

**Office of Financial Sanctions Implementation (OFSI)**

**Asset freeze and trust services prohibitions licence application form (UK financial sanctions regimes made under the Sanctions Act)**

This form should be used by individuals or entities seeking a licence from the [Office of Financial Sanctions Implementation](https://www.gov.uk/government/organisations/office-of-financial-sanctions-implementation) (OFSI) to allow an activity or transaction to take place that would otherwise be prohibited under asset freezing measures. If applying for a direction, please complete the form below as you would for a licence.

This form should be used for licence applications relating to UK sanctions regime regulations made under the Sanctions and Anti-Money Laundering Act 2018 (the “Sanctions Act”), except for those relating to counter-terrorism regimes. Completed application forms should be submitted to: ofsi@hmtreasury.gov.uk.

For licence applications relating to counter-terrorism sanctions regimes or requests for directions, please write to OFSI (ofsi@hmtreasury.gov.uk) setting out the need for the licence and supply supporting and relevant information including the regime you are applying under. OFSI will consider the request and will confirm if completion of an application form is necessary. (If in doubt, contact OFSI.)

This form should not be used for export control licence applications or for other non-asset-freeze matters. All export control licence applications [should be made to the Export Control Joint Unit](https://www.gov.uk/government/organisations/export-control-organisation).

This asset freeze licence application form has been developed with commercial arrangements in mind (i.e. 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.

OFSI can only issue a licence where there are legal grounds to do so. These grounds are set out in the relevant legislation (e.g. the Schedule of Treasury Licences: purposes). Applicants can also consult the regime specific statutory guidance and OFSI general guidance. 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.

Before you submit your application, you should consult [OFSI’s General Licences page](https://www.gov.uk/government/collections/ofsi-general-licences) to ensure that there are no extant General Licences which might apply to your application.

Where referencing 'trusts' in this application form this means 'trusts or similar arrangements' and where referencing 'beneficiaries/settlors/trustees' we also mean persons who hold similar positions in similar arrangements.

**PART 1 – UNDER WHICH UK REGULATIONS MADE UNDER THE SANCTIONS ACT IS THE LICENCE SOUGHT?**

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| **Name of specific regime made under the Sanctions Act in respect of which a licence is sought** (For example Russia (Sanctions) (EU Exit) Regulations 2019). |  |
| **URGENCY****Please provide any details that may help us determine the urgency of the case (OFSI will prioritise urgent and humanitarian cases, i.e. cases that involve a risk of harm or a threat to life).**  |  |
| **Are there any deadlines associated with this application?** If so, please indicate what they are and what the consequences of missing these deadlines will be. OFSI will take these into consideration but may not always be able to provide a response in advance.  |  |

**PART 2 – DETAILS OF THE APPLICANT**

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| **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** |  |
| **If you/your company are not a “designated person”, please indicate what your involvement is with the proposed activity for which you are seeking a licence.** | **Contact on behalf of a Designated Person** |  |
| **Contact and no designated person** |  |
| **If you/ your company are not a “designated person”, please provide the details of any designated persons involved in this application.**  |  |
| **Are any persons involved in this application also a “designated person” under the Russia (Sanctions) (EU Exit) Regulations 2019 in relation to the prohibition on providing trust services?** | YES / NO |
| **Is your application for a new licence or an amendment to an existing licence?** If your application is for an amendment to an existing licence, please also provide the licence number and attach a copy to your application. |  |

**PART 3 – ABOUT THE LICENCE SOUGHT**

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| **Does your application relate to the provision of trust services or similar arrangements prohibited under the Russia (Sanctions) (EU Exit) Regulations 2019.**Tick as appropriate. Where referencing 'trusts' this means 'trusts or similar arrangements' and where referencing 'beneficiaries/settlors/trustees' we also mean persons who hold similar positions in similar arrangements.  | No(If no, please complete Parts 3.1, 4-7, 8) |  |
| Yes (If yes, please complete Parts 3.2, 4, 7-8) |  |
| **Part 3.1 - For applications not involving trust services** |
| **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) |  |
| **Have you consulted OFSI’s General Licences to identify whether your transaction is permitted under an existing General Licence?** Tick as appropriate).  | Yes – there is no active General Licence applicable |  |
| Yes – there is an active General Licence which might apply/applies to part of the transaction (please also provide an explanation)  |  |
| No – I have not consulted OFSI’s active General Licences |  |
| **Specify the legal basis for licensing – i.e. the relevant provision in the applicable Schedule (Treasury Licences: purposes)**  |  |
| **Please give the number(s) of any licence(s) already received by the applicant.** |  |
| **Part 3.2 - For applications involving the provision of trust services** |
| **Licence required to provide trust services to a Designated Person or a Person Connected With Russia:****PLEASE TICK WHICHEVER APPLIES** **Applicants should consider whether the derogation is applicable in relation to the proposed activity**.  | Extraordinary situations  |  |
| Humanitarian assistance activity |  |
| Medical goods or services |  |
| Food |  |
| Diplomatic missions etc. |  |
| Safety and soundness of a firm |  |
| Financial regulation |  |
| Financial stability |  |
| Unauthorised unit trust schemes |  |
| **Specify the legal basis for licensing – i.e. the relevant provision in the applicable Schedule (Treasury Licences: purposes).**  |  |
| **Please give the number(s) of any licence(s) already received by the applicant.** |  |
| **Is your application for a new licence or an amendment to an existing licence?** If your application is for an amendment to an existing licence, please also provide the licence number and attach a copy to your application. |  |

**PART 4 – OVERVIEW**

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| --- | --- |
| **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?** |  |
| **Explain the UK nexus to your application.** |  |
| **If the UK nexus of your application relates to an entity you believe is owned or controlled by a Designated Person, please outline why that entity satisfies the conditions of the meaning of “owned or controlled directly or indirectly” as set out in the relevant regulations.** |  |

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

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| **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 / NOIf ”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 / NOIf ”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 / NOIf “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 (FOR LICENCES SOUGHT UNDER AN ASSET FREEZE)**

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| **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 – TRUST DETAILS (FOR LICENCES SOUGHT UNDER THE RUSSIA REGIME IN RELATION TO TRUST SERVICES)**

|  |  |
| --- | --- |
| **Trust location and Registered Office/business address/ correspondence address/ administrative address, and which type of location applies** |  |
| **Persons operating or managing the trust. Please include their name(s) and address(es).**  |  |
| **The participants to the trust.** (Include names, addresses and bank account details where applicable and indicate when the participant became a party to the trust).  | Beneficiaries |  |
| Trustees |  |
| Settlors |  |
| Protectors |  |
| Any other relevant persons (include name(s), address(es) and an overview of how they are connected) |  |
| **Type of trust.** |  |
| **Purpose of the trust.** |  |
| **Value and type of assets held in the trust.** |  |
| **Date the trust was set up and any pre-determined end dates** |  |

**PART 8 – Further details**

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| **Please provide any additional background information or explanation that would help HM Treasury 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 |
|  |  |

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. Please note that OFSI can only issue a licence if there is a legal basis to do so. You should check that the applicable Schedule (Treasury Licences: purposes) includes the purpose of the licence being sought and add the specific reference in the line provided.
	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** is about a licence sought under the prohibitions against providing trust services under regulation 18C of The Russia (Sanctions) (EU Exit) Regulations 2019.
	7. **Part 8** 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 OFSI 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.

**Office of Financial Sanctions Implementation**

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