**MINISTRY OF EXTERNAL RELATIONS**

**Asset freeze licence application form (sanctions regimes implemented under the Sanctions and Asset-Freezing (Jersey) Law 2019)**

This form should be used by individuals or entities seeking a licence from the Minister for External Relations and Financial Services (the “Minister”) to allow an activity or transaction to take place that would otherwise be prohibited under asset freezing measures.

This form should be used for licence applications relating to sanctions implemented under the Sanctions and Asset-Freezing (Jersey) Law 2019 (“SAFL”). Application forms should be submitted to: [sanctions@gov.je](mailto:sanctions@gov.je).

This form should not be used for export licence applications or other non-asset-freeze matters. For details of sanctions measures relating to the import or export of goods please contact the [Jersey Customs and Immigration Service](https://admin.gov.je/pages/contacts.aspx?contactId=79).

This asset freeze licence application form has been developed with commercial arrangements in mind (e.g. sales of goods or services etc.). It can be adapted and used (for example) for gifts or transactions for humanitarian assistance activity where funds, goods or services are being donated. Whatever the nature of the proposed transaction(s), full supporting evidence and arguments should be provided.

Licence applications can be legally and/or commercially complex, and in certain circumstances require clearance or prior notification internationally (e.g. at United Nations (UN) level). Accordingly, you should apply at least four weeks before a licence is needed and preferably even further in advance if practicable. You may wish to consider taking independent legal advice before applying for a licence.

Please note that the Minister can only issue a licence where there are legal grounds to do so. The provisions on exceptions and licences for asset-freezes are set out in Part 3 of SAFL. Please note that a licence may only be granted by the Minister if there is scope in the relevant UK regulations for an equivalent licence to be granted by the UK Treasury. These are set out in the applicable Schedule ‘Treasury Licences: purposes’ to the relevant UK regulations (e.g. the *ISIL (Da’esh) and Al-Qaida (United Nations Sanctions) (EU Exit) Regulations 2019*). NB: exceptions to an asset-freeze that are set out in UK sanctions regulations do not apply in Jersey; however, they may be considered as a basis for an asset-freeze licence application.

Applicants can also consult the regime specific guidance and practical guidance on the Jersey Financial Services Commission [sanctions page](https://www.jerseyfsc.org/industry/international-co-operation/sanctions/). In each application, consideration should be given to the grounds on which the licence is sought, and reference should be made to the relevant licensing ground as set out in the relevant legislation. Applications which are incomplete or do not fully consider the licensing grounds will be returned with a request that the relevant licensing ground be set out.

**PART 1 – UNDER WHICH SANCTIONS REGIME IMPLEMENTED UNDER THE SANCTIONS AND ASSET-FREEZING (JERSEY) LAW 2019 (“SAFL”) IS THE LICENCE SOUGHT?**

|  |  |
| --- | --- |
| **Name of specific UK Sanctions Regulations implemented under SAFL in respect of which a licence is sought** | e.g. The Russia (Sanctions) (EU Exit) Regulations 2019 |
| **URGENCY**  **Please provide any details that may help us determine the urgency of the case (the Minister will prioritise urgent and humanitarian cases, i.e. cases that involve a risk of harm or a threat to life).** |  |

**PART 2 – DETAILS OF THE APPLICANT**

|  |  |
| --- | --- |
| **Date of application** |  |
| **Name of applicant**  (Individual / Company Name etc.) |  |
| **Are you/is your company a “designated person” (that is, subject to an asset freeze), or owned or controlled by a designated person?** *If so, please provide details* | YES / NO |
| **Nature of business** |  |
| **Address** |  |
| **Contact Name** |  |
| **Telephone number** |  |
| **Email address** |  |

**PART 3 – ABOUT THE LICENCE SOUGHT**

|  |  |  |
| --- | --- | --- |
| **Licence required to release frozen funds or economic resources, or make them available, directly or indirectly, to or for the benefit of a designated person, to meet:**  **PLEASE TICK WHICHEVER APPLIES**  **Applicants should consider whether the derogation is (i) applicable under the regime for which they are applying and in relation to the proposed transaction(s) and (ii) applicable to UN designated persons**. | Basic needs of the designated individual or their dependent family members |  |
| Basic needs of the designated entity |  |
| Reasonable professional fees for the provision of legal services and/or reasonable expenses associated with the provision of legal services |  |
| Reasonable fees or reasonable service charges arising from the routine holding or maintenance of frozen funds or economic resources |  |
| Extraordinary expenses of a designated person |  |
| Extraordinary situations |  |
| Humanitarian assistance activity |  |
| Diplomatic missions etc |  |
| Obligations of a designated person (whether arising under a contract, agreement or otherwise) |  |
| The implementation or satisfaction of a judicial, administrative or arbitral decision or lien |  |
| Other (please specify) |  |
| **Specify the legal basis for licensing – i.e. the relevant provision in SAFL and the applicable Schedule (Treasury Licences: purposes) in the relevant UK Sanctions Regulations** |  | |
| **Please give the reference(s) of any licence(s) already received by the applicant.** |  | |

**PART 4 – OVERVIEW**

|  |  |
| --- | --- |
| **Set out the details of the transaction(s) to be licensed or the direction to be issued and your connection to it. What is the prohibited act that the licence is for?** |  |

**PART 5 – DETAILS OF THE TRANSACTIONS(S) CONCERNED**

|  |  |  |
| --- | --- | --- |
| **Date of contract.** |  | |
| **Date of the intended transaction(s).** |  | |
| **Description of funds, goods or services to be supplied or obtained.** |  | |
| **Are the goods or services for humanitarian assistance activity (e.g. delivering or facilitating the delivery of assistance, including medical supplies, food, the provision of electricity, or other humanitarian purposes)?** | YES / NO  (If “Yes”, please explain the humanitarian purpose fully) | |
| **Value of the goods or services to be supplied or obtained.** |  | |
| **Names of the parties to the contract.** | Seller / supplier |  |
| Buyer / customer |  |
| Agent / broker / another intermediary |  |
| **As far as you are aware, is the end user different from the contract customer?** | YES / NO  If ”Yes”, please provide details of the end user (if known) | |

|  |  |
| --- | --- |
| **As far as you are aware, is the end user owned or controlled by a designated person?** | YES / NO  If ”Yes”, please provide details of the ownership or control |
| **Do you know or have reasonable suspicion that the funds, goods or services will be used by a designated person, or by a person acting on their behalf or at their direction, or by entities owned or controlled by them?** | YES / NO  If “Yes”, who is the individual or entity? |
| **Dates of any transactions or shipments already made.** |  |
| **Dates of any future transactions or shipments.** |  |

**PART 6 – BANKING DETAILS**

|  |  |  |
| --- | --- | --- |
| **Method of payment (e.g. cash, cheque, bank transfer, confirmed or unconfirmed letter of credit, or other method).** |  | |
| **The banks (including correspondent, intermediary and confirming banks, if applicable) through which payment will be made. Please include details such as account numbers.** | Correspondent bank |  |
| Intermediary bank |  |
| Confirming or advisory bank |  |
| **Are payment instructions / funds available for this payment?** | YES / NO | |

**PART 7 – Further details**

|  |  |
| --- | --- |
| **Please provide any additional background information or explanation that would help the Minister consider your application.** |  |

You must provide evidence to support an application and demonstrate that all criteria of the relevant licensing ground (where applicable) have been met. Please provide below a list and an explanation of your supporting evidence.

|  |  |
| --- | --- |
| Document name | Explanation of document/relevance to application |
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NOTES

The form comprises the following parts:

* 1. **Part 1** asks for the name of the regime under which the licence is sought – this will be the regime under which sanctions otherwise apply. You should refer to any special factors effecting the urgency of your application here.
  2. **Part 2** asks for the details of the person on whose behalf the licence is sought and of a person to contact (who should be familiar with the transaction involved).
  3. **Part 3** is about the licence sought – the type of licence sought. The provisions on exceptions and licences for asset-freezes are set out in Part 3 of SAFL. Please note that a licence may only be granted by the Minister if there is scope in the relevant UK regulations for an equivalent licence to be granted by the UK Treasury. These are set out in the applicable Schedule ‘Treasury Licences: purposes’ to the relevant UK regulations (e.g. *the ISIL (Da’esh) and Al-Qaida (United Nations Sanctions) (EU Exit) Regulations 2019).* NB: exceptions to an asset-freeze that are set out in UK sanctions regulations do not apply in Jersey; however, they may be considered as a basis for an asset-freeze licence application.
  4. **Parts 4 and 5** are about the transaction or activity involved. Please make it clear if a payment is a one-off or if it will be repeated. If regular or repeat payments are involved, please explain how often those payments will be made.
  5. **Part 6** is about the banking details of the transaction.
  6. **Part 7** provides the applicant with an opportunity to add any additional background. You should also attach and list any additional documents you are sending that will make it easier for the Minister to understand the application. For example, where a licence is sought on the basis that a contract was entered into before sanctions were imposed it is essential to provide a copy of that contract.

**Ministry of External Relations**

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