

**OFSI GENERAL LICENCE UNDER THE RUSSIA REGULATIONS AND THE BELARUS
REGULATIONS
INT/2022/2252300**

IT IS THE RESPONSIBILITY OF ANY PERSON OR PERSONS USING THIS LICENCE TO ENSURE THAT THE ACTIVITIES UNDERTAKEN FALL WITHIN THE TERMS OF THIS LICENCE, AND THAT THE PARTIES COMPLY WITH THE CONDITIONS OF THIS LICENCE IN FULL. IN THE EVENT THAT THE CONDITIONS OF THIS LICENCE ARE NOT COMPLIED WITH IN FULL, IT WILL NOT APPLY TO PERMIT ACTIVITIES TAKEN IN BREACH OF RELEVANT SANCTIONS AND A CRIMINAL OR MONETARY PENALTY MAY BE IMPOSED.

1. This licence is granted under regulation 64 of the Russia Regulations and regulation 32 of the Belarus Regulations.
2. The prohibitions in regulations 11-15 of the Russia Regulations and regulations 11-15 of the Belarus Regulations do not apply to any act necessary to give effect to the Licence.
3. In this licence (including Parts A and B):

"DP"	means any individual or body of persons (corporate or unincorporate) designated under regulation 5 of the Russia Regulations or the Belarus Regulations and/ or any individual or body of persons (corporate or unincorporate) owned or controlled by that designated person as determined under the criteria set out in the Russia Regulations or the Belarus Regulations (in particular regulation 7 of and Schedule 1 to each of those Regulations).
"Economic Resources"	means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but can be used to obtain funds, goods or services.
"Funds"	means financial assets and benefits of every kind, including (but not limited to)— <ul style="list-style-type: none"> (a) cash, cheques, claims on money, drafts, money orders and other payment instruments; (b) deposits, balances on accounts, debts and debt obligations; (c) publicly and privately traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivative products; (d) interest, dividends and other income on or value accruing from or generated by assets; (e) credit, rights of set-off, guarantees, performance bonds and other financial commitments; (f) letters of credit, bills of lading and bills of sale; (g) documents providing evidence of an interest in funds or financial resources; (h) any other instrument of export financing.

"Person"	includes a body of persons corporate or unincorporate, but does not include a DP.
"Relevant Institution"	means a Person that has permission under Part 4A of the Financial Services and Markets Act 2000 (permission to carry on regulated activity); a Person that is authorised or registered under Part 2 of the Payment Services Regulations (SI 2017/752); a Person that is authorised or registered under Part 2 of the Electronic Money Regulations (SI 2011/99); or a Person that is an operator of a recognised payment system (or that is a service provider in relation to recognised payment systems) for the purposes of Part 5 of the Banking Act 2009.
"the Belarus Regulations"	means the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019 (2019/600).
"the Russia Regulations"	means the Russia (Sanctions) (EU Exit) Regulations 2019 (2019/855).

4. Provided that one of the sets of conditions in either Part A or Part B of this licence are complied with in full any Person or Relevant Institution may:
 - 4.1. Receive payments from a DP;
 - 4.2. Make payments (directly or indirectly) for or on behalf of a DP;
 - 4.3. Make payments for the benefit of a DP;
 - 4.4. Process payments which relate to a DP;

and

 - 4.5. Carry out any other act which is reasonably necessary to give effect to 4.1 - 4.4 above.
5. The permissions in this licence do not authorise any act which results in Funds or Economic Resources being made available (directly or indirectly) to any DP.
6. The permissions in this licence do not authorise any act which results in a breach of the Russia Regulations, the Belarus Regulations or any other regulations made under the Sanctions and Anti-Money Laundering Act 2018 save as specifically permitted under this licence.
7. Any Person, Relevant Institution or DP acting under the authority of, or otherwise using this licence should note that the conditions set out in Parts A and B of this licence are not capable of being interchanged: the conditions in one Part must be complied with in full for the activities to fall within the terms of this licence.
8. Information provided to HM Treasury in connection with this licence shall be disclosed to third parties only in compliance with the UK General Data Protection Regulation and the Data Protection Act 2018.
9. This licence takes effect from 28 October 2022 and expires on 28 April 2023.

10. HM Treasury may vary, revoke or suspend this licence at any time.
11. HM Treasury will publicise any variations, suspensions or revocations of this licence online at www.gov.uk/government/collections/ofsi-general-licences.

Signed:

A handwritten signature in black ink, consisting of the letters 'OFSI' in a stylized, cursive font.

Office of Financial Sanctions Implementation

HM Treasury

28 October 2022.

PART A- LEGAL SERVICES BASED ON A PRIOR OBLIGATION

1. In Part A of this licence:

"Counsel"	means a Barrister who is regulated by the Bar Standards Board and who is providing advice in relation to the Legal Services.
"Expenses"	means any fees or expenses associated with the provision of the Legal Services including (but not limited to): <ul style="list-style-type: none">• fees for expert witnesses;• translation fees;• printing;• travel expenses;• subsistence expenses;• courier expenses;• legal searches;• court transcripts;• administrative fees necessary to provide legal services (i.e. Home Office fees); and• bank transaction fees, but excluding Counsel's fees.
"Law Firm"	means a Person providing legal advice in relation to the Legal Services to a DP.
"Legal Adviser"	means a person who is professionally qualified or is undertaking a professional legal qualification and is providing legal advice in relation to the Legal Services to a DP, including (but not limited to): <ul style="list-style-type: none">• solicitors;• CILEX practitioners or chartered legal executives;• trainee solicitors;• paralegals; and• legal executives.
"Legal Services"	means legal services provided to a DP, including legal advice and/or representation in court, whether provided within the UK or another jurisdiction, in relation to any matter.
"professional legal fees"	means fees charged by a Legal Adviser or a Law Firm for the provision of the Legal Services.

CONDITIONS FOR USE OF THIS LICENCE- NOTE THAT ALL OF THE BELOW CONDITIONS MUST BE SATISFIED/ COMPLIED WITH

2. A payment of:
 - 2.1. professional legal fees; and/ or
 - 2.2. Counsel's fees; and/ or
 - 2.3. Expenses,

must be owed by a DP to a Law Firm, a Legal Adviser, Counsel or a provider of Expenses.

3. The payment must be in relation to Legal Services which have been provided, or which are being provided to a DP by a Law Firm, Legal Adviser or Counsel, or to Expenses.
4. The payment must be owed in accordance with an obligation which was entered into by the DP prior to the date of that DP's designation, or in the case of DPs which are owned and controlled, the owner/ controller of that DP's designation, either under the Russia Regulations, the Belarus Regulations or Council Regulation (EU) No 269/2014 (whichever was earlier).
5. The professional legal fees, together with any Counsel's fees must not exceed £500,000.00 (including VAT if applicable) in total for the duration of this licence.
6. The Expenses (including VAT if applicable) must not exceed (in total) either:
 - 6.1. 5% of the amount payable for the professional legal fees and Counsel's fees; or
 - 6.2. £25,000.00;whichever is lower, for all of the Expenses for the duration of this licence.
7. If at any point either:
 - 7.1. It is estimated that in any individual case the limits for the professional legal fees, Counsel's fees or Expenses set out above will be exceeded; or
 - 7.2. In any individual case, the limits for the professional legal fees, Counsel's fees or Expenses set out above are in fact exceeded,this licence will not apply to any further payment of any nature in relation to the entirety of the Legal Services nor to any other act in relation to the provision of the Legal Services.
8. All payments made under this Part must:
 - 8.1. be paid directly to an account held in the UK with a Relevant Institution by a Law Firm, Legal Adviser, Counsel or a provider of Expenses; or
 - 8.2. be paid on behalf of a DP to a provider of Expenses by a Law Firm, Legal Adviser or Counsel, to an account held in the UK with a Relevant Institution by a provider of Expenses, either before or after payment from the DP is received.

Reporting

9. Within 7 days of either (a) the Legal Services being completed, or (b) this licence coming to an end (either on its expiry date or before then as publicised by OFSI in accordance with this licence), any DP or Person who has used the licence must send to HM Treasury, by email to ofsi@hmtreasury.gov.uk:
 - 9.1. The relevant letter of engagement between the DP and the Legal Adviser, Law Firm or Counsel;
 - 9.2. Any other document, communication or other record which sets out the obligation pursuant to which payment is made;

- 9.3. The relevant invoice(s) which are being paid; and
- 9.4. A completed "OFSI Prior-Obligation Legal Fees GL form".

Record-keeping Requirements

- 10. A DP or Person must keep accurate, complete and readable records, on paper or electronically, of any activity purporting to have been permitted under this licence for a minimum of 6 years.

PART B- LEGAL SERVICES NOT BASED ON A PRIOR OBLIGATION

1. In Part B of this licence:

"Counsel"	means a Barrister who is regulated by the Bar Standards Board and who is providing advice in relation to the Legal Services.
"Expenses"	means any fees or expenses associated with the provision of the Legal Services including (but not limited to): <ul style="list-style-type: none">• fees for expert witnesses;• translation fees;• printing;• travel expenses;• subsistence expenses;• courier expenses;• legal searches;• court transcripts;• administrative fees necessary to provide legal services (i.e. Home Office fees); and• bank transaction fees, but excluding Counsel's fees.
"Law Firm"	means a Person providing legal advice in relation to the Legal Services to a DP.
"Legal Adviser"	means a person who is professionally qualified or is undertaking a professional legal qualification and is providing legal advice in relation to the Legal Services to a DP, including (but not limited to): <ul style="list-style-type: none">• solicitors;• CILEX practitioners or chartered legal executives;• trainee solicitors; paralegals; and• legal executives.
"Legal Services"	means legal services provided to a DP, including legal advice and/or representation in court, whether provided within the UK or another jurisdiction, in relation to any matter.
"professional legal fees"	means fees charged by a Legal Adviser or a Law Firm for the provision of the Legal Services.

CONDITIONS FOR USE OF THIS LICENCE- NOTE THAT ALL OF THE BELOW CONDITIONS MUST BE SATISFIED/ COMPLIED WITH

2. A payment of:

2.1. professional legal fees; and/ or

2.2. Counsel's fees; and/ or

2.3. Expenses,

must be owed by a DP to a Law Firm, a Legal Adviser, Counsel or a provider of Expenses.

3. The payment must be in relation to Legal Services which have been provided, or are being provided by the Law Firm, Legal Adviser or Counsel to a DP, or to Expenses.
4. The professional legal fees together with any Counsel's fees must not exceed £500,000.00 (including VAT if applicable) in total for the duration of this licence.
5. The Expenses (including VAT if applicable) must not exceed (in total) either:
 - 5.1. 5% of the amount payable for the professional legal fees and Counsel's fees; or
 - 5.2. £25,000.00,whichever is lower, for all of the Expenses for the duration of this licence.
6. If at any point either:
 - 6.1. It is estimated that in any individual case the limits for the professional legal fees, Counsel's fees or Expenses set out above will be exceeded; or
 - 6.2. In any individual case, the limits for professional legal fees, Counsel's fees or Expenses set out above are in fact exceeded,this licence will not apply to any further payment of any nature in relation to the entirety of the Legal Services nor to any other act in relation to the provision of the Legal Services.
7. The hourly rates for provision of the professional legal fees by a Legal Adviser must not exceed those rates listed in paragraph 12 of this part of the licence in any individual case.
8. The hourly rates to be charged by Counsel must not exceed the rate of £1,500 per hour (including VAT).
9. If at any point any one hourly rate, for either a Legal Adviser or Counsel exceeds the hourly rates set out in this licence, this licence will not apply to any further payment of any nature in relation to the entirety of the Legal Services nor to any other act in relation to the provision of the Legal Services.
10. All payments made under this Part must either:
 - 10.1. be paid directly to an account held in the UK with a Relevant Institution by a Law Firm, Legal Adviser, Counsel or a provider of Expenses; or
 - 10.2. be paid on behalf of a DP to a provider of Expenses, by a Law Firm, Legal Adviser or Counsel to an account held in the UK with a Relevant Institution by a provider of Expenses, either before or after payment from the DP is received.

Reporting

11. Within 7 days of either (a) the Legal Services being completed, or (b) this licence coming to an end (either on its expiry date or before then as publicised by OFSI in accordance

with this licence), any DP or Person who has used this licence must send to HM Treasury, by email to ofsi@hmtreasury.gov.uk:

- 11.1. The relevant letter of engagement between the DP and the Legal Adviser, Law Firm or Counsel;
- 11.2. Details of the name, employment, experience and the years of post-qualification experience of any Legal Adviser;
- 11.3. Details of the name, employment, experience and the years of call of any Counsel;
- 11.4. The relevant invoice(s) which are being paid; and
- 11.5. A completed "OFSI Post-Designation Legal Fees GL form".

Record-keeping Requirements

11. A DP or Person must keep accurate, complete and readable records, on paper or electronically, of any activity purporting to have been permitted under this licence for a minimum of 6 years.

Hourly rates (excluding VAT)

12. LEGAL ADVISERS

Grade	Fee earner	London 1	London 2	London 3	National 1	National 2
A	Solicitors and legal executives with over 8 years' experience	£896	£653	£494	£457	£446
B	Solicitors and legal executives with over 4 years' experience	£609	£506	£406	£382	£382
C	Other solicitors or legal executives and fee earners of equivalent experience	£473	£427	£324	£312	£310
D	Trainee solicitors, paralegals and other fee earners	£326	£243	£226	£221	£221
