

TARGETED FINANCIAL SANCTIONS MANUAL

OCTOBER 2023

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ABBREVIATIONS/ACRONYMS

AML/CFT	Anti-money laundering and combating the financing of terrorism
AML/CFT/CPF	Anti-money laundering, counter the financing of terrorism and proliferation financing
FATF	Financial Action Task Force
FIC	Financial Intelligence Centre
FIC Act	Financial Intelligence Centre Act, 2001 (Act 38 of 2001)
MLTFC Regulations	Money Laundering and Terrorist Financing Control Regulations
POCDATARA Act	Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act 33 of 2004)
STR	Suspicious and unusual transaction report
TFS	Targeted financial sanctions
TFAR	Terrorist financing activity report
TFTR	Terrorist financing transaction report
TPR	Terrorist property report
UNSC	United Nations Security Council

1. ABOUT TARGETED FINANCIAL SANCTIONS

1.1. What are targeted financial sanctions

The [United Nations Security Council](#) (UNSC) can take action to maintain or restore international peace and security under [Chapter VII of the UN Charter](#). Sanctions measures, under Article 41, encompass a broad range of enforcement options that do not involve the use of armed force.

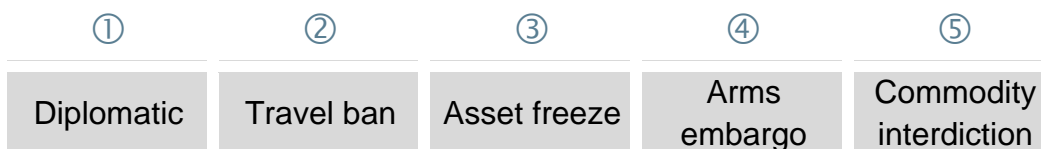
Targeted financial sanctions (TFS) impose restrictions on activities that relate to particular countries, goods and services, or persons and entities. TFS measures generally restrict sanctioned persons and entities from having access to funds and property under their control and from receiving financial services in relation to such funds and property.

UNSC resolutions, in conjunction with other forms of sanctions, require countries to freeze, without delay, the funds or other assets of listed individuals or entities. In addition, countries must ensure that no funds or other assets are made available, directly or indirectly, to or for the benefit of, any person or entity designated by the UNSC resolutions.

UNSC sanctions have taken several different forms in pursuit of a variety of goals. In terms of principal objectives sought by the UNSC, the use of sanctions can be grouped into five main categories, namely:

- ① Conflict resolution or support of democratic regimes
- ② The fight against terrorism
- ③ Non-proliferation of nuclear weapons
- ④ The protection of civilians (including human rights)
- ⑤ Democratisation

Sanctions of the UNSC have evolved over the years from broad economic and trade sanctions against states to targeted measures such as arms embargoes, travel bans and financial or commodity restrictions on states and non-state entities, including individuals. There are five main types of targeted sanctions:



1.2. South African legal framework

The Financial Intelligence Centre Act, 2001 (Act 38 of 2001) (FIC Act) places the responsibility upon the Financial Intelligence Centre (FIC) to administer the TFS measures adopted by resolutions of the UNSC under Chapter VII of the [United Nations Charter](#).

As a member state of the UN, South Africa is obliged to implement TFS measures to comply with the resolutions of the UNSC.

In effecting the sanctions emanating from the resolutions, the FIC Act requires any person to freeze property and transactions pursuant to financial sanctions imposed in the UNSC resolutions. TFS obligations are set out in sections 26A, 26B and 26C of the FIC Act.

The FIC publishes and maintains a TFS list of all persons and entities designated for the purposes of sanctions regimes implemented under sections 26A, 26B and 26C of the FIC Act.

The inclusion of TFS measures is part of South Africa meeting the requirements as stipulated in the Financial Action Task Force's (FATF's) Recommendations 6 and 7. The Recommendations include the requirement that member countries such as South Africa implements TFS as proposed by the UNSC. The use of TFS by the UNSC relates to terrorist financing and the financing of the proliferation of weapons of mass destruction. The TFS obligations in the FIC Act also extend to other UNSC resolutions under Chapter VII of the United Nations Charter that relates to the protection of human rights.

1.3. Mechanisms for implementation

In implementing UNSC resolutions, the Director of the FIC gives notice after the adoption of the UNSC resolution. The Director will also publish a notice of persons and/or entities subject to sanctions measures. These persons and/or entities will also be included on the TFS list.

Notices by the Director are public statements and are meant to advise sanctioned persons or entities, and accountable institutions and any person who may have them as clients or prospective clients of the relevant sanctions. If an accountable institution has a sanctioned person or entity as a client, it is allowed to draw the attention of that person or entity to the relevant sanctions notices.

It is prohibited to acquire, collect or use the property of persons and/or entities whose names appear on the UNSC sanctions list. The prohibition includes the provision of financial services and products to those persons or entities.

This means that no person is allowed to transact with a sanctioned person or entity or to process transactions for such a person or entity.

The status quo as at the time of the imposition of the sanction in relation to property or funds of the sanctioned person or entity must be maintained and no financial services may be provided to the person or entity. The only exception to this general prohibition is in specific instances where the Minister of Finance may permit certain financial services or dealings with property as discussed below.

1.4. United Nations Security Council sanction regimes

The UNSC has applied sanctions to support peaceful transitions, to deter non-constitutional changes, constrain terrorism, protect human rights and promote non-proliferation.

TFS and asset freezes have been included in all but one (Guinea-Bissau 2048) of the current sanctions regimes whereby the United Nations (UN) proscribes persons or entities against whom member states must take specific actions.

There are 15 ongoing UNSC sanctions regimes which focus on supporting political settlement of conflicts, nuclear non-proliferation, and counter terrorism.

Current sanctions regimes include:

1. Al Shabaab (Somalia)
2. Central African Republic
3. Democratic People's Republic of Korea (North Korea)
4. Democratic Republic of the Congo
5. Guinea-Bissau
6. Iraq
7. 1636
8. Libya
9. Mali
10. South Sudan
11. Sudan
12. Yemen
13. Haïti
14. ISIL (Da'esh) and Al-Qaida
15. 1988

For more information on UNSC resolutions and global reporting obligations visit: www.un.org/sc/suborg/en/sanctions/information or download the subsidiary organs of the UNSC [factsheet](#).

1.5. UNSC consolidated list

Targeted measures apply to specific individuals and entities, and the measures most frequently employed by the UNSC include the arms embargoes, the assets freeze and the travel bans. The measures, as applied to specific individuals and entities, appear on the sanctions committees' websites.

The UNSC consolidated list is an amalgamation of all Committee-specific sanctions lists. These lists may be found on the respective web pages of the relevant [committees](#).

The inclusion of all names on one consolidated list is meant to facilitate the implementation of the measures. This, however, does not imply that all names are listed under one sanctions regime since the criteria for listing of names are Committee-specific. The consolidated list is available in XML, PDF and HTML formats.

1.6. Composition of the consolidated list

The names included in the consolidated list are separated in two sections, “Section A” comprising individuals and “Section B” comprising entities. Names are listed alphabetically as they appear in Latin script. Names listed by their permanent reference numbers (PRN) specify the sanctions regime under which a name is listed. For example, PRNs starting with “QD” refer to the ISIL (Da’esh) and Al-Qaida sanctions regime. The following letter “i” refers to individuals and “e” to entities.

A detailed explanation of the fields, identifiers and acronyms used in the lists is provided on the consolidated list page. All questions relating to the Committee-specific sanctions list or to the UNSC consolidated list may be sent to sc-sanctionslists@un.org.

More information on the UNSC Consolidated list is available [here](#).

2. TARGETED FINANCIAL SANCTIONS LIST

2.1. The targeted financial sanctions list

The FIC publishes and maintains TFS list of all persons and entities designated for the purposes of sanctions regimes implemented under sections 26A, 26B and 26C of the Financial Intelligence Centre Act, 2001 (Act 38 of 2001) (FIC Act). The list is updated within 24 hours upon changes made by the UNSC.

It is important to note that this list is not a FIC or South African domestic sanctions list, but a replica of the original source, which is the UNSC consolidated list of targeted financial sanctions.

The TFS list includes all persons and entities applicable to sections 26A, 26B and 26C of the FIC Act which refer to sanctions under a resolution by the UNSC and require accountable institutions to scrutinise their clients against the applicable list, to freeze assets and to ensure not to proceed with a transaction.

In terms of section 26A(3) of the FIC Act, the Director of the FIC is required to give notice of persons and entities who are subject to the TFS measures imposed by the various applicable Resolutions. (see the Director’s [Notice](#))

The TFS page on the FIC website, which is accessible to the public, provides a list of sanctioned persons, and the public may sign up to receive alerts upon each update.

Visit the TFS page on the FIC website for the latest TFS list.

2.2. Obligations in terms of targeted financial sanctions

No person is allowed to transact with or process transactions for a sanctioned person or entity. No financial services may be provided to the person or entity. The only exception to this general prohibition is in specific instances where the Minister of Finance has permitted financial services or dealings with property.

What are individuals' targeted financial sanctions obligations?

- Subscribe to automated notification e-mail
- Screen clients against TFS list
- TFS reporting obligations
- Freeze assets

2.3. Subscribe to notification e-mails

Any person may subscribe to receive automated notifications e-mails from the FIC as and when updates originate from the UNSC regarding the consolidated list. Updates may include additions of individuals and/or to the existing consolidated list, amendments to existing designations of individuals and/or entities and deletions of existing designated individuals and/or entities by the UNSC.

Accountable institutions listed the FIC Act are obliged to ensure that at the onboarding stage and on an ongoing basis, none of their clients or those acting on behalf of their clients are on the TFS list. It is therefore important for institutions to remain subscribed to the TFS list so that they can be alerted when any updates are made to the list.

Registered accountable institutions are automatically subscribed to receive e-mail notifications as and when there are any changes to the TFS list but, they should also check for changes on their subscription status. If any registered institution is not receiving alerts on changes to the TFS list, they are encouraged to subscribe.

Subscription provides registered recipients with real-time, free alerts and the most up-to-date information on changes to the UNSC consolidated list.

While there is an option to unsubscribe from this e-mail service, institutions are strongly urged not to do so. Accountable institutions must not ignore or delete communication from the FIC on the TFS list and ensure messages are not blocked by their spam filters. Failure to fulfil TFS obligations has administrative sanctions consequences in terms of the FIC Act.

E-mail addresses of subscribers will only be used for the purpose of receiving notifications of updates and changes to the TFS list. It remains the obligation of the subscriber to update any changes regarding e-mail addresses, a change in intended recipient and/or receivers of the automated notification e-mail.

2.4. Screen clients against TFS list

Accountable institutions must determine whether they have a sanctioned person or entity as a client or whether a prospective client is a sanctioned person or entity. This is to determine the accountable institution's exposure to obligations related to TFS. Screening against the relevant sanctions lists should be done during the client take-on process, on an ongoing basis and when the UNSC adopts new TFS measures or expand existing ones – including adopting a new sanction regime under Chapter VII of the UNSC.

Accountable institutions must therefore determine the likelihood that their client base and intended target market may include sanctioned persons or entities. This should assist the accountable institution in determining the amount of effort and resources it requires to determine whether they have sanctioned persons or entities as a client or whether prospective clients are sanctioned persons or entities. Accountable institutions that have business relationships with foreign persons and entities are more vulnerable to dealing with sanctioned persons and entities.

The TFS measures restrict sanctioned persons and entities from having access to funds and property under their control and from receiving financial services in accordance with the FIC Act and in line with a [notice](#) published on the FIC website on 1 April 2019.

Accountable institutions should be mindful that failure to comply with TFS obligations is a criminal offence under section 49A of the FIC Act.

The fact that an accountable institution had relied on a commercially available screening capability or that it had considered the risk of being exposed to TFS-related obligations to be low, would not be a defence against such a criminal charge.

2.5. Online search tool

The FIC's online search tool is designed to assist accountable institutions or any asset holders in finding possible matches between their clients' names and names on the TFS list. Basic searches can be conducted against individual and entity identifiers on the UNSC Consolidated list kept updated on the FIC's TFS webpage where searches can be downloaded in PDF/XML/EXCEL formats to assist in basic client screening and monitoring by accountable institutions.

The search tool provides an indication of how similar the name provided is to any name on the TFS list to mitigate the difficulties faced by subtle name variations and aliases.

If it is unclear to an accountable institution whether there is a match between a client or entity and a name or entity on the TFS list, they may request the assistance of the FIC through a public query process. Queries can be filed by completing the request form. Submitting a public query to the FIC does not replace the reporting obligation on the accountable institution.

2.6. Reporting obligations to the FIC

All South African citizens have responsibilities regarding TFS obligations. These are outlined in sections 26A, 26B and 26C of the FIC Act. The obligations include filing regulatory reports to the FIC electronically via the registration and reporting portal, [goAML](#).

In the business environment, institutions can experience first-hand exposure to transactions or activities which may be possibly linked to terrorist financing. For this reason, accountable institutions need to remain alert, aware and report where TFS related sanctions occur.

Section 28A of the FIC Act requires an accountable institution to file a report if it knows that it possesses or controls property of a person or entity which has committed or attempted to commit or facilitate the commission of a specified offence as defined in the POCDATARA Act and/or is a sanctioned individual or entity identified in a UNSC resolution. This must be done by filing a **terrorist property report** in terms of section 28(A)(c) as soon as possible.

The knowledge about the origin and ownership of the property in question must be based on fact and should be acquired with reference to an objective set of circumstances or facts – as opposed to a suspicion that is formed subjectively.

Guidance Note 6A outlines the terrorist financing and terrorist property reporting obligations in terms of section 28A.

Section 29 of the FIC Act requires all businesses, including accountable institutions and any person connected to any business, to report suspicious or unusual activities or transactions related to the financing of terrorist and related activities and in relation to targeted sanctions. This may be done by submitting regulatory reports, a **terrorist financing transaction report (TFTR)** or a **terrorist financing activity report (TFAR)**. **Guidance Note 4B** provides further information regarding reporting of suspicious and unusual transactions and activities.

2.7. Freeze assets

Section 4 of the POCDATARA Act expressly prohibits any person from dealing with property that is associated with acts of terrorism, with persons or organisations that carry out acts of terrorism or with sanctioned persons.

Consequently, any dealings with property that is identified in a report under section 28A of the FIC Act will constitute a contravention of section 4 of the POCDATARA Act. In effect, once an institution files a report in terms of section 28A of the FIC Act, this will lead to a requirement to freeze the property and cease to conduct business with the entity in question.

2.8. Wrongly frozen assets

The responsibility to freeze an asset subject to TFS rests with the person or entity that holds the asset, for example, the financial institution that holds the funds.

If the accountable institution considers that an asset that it directly or indirectly owns or controls has been frozen in error, the asset holder must be contacted in the first instance. If, following contact with the asset holder, the accountable institution continues to consider that the asset has been frozen in error, please contact:

The Director, Financial Intelligence Centre, Private Bag X177 Centurion 0046, South Africa or e-mail TFSsupport@fic.gov.za providing:

- Your full name and contact details
- The details of the asset and asset holder, including details of your legal or other interest in the asset or property)
- Your interest in the frozen asset or property
- Details of your contact with the asset or property holder
- The reasons for your belief that the asset or property has been frozen in error.

2.9. Time period for submitting reports

The FIC Act's Money Laundering and Terrorist Financing Control (MLTFC) Regulations require that a report under section 28A must be sent to the FIC as soon as possible but no later than five days after an accountable institution had established that it has property associated with terrorist and related activities in its possession or under its control. The time frame must be adhered to unless the FIC has approved the report being sent after the expiry of this period.

A suspicious and unusual transaction report in terms of section 29 must be filed as soon as possible and not longer than 15 working days after a person becomes aware of the facts which gives rise to the suspicion.

2.10. Offences for failure to report

Failure to file a report of the FIC Act constitutes an offence or an act of non-compliance in terms of section 51A of the FIC Act.

Reports must be submitted within the prescribed time and must include the prescribed particulars contained in the **MLTFC Regulations**.

Accountable institutions that do not have the TFS-related measures in place – in terms of sections 26B, 28A and 29 – could be found guilty of an offence associated or connected with the financing of specified offences in terms of section 4 of the POCDATARA Act.

Failure to report in terms of sections 28A and 29 of the FIC Act should be brought to the FIC's attention without delay as per to formal process outlined in **Directive 3**.

3. APPLICATIONS FOR PERMITTED FINANCIAL SERVICES

3.1. Application for permitted financial services and third-party contractual agreements

The FIC Act allows the Minister of Finance or a delegated authority to permit a sanctioned person or entity to conduct financial services or deal with property affected by a sanction under certain limited circumstances as defined in the FIC Act (see section 26C).

This permission may extend to allowing financial services or the dealing in affected property necessary in the normal course of business.

The Director of the FIC must give written notice of the permission to accountable institutions or others who may have an interest in the property or act as holders of the property(ies) or asset(s).

Applications to use or deal with frozen assets, or to make assets available to designated persons or entities, must be made using the Permitted Financial Services and Dealing with Property Application Form.

Consult the user guide on [How to apply for the permitted financial services](#).

4. APPLICATION FOR DE-LISTING

4.1. Approaches to de-listing

A person or entity who wishes to be removed from the sanctions list may submit de-listing requests. The UNSC established two approaches for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions, namely a [focal point for de-listing](#) and the [Office of the Ombudsperson](#) to the [ISIL \(Da'esh\) & Al-Qaida Sanctions Committee](#)^{1,2} Petitioners, other than those whose names are inscribed on the ISIL (Da'esh) and Al-Qaida sanctions list, may submit de-listing requests either by directly approaching the focal point or through their state of residence or citizenship.

4.2. UNSC focal point for de-listing

The focal point for de-listing is established pursuant to [UNSCR 1730\(2006\)](#) and receive de-listing requests. The focal point receives and processes de-listing requests from individuals and entities on all sanctions lists except for the ISIL (Da'esh) and Al-Qaida sanctions list, which is dealt with by the Office of the Ombudsperson established in 2009. In accordance with the focal point procedures,

¹ The Security Council Committee pursuant to resolutions 1267 (1999) 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities.

² See https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/subsidiary_organ_factsheets.pdf for more information regarding the United Nations Security Council Delisting process.

as outlined in UNSCR 1730(2006), the decision to de-list rests solely with the relevant sanctions committee.

Petitioners, other than those whose names are inscribed on the ISIL (Da'esh) and Al-Qaida sanctions list, may submit de-listing requests either by directly approaching the focal point or through their state of residence or citizenship.

In addition to making use of the channel of the focal point for the issues described above, petitioners may submit their requests or communications to the relevant sanctions committee through the state of citizenship or residence (or location in the case of an entity).

Contact details of the focal point

Focal point for de-listing
Security Council Subsidiary Organs Branch
Room DC2 2030
United Nations New York
N.Y. 10017
United States of America
Tel. +1 917 367 9448
Fax. +1 917 367 0460
Email: delisting@un.or

The nodal point for South African persons and entities, who wish to petition the UNSC or its relevant sanctions committees with a de-listing request, is the Department of International Relations and Cooperation (DIRCO), which can be contacted at:

Contact:

Postal Address:

Department of International Relations and Cooperation
Private Bag X152
Pretoria
0001
Republic of South Africa

Physical Address:

Department of International Relations and Cooperation
OR Tambo Building
460 Soutpansberg Road
Rietondale
Pretoria
0084
Tel: +27 12 351 1000
Fax: +27 12 329 1000

4.3. De-listing approach for the ISIL (Da'esh) and Al-Qaida sanctions list

Individuals, groups, undertakings, or entities seeking to be removed from the UNSC's ISIL (Da'esh) and Al-Qaida sanctions list can submit their request for delisting to an independent and impartial Ombudsperson who has been appointed by the UNSC Secretary-General. Petitioners whose names appear on the ISIL (Da'esh) and Al-Qaida sanctions list can submit their de-listing requests through the [Office of the Ombudsperson](#).

The Ombudsperson reviews requests from individuals, groups, undertakings, or entities seeking to be removed from the ISIL (Da'esh) and Al-Qaida sanctions list of the UNSC's ISIL (Da'esh) and Al-Qaida Sanctions Committee was established by **UNSCR 1904(2009)**. The Ombudsperson's mandate is contained in **UNSCR 2610(2021)**. The current mandate expires on 17 June 2024.

A full description of the procedure is available [here](#).

Contact

The contact details for the Office of the Ombudsperson are as follows:

United Nations

Department of Political and Peacebuilding Affairs

Office of the Ombudsperson to the ISIL (Da'esh) and Al-Qaida Sanctions Committee

New York, NY 10017

United States of America

Tel: +1 212 963 2671

E-mail: ombudsperson@un.org

5. CONTACT AND LINKS

5.1 Contact us

- To contact the FIC regarding any TFS related enquiry, please use the FIC's public query process which is accessible via the FIC website and select Targeted Financial Sanctions.
- You can call the FIC compliance centre on **+27 12 641 6000**.
- You can e-mail TFSsupport@fic.gov.za - you may also use this e-mail address to report possible contraventions of the FIC Act.
- Application forms for permitted financial services can also be faxed to: +27 12 641 6458.
- You can write to:
The Director, Financial Intelligence Centre, Private Bag X177, Centurion, 0046, South Africa

5.2. Useful links

- FIC website
- Department of International Relations and Cooperation
- South African Police Service
- South African Council for the Non-Proliferation of Weapons of Mass Destruction.

6. FREQUENTLY ASKED QUESTIONS

6.1. What are targeted financial sanctions

Targeted financial sanctions (TFS) impose restrictions on activities that relate to particular countries, goods and services, or persons and entities. TFS measures generally restrict sanctioned persons and entities from having access to funds and property under their control and from receiving financial services in relation to such funds and property. For these sanctions to be given effect, the FIC Act requires accountable institutions to freeze property and transactions pursuant to financial sanctions imposed in the resolutions of the United Nations Security Council (UNSC).

6.2. Where in the FIC Act is TFS discussed?

Section 26A, 26B and 26C, 28A(1)(c) and 29(1)(b)(vi) of the FIC Act.

6.3. What are my obligations in relation to TFS?

The acquisition, collection or use of the property of persons or an entity whose names appear in the TFS list is prohibited. This includes the provision of financial services and products to those persons or entities. In short this means that if you are an accountable institution, as identified in the Financial Intelligence Centre Act, 2001 (Act 38 of 2001), you are not allowed to transact with a sanctioned person or entity or to process transactions for such a person or entity. The status quo as at the time of the imposition of the sanction in relation to property or funds of the sanctioned person or entity must be maintained and no financial services may be provided to the person or entity. The only exception to this general prohibition is in specific instances where the Minister of Finance has permitted certain financial services or dealings with property.

6.4 Why should I check the targeted financial sanctions list?

Accountable institutions are not allowed to transact with or process transactions for a sanctioned person or entity. No financial services may be provided to the person or entity. The only exception to this general prohibition is in specific instances where the Minister of Finance has permitted financial services or dealings with property.

6.5 How do I submit a report in terms of targeted financial sanctions?

All reporting to the FIC must be done via the FIC online registration and reporting platform accessible on the FIC website. In order to file a regulatory report, the entity that is required to submit the report, must first register on the FIC's registration and reporting platform, goAML.

- Terrorist property report (TPR): A Section 28A report is to be submitted in the instance that your client is listed on the TFS List.

- Suspicious transaction Report (STR) or Suspicious Activity Report (SAR): A section 29 report is to be submitted in the instance where there are suspicious transactions or activities that may be connected to a person on the list, but the entity cannot confirm this as a fact.

The indicator to be selected when reporting, is to specify under which sanctions regime you are reporting.

Information regarding how to register and report can be found at:

- Reporting | <http://www.fic.gov.za/Compliance/Pages/Reporting.aspx>
- Registration | <http://www.fic.gov.za/Compliance/Pages/Registration.aspx>

6.6. Where do I find the targeted financial sanctions list to search for a listed person or entity?

The FIC publishes and maintains the TFS list on the FIC's website.

- This list will be updated from time to time, and it is your obligation to ensure that you make use of the most recent list.
- This list is searchable on the FIC website and has the functionality to print the search results and search criteria.
- This list is also downloadable in PDF, Excel and XML formats. The original TFS list can also be found on the UNSC website.

6.7. How do I determine if my client is on the list?

An accountable institution is required to search for their clients against the lists available. There are several search criteria that can be used to assist in narrowing down the search results.

These include the following fields:

- Name
- Surname
- Date of birth
- Nationality
- Identifying number
- Aliases

It is the responsibility of the accountable institution to review the search results and to make a determination as to the validity thereof.

6.8. How often should I screen my client against the TFS list?

Accountable institutions which are likely to come into contact with sanctioned persons or entities should screen clients and prospective clients against the relevant sanctions lists.

This should be done during the client take-on process, as well as subsequently as and when the UNSC adopts new TFS measures or expand existing ones.

6.9. What is the application process for permitted financial services ?

The FIC Act allows the Minister of Finance to permit a sanctioned person or entity to

conduct financial services or deal with property affected by a sanction in order to allow such a person or entity access to certain basic living expenses and third-party contractual agreements which may have occurred prior to the UNSC designation.

Based on the information provided in a submission to the FIC, the Minister of Finance may permit access to certain types of expenses which need to be met from the property that is affected by a sanction, the amounts of such expenses, the funds or property from which such expenses may be met and the conditions to the access to the relevant funds or property. To apply for access to permitted financial services, complete the application form and provide the required documentation.

6.10. Where can I subscribe to the latest updates of TFS?

This is an automated alert notification e-mail that is sent to registered users advising them of an update to the UNSC consolidated list. The e-mail will contain the change made to the list as an attachment.

- To receive these free alerts, you can subscribe on the FIC website's TFS page.

8. GLOSSARY OF TERMS

Designated person or entity –

- Individual, groups, undertakings and entities designated by the Committee of the Security Council established pursuant to resolution 1267 (1999) (the 1267 Committee), as being individuals associated with Al-Qaida, or entities and other groups and undertakings associated with Al-Qaida.
- Individuals, groups, undertakings and entities designated by the Committee of the Security Council established pursuant to resolution 1988 (2011) (the 1988 Committee), as being associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan, or entities and other groups and undertakings associated with the Taliban.
- Any natural or legal person or entity designated by jurisdictions or a supra-national jurisdiction pursuant to Security Council resolution 1373 (2001)
- Any individual, natural or legal person or entity designated for the application of targeted financial sanctions pursuant to Security Council resolution 1718 (2006) and any future successor resolutions by the Security Council in annexes to the relevant resolutions, or by the Security Council Committee established pursuant to resolution 1718 (2006) (the 1718 Sanctions Committee) pursuant to Security Council resolution 1718 (2006)

- Any natural or legal person or entity designated for the application of targeted financial sanctions pursuant to Security Council resolution 2231 (2015) and any future successor resolutions by the Security Council.

Designation – refers to the identification of a person, individual or entity that is subject to targeted financial sanctions pursuant to:

- United Nations Security Council resolution 1267 (1999) and its successor resolutions; person or entity and the public communication of that determination
- Security Council resolution 1718 (2006) and any future successor resolutions
- Security Council resolution 1373 (2001), including the determination that the relevant sanctions will be applied to the person or entity and the public communication of that determination
- Security Council resolution 2231 (2015) and any future successor resolutions
- Any future Security Council resolutions which impose targeted financial sanctions in the context of the financing of proliferation of weapons of mass destruction.

As far as Security Council resolution 2231 (2015) and any future successor resolutions are concerned, references to “designations” apply equally to “listing”.

Freeze – For the purposes of Recommendations 6 and 7 on the implementation of targeted financial sanctions, the term freeze means to prohibit the transfer, conversion, disposition or movement of any funds or other assets that are owned or controlled by designated persons or entities on the basis of, and for the duration of the validity of, an action initiated by the United Nations Security Council or in accordance with applicable Security Council resolutions by a competent authority or a court.

The frozen property, equipment, instrumentalities, funds or other assets remain the property of the natural or legal person(s) that held an interest in them at the time of the freezing and may continue to be administered by third parties, or through other arrangements established by such natural or legal person(s) prior to the initiation of an action under a freezing mechanism, or in accordance with other national provisions. As part of the implementation of a freeze, countries may decide to take control of the property, equipment, instrumentalities, or funds or other assets as a means to protect against flight.

Funds – The term funds refer to assets of every kind, whether corporeal or incorporeal, tangible or intangible, movable or immovable, however acquired, and legal documents or

instruments in any form, including electronic or digital, evidencing title to, or interest in, such assets.

Funds or other assets – The term funds or other assets means any assets, including, but not limited to, financial assets, economic resources (including oil and other natural resources), property of every kind, whether tangible or intangible, movable or immovable, however acquired, and legal documents or instruments in any form, including electronic or digital, evidencing title to, or interest in, such funds or other assets, including, but not limited to, bank credits, travellers cheques, bank cheques, money orders, shares, securities, bonds, drafts, or letters of credit, and any interest, dividends or other income on or value accruing from or generated by such funds or other assets, and any other assets which potentially may be used to obtain funds, goods or services.

Property – Property means assets of every kind, whether corporeal or incorporeal, moveable or immoveable, tangible or intangible, and legal documents or instruments evidencing title to, or interest in such assets.

Targeted financial sanctions – The term *targeted financial sanctions* means both asset freezing and prohibitions to prevent funds or other assets from being made available, directly or indirectly, for the benefit of designated persons and entities.

Without delay – The phrase *without delay* means, ideally, within a matter of hours of a designation by the United Nations Security Council or its relevant Sanctions Committee (e.g. the 1267 Committee, the 1988 Committee, the 1718 Sanctions Committee). For the purposes of S/RES/1373(2001), the phrase without delay means upon having reasonable grounds, or a reasonable basis, to suspect or believe that a person or entity is a terrorist, one who finances terrorism or a terrorist organisation. In both cases, the phrase without delay should be interpreted in the context of the need to prevent the flight or dissipation of funds or other assets which are linked to terrorists, terrorist organisations, those who finance terrorism, and to the financing of proliferation of weapons of mass destruction, and the need for global, concerted action to interdict and disrupt their flow swiftly.

Source: *FATF Recommendations*