



HM Treasury

Guidance on whether a transfer of funds that is covered by EU Regulation 267/2012 on Iran requires prior notification or prior authorisation by HM Treasury.

This guidance note provides an overview of the authorisation and notification requirements for financial transactions with Iran under article 30 and 30a of EU Regulation 267/2012 ("the EU Regulation"). It does not constitute legal advice and you should consider the exact wording of the Regulation in relation to your specific transaction.

Articles 30 and 30a of EU Regulation 267/2012 restrict your ability to:

- transfer funds between Iranian financial or credit institutions and EU financial or credit institutions, and
- transfer funds to and from Iranian persons, entities or bodies.

These restrictions are detailed below. Breaching these restrictions may constitute a criminal offence.

Is my transaction with a restricted person, entity or body?

Iranian financial and credit institutions include all banks and money service bureaux which are:

- domiciled in Iran;
- European branches and subsidiaries of banks and money service bureaux domiciled in Iran;
- branches located in Iran of international (non-EU) banks and money service bureaux;
- controlled by persons, entities or bodies domiciled in Iran.

Iranian persons, entities or bodies are:

- the State of Iran or any public authority thereof;
- any natural person in, or resident in, Iran;
- any legal person, entity or body having its registered office in Iran;
- any legal person, entity or body, inside or outside Iran, owned or controlled directly or indirectly by one or more of the persons or bodies listed above

For a full definition of the above, as set out by the EU Regulation, please refer to the following articles:

- Credit institution: Article 1 (f), cross –referring to Article 4(1) of Directive 2006/48/EC;
- Financial institution: Article 1 (i); and
- Iranian persons, entities or bodies: Article 1 (o).

If your proposed transaction involves a **Designated Person** or entity on the *Consolidated list of Asset Freeze Targets* <https://www.gov.uk/government/publications/financial-sanctions-consolidated-list-of-targets/consolidated-list-of-targets> , you cannot use the notification or authorisation provisions, and you must seek a licence for the transaction to proceed. Additionally, please see HM Treasury revision of policy which takes effect from 1 August 2014 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/332052/Policy_revision_sanctions.pdf

What do I need - authorisation, notification or a licence?

The table below provides advice on which transfers qualify for notification or authorisation subject to Article 30 or 30a under the EU Regulation.

My transfer(s) are below EUR 10,000, do I need to do anything?

Please note that subject to Article 30b (2), Article 30 and 30a shall apply regardless of whether a transfer of funds is undertaken in a single operation or in several operations which appear to be linked.

Operations which appear to be linked include:

- **a series of consecutive transfers** from or to the same financial or credit institutions within the scope of Article 30(1)(a) to (d) or from or to the same Iranian person, entity or body which are made in connection with a single obligation to a transfer of funds, where each individual transfer falls below the relevant threshold set out in Articles 30 and 30a but which, in the aggregate, meet the criteria for notification or authorisation; or (E.g. a single contract paid in instalments OR an ongoing business relationship); or
- **a chain of transfers involving different payment service providers** or natural or legal persons which effect a single obligation to make a transfer of funds. (E.g. multiple family members contributing towards a house purchase).

| Purpose of Transfer | Value of the transfer in EUR or its equivalent | Is there an Iranian credit or financial institution involved? | Prior Notification or Authorisation | Article 30 or 30a |
|--|--|---|-------------------------------------|-------------------|
| Foodstuffs, healthcare, medical equipment, or for agricultural or humanitarian purposes. | Of or above: 1,000,000 | Yes | Authorisation | Article 30 |
| Foodstuffs, healthcare, medical equipment, or for agricultural or humanitarian purposes. | ≥ 10,000 < 1,000,000 | Yes | Notification | Article 30 |
| Personal remittances | Of or above: 400,000 | Yes (if No please see 'Any other transfer') | Authorisation | Article 30 |
| Personal remittances | ≥ 10,000 < 400,000 | Yes (if No please see 'Any other transfer') | Notification | Article 30 |
| Trade contract* | Of or above: 100,000 | Yes | Authorisation | Article 30 |
| Diplomatic missions or consular posts and international organisations* | Of or above: 100,000 | Yes | Authorisation | Article 30 |
| Claims by or against an Iranian person, entity or body* | Of or above: 100,000 | Yes | Authorisation | Article 30 |

| | | | | |
|--|-----------------------|--|---------------|-------------|
| The execution of contracts concluded before 23 January 2012, providing that the supply of Iranian crude oil and petroleum products or the proceeds derived from their supply are for the reimbursement of outstanding amounts to persons, entities or bodies under the jurisdiction of Member States, (Article 12(1)(b)) Foodstuffs, healthcare, medical equipment, or for agricultural or humanitarian purposes.* | Of or above: 100,000 | Yes | Authorisation | Article 30 |
| Foodstuffs, healthcare, medical equipment, or for agricultural or humanitarian purposes. | Of or above: 10,000 | No | Notification | Article 30a |
| Any other transfer | ≥ 10,000 < 400,000 | No | Notification | Article 30a |
| Any other transfer | Of or above 400,000 | No | Authorisation | Article 30a |
| Does your transfer involve a Designated Person [†] | Any amount | Please contact the Treasury about obtaining a licence. | | |

* If your transfer is between 10,000 Euro and 100,000 Euro equivalent, please refer to 'Any other transfer'.

[†] A full list of designated persons and entities is available at:

<https://www.gov.uk/government/publications/financial-sanctions-consolidated-list-of-targets>

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How to submit your request

Forms for making notifications, authorisation requests and licence applications can be found here: <https://www.gov.uk/government/publications/license-applications-iran>

If you do not submit your application on the correct form, you may be asked to re-submit and this will delay consideration of your request.

Please use the following terms in the subject line of your email to ensure that your application is allocated to the correct area within HM Treasury's Financial Sanctions Team:

"IRANIAN BANK AUTHORISATION" for authorisation requests under Article 30

"AUTHORISE" for authorisation requests under Article 30a

"NOTIFY" for notifications under Articles 30 and 30a

'LICENCE APPLICATION' for a licence application under other parts of the EU

All applications should be submitted to: financialsanctions@hmtreasury.gsi.gov.uk

Time frames

- Once a notification has been acknowledged by an automated message from HM Treasury, you may proceed with a transaction;
- HM Treasury are required to respond to authorisation requests within four weeks, unless further checks are needed (in which case we will let you know that it could take longer); however this does not guarantee that authorisation will be granted.
- Always ensure you retain a copy of your submitted prior notification/prior authorisation (as approved) for your records.

For more information on complying with financial sanctions, read our frequently asked questions here: <https://www.gov.uk/government/publications/financial-sanctions-faqs>

To read the consolidated version of Council Regulation (EU) 267/2012 concerning restrictive measures against Iran:

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02012R0267-20150802&qid=1446545730349&from=EN>

Case examples of the transfer of funds under Articles 30 and 30a of the Iran EU Regulation:

Example 1

I own a UK company and have been approached by an Iranian company that wants to purchase €2,500,000 worth of hearing aids. The Iranian company has advised that they wish to pay for the goods using a bank in the United Arab Emirates.

You will need to notify HM Treasury in advance of these funds being transferred. You should complete a notification form under Article 30a. In this situation, your transfer of funds involves a non-Iranian bank and an EU bank and the transfer purpose relates to medical equipment.

Example 2

I am an Iranian student living in the UK and my parents would like to send me €50,000 to cover my tuition fees and living expenses using an Iranian bank.

You will need to notify HM Treasury in advance by completing the notification form under Article 30. Your transfer of funds involves an Iranian bank and an EU bank and the transfer purpose relates to a personal remittance which exceeds €10,000.

Example 3

I am an Iranian resident and wish to purchase a holiday home in the UK for around £500,000 using funds which I have in a bank in Turkey.

You will need to obtain prior authorisation from HM Treasury by completing the authorisation form and stating that this payment requires authorisation under Article 30a. This obligation arises because your residence in Iran means that you are an Iranian person under the EU Regulation, the transfer of funds exceeds €400,000 and no Iranian bank is involved in the transaction.

Example 4

My father in Iran wishes to lend me £15,000 as a deposit towards my wedding and his funds are in an Iranian bank. I have checked the consolidated list, and the bank is not listed there.

You will need to notify HM Treasury in advance by completing the notification form under Article 30. This obligation arises as your transfer of funds involves an Iranian bank and the transfer is a personal remittance. Responsibility to notify HM Treasury, as opposed to gaining prior authorisation, arises because your transfer falls within the €10,000 to €400,000 band.

Example 5

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I want to make a payment for a relative's healthcare bills and my recipient bank account is with a designated Iranian bank.

Such a payment, regardless of the sum, constitutes making funds available to a designated person/entity (i.e. the bank) and cannot be made without a licence. You will need to write to HM Treasury, attaching a licence application form outlining the facts and urgency of your application. Please see chapter 10 of the Financial Sanctions FAQs for more information about obtaining a licence.

Example 6

My family has come into an inheritance in Iran and want to bring cash over to the UK to help me with a deposit towards a property purchase. Each individual will be carrying less than EUR 10,000, the total amount brought over will be around EUR 50,000.

All transfers, including non-electronic transfers, such as by cash or cheque, are caught by Article 30 and 30a restrictions. Although your relatives are all individually carrying an amount which is smaller than the sum requiring prior notification, this type of transfer in this instance, is linked to one payment obligation. You will need to submit a prior notification to HM Treasury for the total sum to be transferred before your relatives travel to the UK. It is also advisable that your relatives retain a copy of the submitted prior notification and automated response from the Treasury confirming receipt as proof at customs.

We also recommend reading the information on <https://www.gov.uk/bringing-cash-into-uk> to find out whether you additionally need to declare funds at the border when travelling to, or from, Iran.

Example 7

I am applying for a Tier 1 investment VISA and need to transfer £200,000 from my savings in Iran. In another 6 months' time, I intend to transfer another £150,000 to further support my business and future investments.

Once you have established a payment route which does not involve a bank which is designated and subject to asset freeze, you will need to submit a prior notification for the first £200,000 you intend to transfer, as this sum is larger than EUR 10,000 but smaller than EUR 400,000. However, because both of your transfers in this instance are linked to one obligation, and in aggregate exceed the threshold of EUR 400,000, you will need to seek prior authorisation from the Treasury 28 calendar days before you are allowed to proceed with your second transfer.

You may choose to seek prior Authorisation from the first instance, in which case, please be advised to clearly outline the breakdown and schedule of your intended transfer.