

## II

(Non-legislative acts)

## REGULATIONS

## COUNCIL REGULATION (EU) 2022/580

of 8 April 2022

**amending Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of 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 Council Decision 2014/145/CFSP of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine <sup>(1)</sup>,

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

Whereas:

- (1) Council Regulation (EU) No 269/2014 <sup>(2)</sup> concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine gives effect to restrictive measures provided for in Decision 2014/145/CFSP.
- (2) On 8 April 2022, the Council adopted Decision (CFSP) 2022/582 <sup>(3)</sup> amending Decision 2014/145/CFSP, that introduced further derogation options from the asset freeze and the prohibition to make funds and economic resources available to designated persons and entities.
- (3) Those amendments fall within the scope of the Treaty on the Functioning of the European Union and regulatory action at the level of the Union is necessary in order to implement them, in particular with a view to ensuring their uniform application in all Member States.
- (4) Regulation (EU) No 269/2014 should therefore be amended accordingly.
- (5) In order to ensure that the measures provided for in this Regulation are effective, it should enter into force immediately upon its publication,

<sup>(1)</sup> OJ L 78, 17.3.2014, p. 16.

<sup>(2)</sup> Council Regulation (EU) No 269/2014 of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 078 17.3.2014, p. 6).

<sup>(3)</sup> Council Decision (CFSP) 2022/582 of 8 April 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (see page 55 of this Official Journal).

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EU) No 269/2014 is amended as follows:

(1) In Article 4, paragraph 1, the following point is added:

‘(e) to be paid into or from an account belonging to or held by a diplomatic mission, consular post or international organisation enjoying immunities in accordance with international law, in so far as such payments are intended to be used for official purposes of the diplomatic mission, consular post or international organisation.’;

(2) Article 6b is replaced by the following:

*‘Article 6b*

1. By way of derogation from Article 2, the competent authorities of a Member State may authorise the release of certain frozen funds or economic resources belonging to the entities listed under entry numbers 53, 54 and 55 under heading “B. Entities” in Annex I, or the making available of certain funds or economic resources to those entities, under such conditions as the competent authorities deem appropriate and after having determined that such funds or economic resources are necessary for the termination by 24 August 2022, of operations, contracts, or other agreements, including correspondent banking relations, concluded with those entities before 23 February 2022.

2. By way of derogation from Article 2, the competent authorities of a Member State may authorise the release of certain frozen funds or economic resources belonging to the entities listed under entry numbers 79, 80, 81 and 82 in Annex I, or the making available of certain funds or economic resources to those entities, under such conditions as the competent authorities deem appropriate and after having determined that such funds or economic resources are necessary for the termination by 9 October 2022, of operations, contracts, or other agreements, including correspondent banking relations, concluded with those entities before 8 April 2022.

3. By way of derogation from Article 2, the competent authorities of a Member State may, under such conditions as they deem appropriate, authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources to a natural or legal person, entity or body listed in Annex I, after having determined that:

- (a) the funds or economic resources are necessary for the sale and transfer by 9 October 2022 of proprietary rights in a legal person, entity or body established in the Union where those proprietary rights are directly or indirectly owned by a natural or legal person, entity or body listed in Annex I; and,
- (b) the proceeds of such sale and transfer remain frozen.’.

*Article 2*

This Regulation shall enter into force on the day of 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, 8 April 2022.

*For the Council*  
*The President*  
J.-Y. LE DRIAN