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## PROPOSAL

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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	5 April 2022
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	JOIN(2022) 10 final
Subject:	Joint Proposal for a COUNCIL REGULATION amending Council Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine

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Delegations will find attached document JOIN(2022) 10 final.

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Encl.: JOIN(2022) 10 final



HIGH REPRESENTATIVE  
OF THE UNION FOR  
FOREIGN AFFAIRS AND  
SECURITY POLICY

Brussels, 5.4.2022  
JOIN(2022) 10 final

2022/0110 (NLE)  
**SENSITIVE\***

Joint Proposal for a

## **COUNCIL REGULATION**

**amending Council Regulation (EU) No 833/2014 concerning restrictive measures in view  
of Russia's actions destabilising the situation in Ukraine**

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## EXPLANATORY MEMORANDUM

- (1) On 31 July 2014, the Council adopted Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.
- (2) Regulation (EU) No 833/2014 gives effect to certain measures provided for in Council Decision 2014/512/CFSP.
- (3) On XXX the Council adopted Decision (CFSP) 2022/XXX amending Decision 2014/512/CFSP. It extends the list of controlled items which might contribute to Russia's military and technological enhancement or the development of the defence and security sector. It introduces additional import restrictions on certain goods from Russia, in particular on coal and other solid fossil fuels. It also introduces further export restrictions, in particular on jet fuel and other goods to Russia.
- (4) Decision (CFSP) 2022/XXX imposes further restrictive measures prohibiting road transport undertakings established in Russia from transporting goods by road within the territory of the European Union.
- (5) Decision (CFSP) 2022/XXX also prohibits the award and continued execution of public contracts and concessions with Russian nationals and entities or bodies established in Russia.
- (6) Decision (CFSP) 2022/XXX also imposes a prohibition on the provision of support, including financing and financial assistance or any other benefit from a Union, Euratom or Member State programme to Russian publicly owned or controlled entities.
- (7) Decision (CFSP) 2022/XXX extends the prohibitions on the export of euro-denominated banknotes and on the sale of euro-denominated transferrable securities to all official currencies of the Member States.
- (8) Decision (CFSP) 2022/XXX also extends the exemption from the prohibition to engage in transactions with certain Russian State-owned entities as regards transactions for the purchase, import or transport of natural gas and oil, including refined petroleum products and certain minerals into Switzerland, the European Economic Area and to the Western Balkans.
- (9) Decision (CFSP) 2022/XXX also introduces a prohibition for road transport undertakings established in Russia to transport goods by road in the Union and prohibits access to ports to vessels of Russian natural or legal persons or registered under the flag of Russia. It introduces a prohibition to be a beneficiary, act as trustee and in similar capacities for Russian persons and entities, as well as a prohibition to provide certain services to trusts.
- (10) In order to ensure the correct implementation of the measures set out in Regulation (EU) No 833/2014, it is necessary to make certain amendments to the text in particular to its Annexes.

Joint Proposal for a

**COUNCIL REGULATION**

**amending Council Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Decision (CFSP) 2022/XXX<sup>1</sup> of XX March 2022 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine,

Having regard to the joint proposal of the High Representative of the Union for Foreign Affairs and Security Policy and of the European Commission,

Whereas:

- (1) On 31 July 2014, the Council adopted Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.
- (2) Regulation (EU) No 833/2014 gives effect to certain measures provided for in Council Decision 2014/512/CFSP.
- (3) On XXX the Council adopted Decision (CFSP) 2022/XXX amending Decision 2014/512/CFSP. It extends the list of controlled items which might contribute to Russia's military and technological enhancement or the development of the defence and security sector. It introduces additional import restrictions on certain goods from Russia, in particular on coal and other solid fossil fuels. It also introduces further export restrictions, in particular on jet fuel and other goods to Russia.
- (4) Decision (CFSP) 2022/XXX also prohibits the award and continued execution of public contracts and concessions with Russian nationals and entities or bodies established in Russia.
- (5) Decision (CFSP) 2022/XXX imposes a prohibition on the provision of support, including financing and financial assistance or any other benefit from a Union, Euratom or Member State programme to Russian publicly owned or controlled entities.
- (6) Decision (CFSP) 2022/XXX also extends the prohibitions on the export of euro-denominated banknotes and on the sale of euro-denominated transferrable securities to all official currencies of the Member States.
- (7) Decision (CFSP) 2022/XXX extends the exemption from the prohibition to engage in transactions with certain State-owned entities as regards transactions for the purchase, import or transport of fossil fuels and certain minerals into Switzerland, the European Economic Area and to the Western Balkans.

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<sup>1</sup> OJ L , , p. .

- (8) Decision (CFSP) 2022/XXX also introduces a prohibition for road transport undertakings established in Russia to transport goods by road in the Union and prohibits access to ports to vessels of Russian natural or legal persons or registered under the flag of Russia. It introduces a prohibition to be a beneficiary, act as trustee and in similar capacities for Russian persons and entities, as well as a prohibition to provide certain services to trusts.
- (9) These measures fall within the scope of the Treaty and, therefore, in particular with a view to ensuring their uniform application in all Member States, regulatory action at the level of the Union is necessary.
- (10) Regulation (EU) No 833/2014 should therefore be amended accordingly.

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EU) No 833/2014 is amended as follows:

- (1) the following point is added in Article 1:

‘(v) “public procurement Directives” means Directives 2014/23/EU, 2014/24/EU, 2014/25/EU, 2009/81/EC;

(w) “road transport undertaking” means any natural or legal person, entity or body engaged with a commercial purpose, in the transport of freight by means of motor vehicles or combinations of vehicles;’

- (2) in Article 2, paragraph 4, point (e) is replaced by the following :

‘(e) intended for civilian non-publicly available electronic communications networks which is not the property of an entity publicly controlled or with over 50 % public ownership;’

- (3) in Article 2, paragraph 7, point (i) is replaced by the following:

‘(i) the end-user might be a military end-user, a natural or legal person, entity or body in Annex IV or that the goods might have a military end-use, unless the sale, supply, transfer or export of goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance is allowed under paragraph 1 of Article 2b.’

- (4) in Article 2, paragraph 7, point (ii) is replaced by the following:

‘(ii) the sale, supply, transfer or export of goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance is intended for aviation or the space industry, unless such sale, supply, transfer or export or the provision of related technical or financial assistance is allowed under paragraph 4(b).’

- (5) in Article 2a, paragraph 4, point (e) is replaced by the following :

‘(e) intended for civilian non-publicly available electronic communications networks which is not the property of an entity publicly controlled or with over 50 % public ownership;’

- (6) in Article 2a, paragraph 7, point (i) is replaced by the following:

‘(i) the end-user might be a military end-user, a natural or legal person, entity or body in Annex IV or that the goods might have a military end-use, unless the sale, supply, transfer or export of goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance is allowed under paragraph 1 of Article 2b.’

- (7) in Article 2a, paragraph 7, point (ii) is replaced by the following:

‘(ii) the sale, supply, transfer or export of goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance is intended for aviation or the space industry, unless such sale, supply, transfer or export or the provision of related technical or financial assistance is allowed under paragraph 4(b).’

(8) in Article 3, paragraph 3, point (a) is replaced by the following:

‘(a) the transport of natural gas and oil, including refined petroleum products, from or through Russia into the Union; or’

(9) in Article 3a, paragraph 2, point (a) is replaced by the following:

‘(a) it is necessary for ensuring critical energy supply within the Union, as well as the transport of natural gas and oil, including refined petroleum products, from or through Russia into the Union; or’

(10) in Article 3c, paragraph 1 is replaced by the following:

‘1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, goods and technology suited for use in aviation or the space industry, as listed in Annex XI, and jet fuel and fuel additives as listed in Annex XX, whether or not originating in the Union, to any natural or legal person, entity or body in Russia or for use in Russia.’

(11) in Article 3c, the following paragraphs are added:

‘6. By way of derogation from paragraphs 1 and 4, the national competent authorities may authorise, under such conditions as they deem appropriate, the execution of an aircraft financial lease concluded before 26 February 2022 after having determined that:

- (a) it is strictly necessary to ensure lease re-payments to a legal person, entity or body incorporated or constituted under the law of a Member State which does not fall under any of the restrictive measures in this Regulation; and
- (b) no economic resources will be made available to the Russian counterpart, with the exception of the transfer of ownership of the aircraft after full reimbursement of the financial lease.

7. The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under this Article within two weeks of the authorisation.

8. The prohibition in paragraph 1 shall be without prejudice to Articles 2(4)(b) and 2a(4)(b).’

(12) in Article 3h, the following paragraphs are added:

‘4. By way of derogation from paragraph 1, the competent authorities may authorise the transfer to Russia of cultural goods which are on loan in the context of formal cultural cooperation with Russia.

5. The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under paragraph 4 within two weeks of the authorisation.’

(13) the following Article is inserted:

*‘Article 3ea*

‘1. It shall be prohibited to provide access to ports in the territory of the Union to any vessel:

- (a) owned, rented, chartered or operated, or otherwise controlled by any Russian natural or legal person, entity or body; or
  - (b) registered under the flag of Russia.
2. Paragraph 1 shall apply to vessels that have changed their Russian flag or their registration, to the flag or register of any State after [*OJ: please insert the date of entry into force of this Regulation*];
3. For the purposes of this Article, a vessel shall mean:
- (a) a ship falling within the scope of the international conventions; or
  - (b) a yacht, of 15 metres in length or more, which does not carry cargo and carrying no more than 12 passengers ; or
  - (c) recreational craft or personal watercraft as defined in Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC .
4. Paragraph 1 shall not apply in the case of a vessel in need of assistance seeking a place of refuge, of an emergency port call for reasons of maritime safety, or for saving life at sea.
5. By way of derogation from paragraph 1, the competent authorities may authorise a vessel to access a port, under such conditions as they deem appropriate, after having determined that the access is necessary for:
- (a) the purchase, import or transport into the Union of natural gas and oil, including refined petroleum products, as well as titanium, aluminium, copper, nickel, palladium and iron ore;
  - (b) the purchase, import or transport of pharmaceutical, medical, agricultural and food products, including wheat; or
  - (c) humanitarian purposes.
6. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 4 within two weeks of the authorisation.'
- (14) the following Articles are inserted:

*'Article 3i*

1. It shall be prohibited to purchase, import, or transfer, directly or indirectly, goods which generate significant revenues for Russia thereby enabling its actions destabilising the situation in Ukraine, as listed in Annex XXI into the Union if they originate in Russia or are exported from Russia.
2. It shall be prohibited to:
  - (a) provide technical assistance, brokering services or other services related to the goods and technology referred to in paragraph 1 and to the provision, manufacture, maintenance and use of those goods and technology, directly or indirectly in relation to the prohibition in paragraph 1.
  - (b) provide financing or financial assistance related to the goods and technology referred to in paragraph 1 for any purchase, import or transfer of those goods and technology, or for the provision of related technical assistance, brokering services or other services, directly or indirectly in relation to the prohibition in paragraph 1.

3. The prohibitions in paragraph 1 and paragraph 2 shall not apply to the execution until [OJ: please insert the date 3 months after entry into force] of contracts concluded before [OJ: please insert date of entry into force], or ancillary contracts necessary for the execution of such contracts.
4. As of [OJ: please insert the date 3 months after entry into force], the prohibition in paragraph 1 shall not apply to the import, as well as to the purchase and transport necessary for the import into the Union, of:
  - (a) 837 570 metric tonnes of potassium chloride of CN 310420 between [OJ: please insert the day of the month 3 months after entry into force] of a given year and [OJ: please insert the day of the month 3 months after entry into force minus one day] of the following year<sup>2</sup>;
  - (b) 1 577 807 metric tonnes combined of the other products listed in Annex XXI under CN 310520, 310560 and 310590 between [OJ: please insert the day of the month 3 months after entry into force] of a given year and [OJ: please insert the day of the month 3 months after entry into force minus one day] of the following year<sup>3</sup>;
5. The import volume quotas set out in paragraph 4 shall be managed by the Commission and the Member States in accordance with the management system for tariff-rate quotas provided for in Articles 49 to 54 of Commission Implementing Regulation (EU) 2015/2447.

#### *Article 3j*

1. It shall be prohibited to purchase, import, or transfer, directly or indirectly, coal and other solid fossil fuels, as listed in Annex XXII into the Union if they originate in Russia or are exported from Russia.
2. It shall be prohibited to:
  - (a) provide technical assistance, brokering services or other services related to the goods and technology referred to in paragraph 1 and to the provision, manufacture, maintenance and use of those goods and technology, directly or indirectly in relation to the prohibition in paragraph 1.
  - (b) provide financing or financial assistance related to the goods and technology referred to in paragraph 1 for any purchase, import or transfer of those goods and technology, or for the provision of related technical assistance, brokering services or other services, directly or indirectly in relation to the prohibition in paragraph 1.
3. The prohibitions in paragraph 1 and paragraph 2 shall not apply to the execution until [OJ: please insert the date 3 months after entry into force] of contracts concluded before [OJ: please insert date of entry into force], or ancillary contracts necessary for the execution of such contracts.

#### *Article 3k*

1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, goods which could contribute in particular to the enhancement of Russian industrial

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<sup>2</sup> Quota order number 09.8250

<sup>3</sup> Quota order number 09.8251

capacities as listed in Annex XXIII, to any natural or legal person, entity or body in Russia or for use in Russia.

2. It shall be prohibited to:
  - (a) provide technical assistance, brokering services or other services related to the goods and technology referred to in paragraph 1 and to the provision, manufacture, maintenance and use of those goods and technology, directly or indirectly to any natural or legal person, entity or body in Russia or for use in Russia;
  - (b) provide financing or financial assistance related to the goods and technology referred to in paragraph 1 for any sale, supply, transfer or export of those goods and technology, or for the provision of related technical assistance, brokering services or other services, directly or indirectly to any natural or legal person, entity or body in Russia, or for use in Russia.
3. The prohibitions in paragraph 1 and 2 shall not apply to the execution until [*OJ: please insert date 3 months after entry into force*] of contracts concluded before [*OJ: please insert date of entry into force*] or ancillary contracts necessary for the execution of such contracts.<sup>2</sup>
4. The prohibitions referred to in paragraph 1 and 2 shall not apply to goods which are necessary for the official purposes of diplomatic or consular missions of Member States or partner countries in Russia or of international organisations enjoying immunities in accordance with international law, or to the personal effects of their staff.
5. The competent authorities of the Member States may authorise, under the conditions they deem appropriate, the sale, supply, transfer or export of the goods and technology listed in Annex XXIII, or the provision of related technical or financial assistance, after having determined that such goods or technology or the provision of related technical or financial assistance are necessary for humanitarian purposes, such as delivering or facilitating the delivery of assistance, including medical supplies, food, or the transfer of humanitarian workers and related assistance or for evacuations.

#### *Article 31*

1. It shall be prohibited for any road transport undertaking established in Russia to transport goods by road within the territory of the Union, including in transit.
2. The prohibition in paragraph 1 shall not apply to road transport undertakings transporting:
  - (a) mail as a universal service;
  - (b) goods in transit through the Union between the Kaliningrad Oblast and Russia, provided that the transport of such goods is not otherwise prohibited under this Regulation.
3. The prohibition in paragraph 1 shall not apply until [*OJ: insert date 7 days after entry into force*] to the transport of goods that started before [*OJ: insert date of entry into force*], provided that the vehicle of the road transport undertaking :
  - (a) was already in the territory of the Union on [*OJ: please insert the date of entry into force*], or

- (b) needs to transit through the Union in order to return to Russia.
4. By way of derogation from paragraph 1, the competent authorities of a Member State may authorise the transport of goods by a road transport undertaking established in Russia if the competent authorities have determined that such transport is necessary for :
- (a) the purchase, import or transport into the Union of natural gas and oil, including refined petroleum products, as well as titanium, aluminium, copper, nickel, palladium and iron ore;
  - (b) the purchase, import or transport of pharmaceutical, medical, agricultural and food products, including wheat; or
  - (c) humanitarian purposes.
5. The Member State or Member States concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 4 within two weeks of the authorisation.'

(15) in Article 5aa, paragraph 3, point (a) is replaced by the following:

'(a) transactions which are strictly necessary for the direct or indirect purchase, import or transport of natural gas and oil, including refined petroleum products, as well as titanium, aluminium, copper, nickel, palladium and iron ore from or through Russia into the Union, a country member of the European Economic Area, Switzerland, or the Western Balkans.'

(16) Article 5b is replaced by the following:

'1. It shall be prohibited to accept any deposits from Russian nationals or natural persons residing in Russia, or legal persons, entities or bodies established in Russia, if the total value of deposits of the natural or legal person, entity or body per credit institution exceeds 100 000 EUR.

2. It shall be prohibited to provide crypto-asset wallet, account or custody services to Russian nationals or natural persons residing in Russia, or legal persons, entities or bodies established in Russia, if the total value of crypto-assets of the natural or legal person, entity or body per wallet, account or custody provider exceeds 100 000 EUR.

3. Paragraphs 1 and 2 shall not apply to nationals of a Member State, of a country member of the European Economic Area or of Switzerland, or to natural persons having a temporary or permanent residence permit in a Member State, in a country member of the European Economic Area or in Switzerland.

4. Paragraphs 1 and 2 shall not apply to deposits which are necessary for non-prohibited cross-border trade in goods and services between the Union and Russia.'

(17) Paragraph 1 of Article 5c is replaced by the following:

'1. By way of derogation from Articles 5b(1) and (2), the competent authorities may authorise the acceptance of such a deposit or provision of wallet, account or custody service, under such conditions as they deem appropriate, after having determined that the acceptance of such a deposit or provision of wallet, account or custody service is:'

(18) Paragraph 1 of Article 5d is replaced by the following:

'1. By way of derogation from Articles 5b(1) and (2), the competent authorities may authorise the acceptance of such a deposit or provision of wallet, account or custody service, under such conditions as they deem appropriate, after having determined that the acceptance of such a deposit or provision of wallet, account or custody service is:'

(19) paragraph 1 of Article 5f is replaced by the following:

‘1. It shall be prohibited to sell transferable securities denominated in any official currency of a Member State of the Union issued after 12 April 2022 or units in collective investment undertakings providing exposure to such securities, to any Russian national or natural person residing in Russia or any legal person, entity or body established in Russia.’

(20) Article 5i is replaced by the following:

‘1. It shall be prohibited to sell, supply, transfer or export banknotes denominated in any official currency of a Member State of the Union to Russia or to any natural or legal person, entity or body in Russia, including the government and the Central Bank of Russia, or for use in Russia.

2. The prohibition in paragraph 1 shall not apply to the sale, supply, transfer or export of banknotes denominated in any official currency of a Member State of the Union provided that such sale, supply, transfer or export is necessary for:

- (a) the personal use of natural persons travelling to Russia or members of their immediate families travelling with them; or
- (b) the official purposes of diplomatic missions, consular posts or international organisations in Russia enjoying immunities in accordance with international law.’

(21) the following Articles are inserted:

*‘Article 5k*

1. It shall be prohibited to award or continue the execution of any public or concession contract falling within the scope of the public procurement Directives, as well as Article 10, paragraphs 1, 3, 6(a) to 6(e), 8, 9 and 10, Articles 11, 12, 13, 14 of Directive 2014/23/EU, Article 7 and 8, Article 10 (b-f), (h-j) of Directive 2014/24/EU, Article 18, Article 21 (b-e), (g-i), Articles 29 and 30 of Directive 2014/25/EU and Article 13 (a-d), (f-h), (j) of Directive 2009/81/EU, to or with:

- (a) a Russian national, or a natural or legal person, entity or body established in Russia; or
- (b) a legal person, entity or body whose proprietary rights are directly or indirectly owned for more than 50% by an entity referred to in (a) of this paragraph; or
- (c) a natural or legal person, entity or body acting on behalf or at the direction of an entity referred to in point (a) or (b) of this paragraph,

including, where they account for more than 10% of the contract value, subcontractors, suppliers or entities whose capacities are being relied on within the meaning of the public procurement Directives.

2. By way of derogation from paragraph 1, the competent authorities may authorise the award and continued execution of contracts intended for:

- (a) the operation, maintenance, decommissioning and radioactive waste management, fuel supply and retreatment and safety of civil nuclear capabilities, as well as supply of precursor material for the production of medical radioisotopes and similar medical applications, critical technology for environmental radiation monitoring, as well as civil nuclear cooperation, in particular in the field of research and development;

- (b) intergovernmental cooperation in space programmes;
  - (c) the provision of strictly necessary goods or services which can only be provided, or which can only be provided in sufficient quantities, by the persons in paragraph 1;
  - (d) the functioning of diplomatic representations in Russia of the Union and Member States, including delegations, embassies and missions, or international organisations in Russia enjoying immunities in accordance with international law.
3. The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under this Article within two weeks of the authorisation.
4. The prohibitions in paragraph 1 shall not apply to the execution until [OJ: please insert date 6 months after the entry into force of this Regulation] of contracts concluded before [OJ: please insert the date of entry into force of this Regulation].

#### *Article 51*

1. It shall be prohibited to provide direct or indirect support, including financing and financial assistance or any other benefit under a Union, Euratom or Member State national programme and contracts within the meaning of Regulation (EU, Euratom) 2018/1046, to any legal person, entity or body established in Russia with over 50% public ownership or public control.
2. The prohibition in paragraph 1 shall not apply to:
- (a) medical, pharmaceutical and health cooperation programmes, with the exception of support in the context of research and innovation;
  - (b) humanitarian purposes, health emergencies, the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or the environment, or as a response to natural disasters;
  - (c) phytosanitary and veterinary programmes;
  - (d) intergovernmental cooperation in space programmes and under the International Thermonuclear Experimental Reactor Agreement;
  - (e) the operation, maintenance, decommissioning and radioactive waste management, fuel supply and retreatment and safety of civil nuclear capabilities, as well as supply of precursor material for the production of medical radioisotopes and similar medical applications, critical technology for environmental radiation monitoring, as well as civil nuclear cooperation, in particular in the field of research and development;
  - (f) civil society activities, the direct promotion of democracy, human rights and the rule of law in Russia, mobility exchanges for individuals and people-to-people contacts;
  - (g) climate and environmental programmes, with the exception of support in the context of research and innovation;
  - (h) the functioning of diplomatic representations in Russia of the Union and Member States, including delegations, embassies and missions, or international

organisations in Russia enjoying immunities in accordance with international law.

*Article 5m*

1. It shall be prohibited to register, provide a registered office, business or administrative address as well as management services to, a trust or any similar legal arrangement having as a trustor or a beneficiary:
  - (a) Russian nationals or natural persons residing in Russia;
  - (b) legal persons, entities or bodies established in Russia;
  - (c) legal persons, entities or bodies whose proprietary rights are directly or indirectly owned for more than 50 % by a natural or legal person, entity or body in points a) and b);
  - (d) legal persons, entities or bodies controlled by a natural or legal person, entity or body in points a), b) or c);
  - (e) a natural or legal person, entity or body acting on behalf or at the direction of a natural or legal person, entity or body in points a), b), c) or d).
2. It shall be prohibited as of [*OJ please insert the date which is one month after the entry into force*] to act as, or arrange for another person to act as, a trustee, nominee shareholder, director, secretary or a similar position, for a trust or similar legal arrangement as described in paragraph 1.
3. Paragraphs 1 and 2 shall not apply to the operations that are strictly necessary for the termination by [*OJ please insert the date which is one month after the [entry into force]*] of agreements incompatible with this Article concluded before [*OJ please insert the date of entry into force*] or ancillary contracts necessary for the execution of such contracts.
4. Paragraphs 1 and 2 shall not apply when the trustor or beneficiary is a national of a Member State or a natural person having a temporary or permanent residence permit in a Member State.
5. By way of derogation from paragraphs 1 and 2, the competent authorities may authorise the services mentioned therein, under such conditions as they deem appropriate, after having determined that this is necessary for:
  - (a) humanitarian purposes, such as delivering or facilitating the delivery of assistance, including medical supplies, food, or the transfer of humanitarian workers and related assistance or for evacuations; or
  - (b) civil society activities that directly promote democracy, human rights or the rule of law in Russia.'

(22) in Article 6, paragraph 1, point (d) is added:

'(d) detected instances of breach, circumvention and attempts at breach or circumvention of the prohibitions set out in this Regulation through the use of crypto-assets.'

(23) in Article 11, paragraph 1, point (a) is replaced by the following:

'(a) legal persons, entities or bodies listed in the Annexes to this Regulation or legal persons, entities or bodies established outside the Union whose proprietary rights are directly or indirectly owned for more than 50 % by them;'

- (24) Annex VII is amended in accordance with Annex I of this Regulation.
- (25) Annex VIII is amended in accordance with Annex II of this Regulation.
- (26) Annex X is amended in accordance with Annex III of this Regulation.
- (27) Annex XVII is amended in accordance with Annex IV of this Regulation.
- (28) Annex XVIII is amended in accordance with Annex V of this Regulation.
- (29) Annexes XX, XXI, XXII, XXIII are added in accordance with Annex VI of this Regulation.

*Article 2*

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Council  
The President*