

Subsidiary Legislation made under ss. 51A to 51D and 53.

Sanctions Civil Enforcement Regulations 2026

LN.2026/333

Commencement

9.9.2026

ARRANGEMENT OF REGULATIONS

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Sanctions

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Sanctions Civil Enforcement Regulations 2026

In exercise of the powers conferred on the Government by sections 51A to 51D and 53 of the Sanctions Act 2019, the Government has made the following Regulations-

**PART 1
PRELIMINARY**

Title.

1. These Regulations may be cited as the Sanctions Civil Enforcement Regulations 2026.

Commencement.

2. These Regulations come into operation on the day of publication.

Interpretation.

3. In these Regulations-

“the Act” means the Sanctions Act 2019;

“the Authority” means the sanctions civil enforcement authority designated by order of the Chief Minister under section 51A(2) of the Act;

“completed”, in relation to a review or appeal, includes withdrawn;

“enforcement action” means enforcement action under sections 51A to 51C of the Act (including imposing monetary penalties, issuing warnings, making references to professional bodies, regulators and law enforcement agencies, and publishing reports of cases);

“notice of intent” has the meaning given by regulation 5(1); and

“writing” includes writing in electronic form.

**PART 2
PRACTICE AND PROCEDURE**

Investigatory powers

- 4.(1) For the purposes of determining whether to take enforcement action the Authority may gather evidence and take any other preparatory steps.

(2) The provisions of Schedule 4 to the Act shall apply in respect of the Authority for purposes in connection with its functions under sections 51A to 51C; and for that purpose—

- (a) a reference to the appointed person (including in paragraph 1) is to be taken as including a reference to the Authority;
- (b) a reference to international sanctions is to be taken as including a reference to any provision of sanctions regulations; and
- (c) the provisions shall have effect with any other necessary modifications.

Notice of intended enforcement action.

5.(1) Before taking enforcement action in respect of a person the Authority must give the person written notice of the Authority’s intention to take enforcement action (“notice of intent”).

(2) A notice of intent must state—

- (a) the action proposed; and
- (b) the reasons for it.

(3) Sub-regulation (1) does not apply if the Authority is satisfied that notice—

- (a) should not be given because of the risk that steps would be taken to undermine the effectiveness of the enforcement action; or
- (b) is superfluous having regard to the need to give notice of legal proceedings or for some other reason.

(4) A notice of intent must give the recipient at least 14 days to make representations.

(5) The period for making representations may be extended by the Authority, by notice to the relevant person in writing.

(6) A person to whom a notice of intent is given or copied may not publish the notice or any details concerning it unless the Authority has published the notice or those details.

Issue of decision notices.

6.(1) This regulation applies where the Authority has—

- (a) issued a notice of intent; or
 - (b) dispensed with the requirement to issue a notice of intent in accordance with regulation 5(3).
- (2) After considering any representations made in accordance with regulation 5, the Authority must give the person—
 - (a) a decision notice stating that the Authority will take the enforcement action specified in the notice of intent;
 - (b) a discontinuance notice stating that the Authority does not propose to take that action; or
 - (c) a combined notice consisting of—
 - (i) a decision notice stating that the Authority will take certain action specified in the notice of intent; and
 - (ii) a discontinuance notice in respect of the remaining action.
- (3) A decision notice must explain—
 - (a) the right to request a review under regulation 9, including stating a period of at least 14 days during which a review may be requested; and
 - (b) the right of appeal under regulation 10, including stating a period of at least 14 days during which an appeal may be brought.
- (4) A decision notice takes effect, and the specified enforcement action may be taken—
 - (a) at or after any time specified in the decision notice for that purpose; or
 - (b) if no time is specified, at any time after the decision notice is served;

but this sub-regulation is subject to the provisions of regulations 9(5) and 10(4) in respect of reviews and appeals.

(5) A person to whom a notice is given may not publish it or any details concerning it unless the Authority has published the notice or those details.

Publication.

7.(1) Where the Authority takes enforcement action, it must (subject to sub-regulations (2) and (3)) publish on its website a statement specifying-

- (a) the action taken;
- (b) the nature of the breach or failure in respect of which the action was taken; and
- (c) the identity of the person responsible for the breach or failure.

(2) Before publishing a statement under sub-regulation (1), the Authority must assess the proportionality and impact of publication.

(3) Where the assessment determines that publication of a statement would be disproportionate or that its impact might jeopardise market stability or an ongoing investigation, the Authority may-

- (a) delay publication;
- (b) anonymise the statement; or
- (c) determine not to publish the statement.

(4) A statement published in accordance with this regulation must be maintained on the Authority's website for five years (subject to sub-regulation (5)).

(5) Personal data contained within a published statement may only be kept on the website for the period permitted in accordance with Gibraltar law.

Interim orders.

8. The Authority may apply to the Supreme Court for permission to take enforcement action under section 51C where a decision notice has been issued and has not yet taken effect (whether or not a notice of intent has been issued).

PART 3 REVIEWS AND APPEALS

Reviews.

9.(1) This regulation applies where the Authority has issued a decision notice to a person in respect of proposed enforcement action.

(2) The person may by notice in writing to the Authority (within the period specified in accordance with regulation 6(3)) request a review of the decision to take enforcement action.

(3) Where a review has been requested under this regulation, the Authority must carry it out as soon as is reasonably practicable, and in any event within 28 days.

(4) On completion of a review the Authority may-

- (a) uphold the decision notice;
- (b) vary the decision notice (whether by substituting a different amount for any penalty or otherwise); or
- (c) cancel the decision notice.

(5) Enforcement action may not be taken in accordance with a decision notice (subject to any order of the Supreme Court under regulation 8) while-

- (a) a review could still be requested under this regulation; or
- (b) a review has been requested and not completed.

Appeals.

10.(1) A person aggrieved by the issue of a decision notice under these Regulations may appeal to the Supreme Court (within the period specified in accordance with regulation 6(3), which may begin with the date on which the decision notice was issued or the date on which it was upheld under regulation 9).

(2) The court may uphold, vary or cancel the decision notice.

(3) The court may direct the Authority, or any other person, to take any specified action, and may make any other interim, incidental or other order.

(4) Enforcement action may not be taken in accordance with a decision notice (subject to any order of the Supreme Court under regulation 8 or this regulation) while-

- (a) an appeal could still be brought under this regulation; or
- (b) an appeal has been brought and not completed.

PART 4 SUPPLEMENTARY

Service of documents.

11.(1) A notice or other document to be served by or on behalf of the Authority under or in connection with these Regulations is validly served on the recipient if–

- (a) in the case of an individual, it is delivered to the individual, or left or sent by recorded delivery service addressed to the individual, at the individual’s usual or last known place of abode;
- (b) in the case of a body corporate, it is left at, or sent by recorded delivery service to its registered office in Gibraltar or, if its registered office is not in Gibraltar, its last known place of business in Gibraltar;
- (c) in the case of an unincorporated body, it is delivered to any partner, manager, or other similar officer of that body, or is left at or sent by recorded delivery service to the last known place of business of that body; or
- (d) in the case of any other person, it is left at or sent by recorded delivery service to the address in Gibraltar notified by the person to the Authority for the service of notices or other documents.

(2) Sub-regulation (1) applies without limiting any other method of service adopted by the Authority.

(3) A requirement imposed by or under these Regulations for a person to give to another person (“the recipient”) any notice or other document may also be satisfied by sending it to the recipient by electronic means if the recipient–

- (a) has notified the sender that the recipient is willing to receive notices or documents of that kind by that means; and
- (b) has not withdrawn that notification.

(4) A notification under sub-regulation (3)(a) or withdrawal under sub-regulation (3)(b) must be given in writing.

(5) A notice or document sent by electronic means must be sent in a form that the sender reasonably considers will enable the recipient to–

- (a) read it; and
- (b) retain a copy of it.

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(6) For the purposes of sub-regulation (5), a notice or document can be read only if it can be read (or, to the extent that it consists of images, seen) with the naked eye.