

## UK GLOBAL ANTI-CORRUPTION SANCTIONS REGULATIONS: FACT SHEET

The [UK Global Anti-Corruption Sanctions Regulations](#) were introduced on 26 April 2021 (the ‘GACS Regulations’). They authorise the imposition of **financial and immigration sanctions** against individuals and/or entities involved in **serious corruption**.

### WHAT IS THE PURPOSE OF THE GACS REGULATIONS?

The purpose of the GACS Regulations is to **prevent and combat serious corruption** across the world through the use of **asset freezes and/or travel bans** against individuals and entities. The sanctions which the UK Government can impose under the GACS Regulations can, therefore, be a useful tool for holding perpetrators of serious corruption to account internationally.

CSOs are able to submit information directly to the UK Government concerning specific individuals and/or entities whom they have identified as being involved in serious corruption. The UK Government has published [guidance](#) for CSOs intending to submit such information.

### HOW IS “SERIOUS CORRUPTION” DEFINED UNDER GACS REGULATIONS?

The type of corruption which falls under the GACS Regulations is intentionally narrower than under the US Global Magnitsky regime.

Under the GACS Regulations, corruption is defined as “**bribery**” or “**misappropriation of property**”. Both “bribery” and “misappropriation of property” require the involvement of a **foreign public official** in order for sanctions to be imposed. [Regulation 4](#) provides a more detailed definition for both of these concepts.

### WHAT ARE THE LEGAL TESTS UNDER THE GACS REGULATIONS?

The GACS Regulations require two legal criteria to be met before the UK will impose sanctions:

- (1) There must be **reasonable grounds to suspect** that the person is “involved” in either bribery or misappropriation of property ([Regulation 6\(1\)\(a\)](#))
- (2) The designation of the person must be considered **appropriate** having regard to the purposes of the regime and the likely significant effects of the designation on that person ([Regulation 6\(1\)\(b\)](#))

### WHAT FACTORS DOES THE UK GOVERNMENT CONSIDER WHEN IMPOSING SANCTIONS UNDER GACS REGULATIONS?

The UK Government has published a [policy paper](#) highlighting the key factors relevant to a consideration of designations under the GACS Regulations. These factors include:

- *The UK Government’s anti-corruption policy priorities guided by the [UK’s anti-corruption strategy](#).*
- *The scale, nature and impact of the serious corruption.*
- *The status, connections and activities of the involved person.*
- *Collective international action.*
- *Interaction with law enforcement activities.*
- *The risk of reprisals against journalists, CSOs, human rights defenders or whistle-blowers.*

When preparing recommendations for sanctions for the UK Government, CSOs should take these factors into account.

## UK GLOBAL ANTI-CORRUPTION SANCTIONS REGULATIONS: FACT SHEET

### HOW IS CONFIDENTIAL INFORMATION SUBMITTED TO THE UK GOVERNMENT TREATED?

The UK Government [states](#) that information which should be treated as confidential must be marked clearly as such.

There could be circumstances where the UK Government has to disclose information provided to it in accordance with UK law (for example, under data protection or freedom of information regulations or in the context of litigation). Accordingly, careful consideration should be given to the type of information which is being provided and any risks which may arise if the information is disclosed.

Where possible, it is recommended that CSOs rely on open-source information to reduce some of these risks. It is further recommended that CSOs seek *pro bono* legal advice where possible when submitting confidential information. UKACC and REDRESS are able to assist in obtaining *pro bono* legal support for CSOs wishing to submit information to the UK Government.

### WHO MUST COMPLY WHEN A SANCTIONS DESIGNATION IS MADE?

Following a designation, the GACS Regulations impose restrictions and requirements that **apply within the UK** and to the **conduct of all UK persons** (regardless of where they are located). “UK persons” include British nationals as well as entities incorporated or constituted under UK law.

UK persons are prohibited from intentionally participating in any financial activities in relation to a sanctioned person (including receiving payments or making funds available to the sanctioned person or providing other forms of financial assistance).

It is a **criminal offence** to violate financial sanctions or to enable or facilitate the violation of the sanctions.

### WHERE CAN I FIND FURTHER INFORMATION?

UKACC and REDRESS offer free online workshops to CSOs around the world on how to effectively use the GACS Regulations in their work. For further information on workshops and other support offered by UKACC and REDRESS, please contact Natalie Lucas ([Natalie@redress.org](mailto:Natalie@redress.org)).