

General Information	
Ministerial Decision Type	Miscellaneous
Report Title	General Licence (Legal Services): RUSSIA/JSY/2023/2
Minister	External Relations
Signatory	Minister
Lead Department	External Relations (ER)
Lead Directorate	External Relations (OCE)
Ministerial Decision Summary: Public or Absolutely/Qualified Exempt	Public Select if more than one Absolutely/Qualified Exemption.
Date decision made if different to date 'Ministerial Decision Summary' signed.	08/06/2023
Report and Supplemental Report Details	
Report Author	External Relations Officer
Date of Report	06/06/2023
Supplementary Report Title <i>(If applicable)</i>	General Licence (Legal Services): RUSSIA/JSY/2022/1
Supplementary Report Author <i>(If applicable)</i>	External Relations Officer
Date of Supplementary Report <i>(If applicable)</i>	08/06/2023
Ministerial Decision Report: Public or Absolutely/Qualified Exempt	Public Select if more than one Absolutely/Qualified Exemption.
Relevant Case/Application/URN <i>(Only complete if making a decision related to an appeal/case/application)</i>	Insert Relevant Case/Application.
Relevant Proposition Number <i>(Only complete if presenting Comments or if lodging an Amendment)</i>	Insert P. number.
Relevant Scrutiny Report <i>(Only complete if presenting a ministerial response)</i>	Insert S.R. number.
Associated Law(s) and/or Subordinate Legislation	Sanctions and Asset-Freezing (Jersey) Law 2019; and Sanctions and Asset-Freezing (Implementation of External Sanctions) (Jersey) Order 2021

Action required if recommendation agreed	Department to take necessary action.
Resource Implications	There are no new financial and/or manpower implications arising as a consequence of this decision.

Introduction

The Minister decided to issue a Jersey General Licence to replicate the UK (Office of Financial Sanctions Implementation (“OFSI”)) General Licence (“GL”) INT/2023/2954852 in respect of the under the UK Russia (Sanctions) (EU Exit) Regulations 2019 (the "Russia Regulations") and the UK Republic of Belarus (Sanctions) (EU Exit) Regulations 2019 for: (A) Legal Services Based on Prior Obligations, and (B) Legal Services not Based on a Prior Obligation.

Recommendation

Other

The Minister to issue the Jersey General Licence

Detail

On the 02 of May 2023 OFSI issued a GL covering payment of legal services provided to persons designated for the purpose of an asset-freeze. This GL replaced Legal Services GL INT/2022/2252300 which expired on 28 April 2023.

Jersey General Licence RUSSIA/JSY/2022/1 (the “**Previous Jersey GL**”) was issued to implement the now expired UK GL. The Minister is recommended to issue Jersey General Licence RUSSIA/JSY/2023/2 (the “**New GL**”) to revoke and replace the Previous Jersey GL, and also implement UK GL INT/2023/2954852 in Jersey.

The GL may be used for two purposes: for the provision of fees relating to legal services based on prior obligations; and for the provision of fees for to legal services not based on prior obligations.

The issuance of this GL by OFSI was a direct response to the increased number of licence applications received following the introduction of the Russia Regulations.

The licence outlines strict conditions for use, with all key terms being defined to avoid any confusion. The licence includes a set of monetary restrictions, as well as clear reporting and record keeping instructions on its use. The licence is valid until 28 October 2023.

Jersey Automatic Implementation of UK Non Asset Freezing GLs

In Jersey, currently, UK sanctions GLs in respect of Russia are automatically implemented to the extent that they do not concern asset-freezing prohibitions.

Issuance of a Jersey General Licence

Similar to OFSI, the Financial Sanctions Implementation Unit (“FSIU”) has witnessed a unprecedented increase in the number of licence applications following Russia’s invasion of Ukraine and the subsequent amendments to the Russia Regulations, implemented in Jersey under SAFL and the Sanctions and Asset Freezing (Implementation of External Sanctions) (Jersey) Order 2021.

The implementation of the GL in Jersey will reduce the number of sanctions licence applications that the FSIU must process and allow the team to focus on other key priorities. This was successful with the implementation of the Previous Jersey GL.

This Jersey General Licence will remain valid in Jersey irrespective of the corresponding UK General Licence being in force.