrary to the export or import law or regulations of the exporting or importing country;

(d) where the Provider, at the time of act, has been served with a notice which suspends or revokes their ability to use this licence, unless the period of suspension or revocation has expired.

Conditions and Requirements

3. The authorisation in paragraph 1 above is subject to the following conditions:

(a) Within 30 calendar days of the first use of this licence, the Provider must provide details to the Secretary of State of the name and address at which records are kept in relation to this licence through registration of such details on SPIRE: (https://www.spire.trade.gov.uk/spire/fox/espire/LOGIN/login).

(b) The provisions of Regulation 76 (General trade licences: records) of the Regulations apply to any act under the authority of this licence.

(c) In accordance with the applicable legislation, the records required by this licence must be kept for a period of 4 years beyond the end of the calendar year in which the record was created and the Provider must permit them to be inspected and copied by any person authorised by the Secretary of State or the Commissioners.

(d) Without prejudice to Part 9 (Enforcement) of the Regulations, failure to comply with any condition may result in the Provider's use of this licence being revoked or suspended. The Provider will be notified in writing of any such suspension or revocation.

Prohibitions not affected by this Licence

4. Nothing in this licence affects any prohibition or restriction on the provision of financial services or funds under, or by virtue of, any enactment other than a prohibition or restriction in the legislation under which this licence was issued, as set out in the licence itself.

Interpretation

5. For the purpose of this licence:

REVOKED 18 DECEMBER 2025

(1) "Provider" means any legal or natural person including financial institutions or other financial services providers located in or operating from within the UK or which is a United Kingdom person as defined in Regulation 2 of the Regulations operating anywhere in the world engaging in any activity authorised at paragraph 1;

(2) "specified fertiliser goods" means:

(a) ammonium nitrate, including fertilisers and fertiliser blends containing more than 15% by weight ammonium nitrate, except liquid fertilisers (containing any amount of ammonium nitrate) or dry fertilisers containing less than 15% by weight ammonium nitrate, controlled under entry 1C997, as listed in Part 1A of Schedule 2A (Critical-industry goods and critical-industry technology);

(b) Ammonia in aqueous solution controlled under commodity code 2814 20 as listed in Schedule 3E Part 2 (G7 dependency and further goods list goods);

(3) "third country" means a country that is not the United Kingdom, the Isle of Man or Russia;

(4) unless the context otherwise requires, any other expression used in this licence shall have the meaning it bears in the Regulations.

Entry into Force

6. This licence shall come into force on 09 November 2022.

An Official of the Department for International Trade, authorised to act on behalf of the Secretary of State

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Department for International Trade
Export Control Joint Unit
Old Admiralty Building
London
SW1A 2BL
United Kingdom

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