

12 April 2019

## Notice to Financial Services Licence Holders International Sanctions

The MFSA brings to the attention of all Financial Services Licence Holders the coming into effect of restrictive measures by virtue of Regulations which have been issued during the period **1<sup>st</sup> January 2019 to 31<sup>st</sup> March 2019**, by the European Union ("EU") in respect of various regimes as shown hereunder.

Regulations issued by the EU have direct applicability under Maltese Law and require no implementation measures. The full text can be viewed at the website of the Official Journal of the EU - <http://eur-lex.europa.eu/>, or on the MFSA website - [www.mfsa.com.mt](http://www.mfsa.com.mt) - at "International Sanctions".

Additionally, restrictive measures have also been issued by the United Nations Security Council ("UNSC or the Security Council"), in particular UNSC Resolutions, as shown hereunder. In Malta, UNSC Resolutions are implemented and made enforceable by means of Regulations made by the Prime Minister under the National Interest (Enabling Powers) Act, Chapter 365 of the Laws of Malta. The full text of these Resolutions can be viewed at the website of the UNSC <http://www.un.org/en/sc/>, or on the MFSA website - [www.mfsa.com.mt](http://www.mfsa.com.mt)- at "International Sanctions".

### 1. AFGHANISTAN

**[COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/279 of 18 February 2019 implementing Article 11\(4\) of Regulation \(EU\) No 753/2011 concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan](#)**

This Regulation amends Annex I to **Regulation (EU) No 753/2011** by updating the information relating to two (2) persons subject to restrictive measures after the United Nations Security Council ("UNSC") Committee established pursuant to paragraph 30 of UNSC Resolutions 1988 (2011).

### 2. AL-QAIDA

Various Regulations amending **COUNCIL REGULATION (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations** have been issued amending the list of individuals and entities subject to the freezing of assets as listed hereunder.

Regulations amending Council Regulation (EC) No 881/2002

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/507 of 26 March 2019 amending for the 297th time Council Regulation \(EC\) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL \(Da'esh\) and Al-Qaida organisations](#)

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/431 of 18 March 2019 amending for the 296th time Council Regulation \(EC\) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL \(Da'esh\) and Al-Qaida organisations](#)

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/353 of 4 March 2019 amending for the 295th time Council Regulation \(EC\) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL \(Da'esh\) and Al-Qaida organisations](#)

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/257 of 13 February 2019 amending for the 294th time Council Regulation \(EC\) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL \(Da'esh\) and Al-Qaida organisations](#)

*Other Regulations:*

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/270 of 18 February 2019 implementing Regulation \(EU\) 2016/1686 imposing additional restrictive measures directed against ISIL \(Da'esh\) and Al-Qaeda and natural and legal persons, entities or bodies associated with them](#)

This Regulation amends Annex I to **Regulation (EU) 2016/1686** by adding one (1) person to the list of natural and legal persons, entities and bodies subject to restrictive measures following the continued threat posed by ISI (Da'esh) and Al-Qaeda.

### 3. **BELARUS**

[COUNCIL DECISION \(CFSP\) 2019/325 of 25 February 2019 amending Decision 2012/642/CFSP concerning restrictive measures against Belarus](#)

This Decision amends **Decision 2012/642/CFSP** by extending the restrictive measures against Belarus until 28 February 2020 following a review of the Decision.

### 4. **BOSNIA AND HERZEGOVINA**

[COUNCIL DECISION \(CFSP\) 2019/467 of 21 March 2019 amending Decision 2011/173/CFSP concerning restrictive measures in view of the situation in Bosnia and Herzegovina](#)

This Decision amends **Decision 2011/173/CFSP** by renewing the restrictive measures until 31 March 2020.

## 5. EGYPT

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/459 of 21 March 2019 implementing Regulation \(EU\) No 270/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Egypt](#)

This Regulation amends Annex I to **Regulation (EU) No 270/2011** after the Council decided that the mentioned Annex should be supplemented with information regarding the rights of defence and the right to an effective judicial protection.

## 6. IRAQ

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/432 of 18 March 2019 amending Council Regulation \(EC\) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq](#)

This Regulation amends Annex III to **Regulation (EC) No 1210/2003** by removing four (4) entries from the list of persons or entities to whom the freezing of funds and economic resources apply, reflecting decisions from the Sanctions Committee of the UNSC.

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/162 of 1 February 2019 amending Council Regulation \(EC\) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq](#)

This Regulation amends Annexes III and IV to **Regulation (EC) No 1210/2003** by removing eight (8) entries from the list of persons or entities to whom the freezing of funds and economic resources apply, following decisions from the Sanctions Committee of the UNSC.

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/51 of 11 January 2019 amending Council Regulation \(EC\) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq](#)

This Regulation amends Annex III to **Regulation (EC) No 1210/2003** by removing three (3) entries from the list of persons or entities to whom the freezing of funds and economic resources apply reflecting decisions from the Sanctions Committee of the UNSC.

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/23 of 7 January 2019 amending Council Regulation \(EC\) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq](#)

This Regulation amends Annex III to **Regulation (EC) No 1210/2003** by removing one (1) entry from the list of persons or entities to whom the freezing of funds and economic resources apply following decisions from the Sanctions Committee of the UNSC.

**7. MALI**

**[COUNCIL IMPLEMENTING DECISION \(CFSP\) 2019/29 of 9 January 2019 implementing Decision \(CFSP\) 2017/1775 concerning restrictive measures in view of the situation in Mali](#)**

This Decision amends Annex to **Decision (CFSP) 2017/1775** by adding three (3) persons subject to travel ban set out in paragraphs 1 to 3 of **Resolution 2374 (2017)**, reflecting the decision of the Council.

**8. DEMOCRATIC People's Republic of Korea (DPRK)**

**[COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/93 of 21 January 2019 implementing Regulation \(EU\) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea](#)**

This Regulation amends Annex XV to **Regulation (EU) 2017/1509** by removing two (2) natural persons that died.

**9. SYRIA**

**[COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/350 of 4 March 2019 implementing Regulation \(EU\) No 36/2012 concerning restrictive measures in view of the situation in Syria](#)**

This Regulation amends **Regulation (EU) No 36/2012** by adding seven (7) persons to the list of natural and legal persons, entities or bodies subject to restrictive measures in view of the gravity of the situation in Syria and the recent ministerial appointments and gubernatorial changes.

**[COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/85 of 21 January 2019 implementing Regulation \(EU\) No 36/2012 concerning restrictive measures in view of the situation in Syria](#)**

This Regulation amends Annex II to **Regulation (EU) No 26/2012** by including eleven (11) natural persons and five (5) entities to the list of natural and legal persons, entities or bodies subject to restrictive measures.

**10. TERRORISM AND TERRORISM FINANCING**

**[COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/24 of 8 January 2019 implementing Article 2\(3\) of Regulation \(EC\) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism, and repealing Implementing Regulation \(EU\) 2018/1071](#)**

This Regulation updates the list of natural and legal persons, entities or bodies subject to restrictive measures. Following the review, the Council has decided to keep the existing

persons, groups and entities on the list after taking into account the observations submitted by those concerned as well as the updated information received from the competent national authorities. The Council also determined that additional two (2) persons and one (1) entity have been involved in terrorist acts and that they should be subject to restrictive measures. Additionally, **Implementing Regulation (EU) 2018/1071** should be repealed.

## 11. TUNISIA

### [COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/132 of 28 January 2019 implementing Regulation \(EU\) No 101/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Tunisia](#)

This Regulation amends Annex 1 to **Regulation (EU) No 101/2011** by removing the entry for one (1) person on the basis of a review.

## 12. UKRAINE

### [COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/409 of 14 March 2019 implementing Regulation \(EU\) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine](#)

This Regulation amends Annex I to **Regulation (EU) 269/2014** following considerations from the Council to add eight (8) persons to the list of persons, entities and bodies subject to restrictive measures. This decision was taken in view of the violation of international law as well as of the sovereignty and territorial integrity of Ukraine.

### [COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/408 of 14 March 2019 implementing Regulation \(EU\) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine](#)

This Regulation amends Annex I to **Regulation (EU) 269/2014** by updating information concerning certain persons and entities in the same Annex and deleting one (1) entry which was deceased.

### [COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/352 of 4 March 2019 implementing Regulation \(EU\) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine](#)

This Regulation amends Annex I to **Regulation (EU) No 208/2014** on the basis of a review by the Council by deleting the entry for one person.

### [Corrigendum to Council Decision \(CFSP\) 2019/354 of 4 March 2019 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine](#)

[Corrigendum to Council Implementing Regulation \(EU\) 2019/352 of 4 March 2019 implementing Regulation \(EU\) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine](#)

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/92 of 21 January 2019 implementing Regulation \(EU\) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine](#)

This Regulation amends Annex I to **Regulation (EU) No 269/2014** after the Council considered that the entry for one (1) designated person should be deleted following his death.

### 13. ZIMBABWE

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/283 of 18 February 2019 amending Council Regulation \(EC\) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe](#)

This Regulation amends Annex III to **Regulation (EC) No 314/2004** by amending the entry of one (1) person and removing the name of two (2) persons in the mentioned Annex following the decision of the Council.

[COUNCIL REGULATION \(EU\) 2019/278 of 18 February 2019 amending Council Regulation \(EC\) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe](#)

This Regulation amends Annex IV to **Regulation (EC) No 314/2004** by removing two (2) persons from this list of designated legal entities and bodies. In addition, this Regulation came into force on the day following its publication.

[COUNCIL DECISION \(CFSP\) 2019/284 of 18 February 2019 amending Decision 2011/101/CFSP concerning restrictive measures against Zimbabwe](#)

This Decision amends **Decision 2011/101/CFSP** by renewing the restrictive measures for five (5) persons and on (1) entity and withdrawing two (2) persons. The suspension of the restrictive measures should be renewed for three (3) persons listed in Annex II to **Decision 2011/101/CFSP**.

## **LICENCE HOLDERS OBLIGATIONS**

The MFSA requires its licence holders to take note of all international sanctions as issued from time to time (including new designations of individuals and entities) and to exercise caution and vigilance in order to ensure that they do not in any way support activities, individuals or entities which are subject to sanctions or other restrictive measures. Licence holders have a legal obligation to comply with international sanctions and to take all steps as may be required for their immediate implementation. They are therefore required to monitor their business relationships and to verify their records on an on-going basis for any information or transactions known or suspected to be connected or related in any manner whatsoever with designated individuals and entities and to identify and freeze any funds, financial assets and economic resources in accordance with the requirements of the sanctions.

## **REPORTING**

Licence holders are also required to report the findings of their verifications to the MFSA and to inform the MFSA of any action taken. In particular, licence holders are to report and give all relevant details to the MFSA about any funds, financial assets and economic resources which have been identified to be owned or controlled, directly or indirectly, by the designated individuals and entities and which they have frozen in terms of sanctions.

Information may be sent either by mail to the Director - Enforcement Unit, or via e-mail on [enforcement.aml@mfsa.com.mt](mailto:enforcement.aml@mfsa.com.mt).

It is also required that any person who identifies, holds and freezes any such funds, financial assets or economic resources notifies in writing without delay the Sanctions Monitoring Board at the Ministry of Foreign affairs.

Finally, the MFSA would like to stress that the purpose of this notice is to provide an overview to License Holders of the restrictive measures that have been issued recently by the EU and the UNSC. License Holders should refer to the Official Journal of the European Union and the website of the UNSC for the complete list and any other related information concerning the restrictive measures that have been issued recently by the EU and the UNSC.