

MFSA

MALTA FINANCIAL SERVICES AUTHORITY

Notice to Financial Services Licence Holders International Sanctions – UKRAINE (URGENT REPORTING)

The MFSA brings to the attention of all Financial Services Licence Holders the coming into effect of [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](#) (the “Regulation”).

The Regulation has immediate legal effect in Malta and requires no implementation measures. The full text may be viewed at the website of the Official Journal of the European Union or on the MFSA website - www.mfsa.com.mt - at “*International Sanctions*” section.

REPORTING

Licence holders are also required to IMMEDIATELY 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 which they have frozen in terms of sanctions.

As per instructions received from the Ministry of Foreign Affairs, any relevant reporting should reach the MFSA by today Tuesday, 18th March 2014, 5:00 p.m. NIL reports are not required to be submitted.

Information may be sent by mail to Director - Enforcement Unit or via email on enforcement@mfsa.com.mt.

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

The regulation imposes restrictive measures directed against twenty-one listed individuals. Restrictive measures include *inter alia* the freezing of all funds and economic resources belonging to, owned, held or controlled by these listed individuals, and a prohibition against making available, directly or indirectly, funds or economic resources, to or for the benefit of said listed individuals.

All Licence Holders are required to **IMMEDIATELY** freeze all funds and economic resources belonging to, owned, held or controlled by these listed individuals and to ensure compliance with all provisions of the Regulation.

Frozen funds or economic resources may be released only with the prior authorisation of the Sanctions Monitoring Board being the competent authority in Malta, in accordance with the provisions of the Regulation. In terms of the Regulation, the freezing of funds and economic resources or the refusal to make funds or economic resources available, carried out in good faith in accordance with the provisions therein, shall not give rise to liability of any kind on the part of the natural or legal person, entity or body implementing it, or its directors or employees.

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.

Communications Unit
Malta Financial Services Authority
MFSA Ref: 03-2014
18th March 2014