

## SCHEDULES

### SCHEDULE 6

Regulation 61(2)

Treasury licences: purposes

#### PART 1

Interpretation

##### **Interpretation**

**1.** In this Schedule—

“designated person” has the same meaning as it has in Chapter 1 of Part 3 (Finance);

“frozen funds or economic resources” means funds or economic resources frozen by virtue of regulation 11, and any reference to a person’s frozen funds or economic resources is to funds or economic resources frozen as a consequence of the designation of that person for the purpose of that regulation.

#### PART 2

Financial sanctions in Chapter 1 of Part 3(asset-freeze etc)

##### **Basic needs**

**2.—(1)** To enable the basic needs of a designated person, or (in the case of an individual) any dependent family member of such a person, to be met.

(2) In the case of an individual in sub-paragraph (1), “basic needs” includes—

- (a) medical needs;
- (b) needs for—
  - (i) food;
  - (ii) payment of insurance premiums;
  - (iii) payment of tax;
  - (iv) rent or mortgage payments;
  - (v) utility payments.

(3) In the case of a person other than an individual in sub-paragraph (1), “basic needs” includes needs for—

- (a) payment of insurance premiums;
- (b) payment of reasonable fees for the provision of property management services;
- (c) payment of remuneration, allowances or pensions of employees;
- (d) payment of tax;

*Status: This is the original version (as it was originally made).*

- (e) rent or mortgage payments;
- (f) utility payments.
- (4) In sub-paragraph (1)—
  - “dependent” means financially dependent;
  - “family member” includes—
    - (a) the wife or husband of the designated person;
    - (b) the civil partner of the designated person;
    - (c) any parent or other ascendant of the designated person;
    - (d) any child or other descendant of the designated person;
    - (e) any person who is a brother or sister of the designated person, or a child or other descendant of such a person.

**Legal services**

- 3. To enable the payment of—
  - (a) reasonable professional fees for the provision of legal services, or
  - (b) reasonable expenses associated with the provision of legal services.

**Maintenance of frozen funds and economic resources**

- 4. To enable the payment of—
  - (a) reasonable fees, or
  - (b) reasonable service charges,arising from the routine holding or maintenance of frozen funds or economic resources.

**Extraordinary expenses**

- 5. To enable an extraordinary expense of a designated person to be met.

**Pre-existing judicial decisions etc**

- 6. To enable, by the use of a designated person’s frozen funds or economic resources, the implementation or satisfaction (in whole or in part) of a judicial, administrative or arbitral decision or lien, provided that—
  - (a) the funds or economic resources so used are the subject of the decision or lien,
  - (b) the decision or lien—
    - (i) was made or established before the date on which the person became a designated person, and
    - (ii) is enforceable in the United Kingdom, and
  - (c) the use of the frozen funds or economic resources does not directly or indirectly benefit any other designated person.

**Humanitarian assistance activities etc**

- 7.—(1) To enable anything to be done in connection with the performance of any humanitarian assistance activity.

(2) To enable, by the use of a designated person's frozen funds or economic resources, a payment to be made to the United Nations in connection with the performance of any activity whose purpose is consistent with the Syrian Humanitarian Response Plan.

(3) For the purposes of this paragraph, "the Syrian Humanitarian Response Plan" means the strategy for a humanitarian response in Syria developed by the United Nations Office for the Coordination of Humanitarian Affairs in accordance with the UN General Assembly Resolution number 46/182, on strengthening of the coordination of humanitarian emergency assistance of the United Nations<sup>(1)</sup>.

### **Diplomatic missions etc**

8. To enable anything to be done in order that the functions of a diplomatic mission or consular post in Syria, or of an international organisation enjoying immunities in accordance with international law, may be carried out.

### **Human safety or environmental protection**

9. To enable anything to be done to protect the safety of individuals or for the protection of the environment.

### **Education, professional training or academic research**

10.—(1) To enable, by the transfer of funds or economic resources by or through a designated credit or financial institution, the provision of financial support to an individual who is a national of Syria to pursue an education, professional training or academic research in the United Kingdom, provided that the use of the funds or economic resources does not directly or indirectly benefit a designated person.

(2) For the purposes of paragraph (1), "designated credit or financial institution" means a person, other than an individual, who is designated under regulation 5 for the purposes of regulations 11 to 15 and who—

- (a) in the case of an undertaking, by way of business—
  - (i) operates a currency exchange office,
  - (ii) transmits money (or any representation of monetary value) by any means, or
  - (iii) cashes cheques that are made payable to customers, and
- (b) in the case of any other person, would satisfy the threshold conditions for permission under Part 4A of the Financial Services and Markets Act 2000 if it had its registered office (or if it does not have one, its head office) in the United Kingdom.

### **Essential energy needs**

11. To enable anything to be done in order to meet the essential energy needs of the civilian population in Syria.

### **Evacuations**

12. To enable anything to be done in order to evacuate an individual from Syria.

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(1) A copy of which is available from the Humanitarian Response website of the United Nations Office for the Coordination of Humanitarian Affairs: <https://www.humanitarianresponse.info/en/operations/whole-of-syria>.

### **Chemical Weapons Convention**

13.—(1) To enable a payment to be made by the Central Bank of Syria or by a designated person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by the Syrian regime to the Organization for the Prohibition of Chemical Weapons for the purposes of compliance with article 4 of the Chemical Weapons Convention.

(2) For the purposes of this paragraph, “the Organization for the Prohibition of Chemical Weapons” means the Organization established pursuant to article 8 of the Chemical Weapons Convention.

### **Extraordinary situation**

14. To enable anything to be done to deal with an extraordinary situation.

### **Prior obligations**

15. To enable, by the use of a designated person’s frozen funds or economic resources, the satisfaction of an obligation of that person (whether arising under a contract, other agreement or otherwise), provided that—

- (a) the obligation arose before the date on which the person became a designated person, and
- (b) no payments are made to another designated person, whether directly or indirectly.

### **Central and Commercial Banks of Syria**

16.—(1) To enable, by the transfer of frozen funds or economic resources by or through the Central Bank of Syria and to a UK credit or financial institution, the financing of trade that is not subject to a prohibition under Part 5 (Trade).

(2) For the purposes of this paragraph, “UK credit or financial institution” has the same meaning as it has in regulation 23.

(3) Subject to sub-paragraph (7), to enable, by the transfer of frozen funds or economic resources by or through the Central Bank of Syria, the satisfaction of an obligation arising under a trade contract, provided that the funds or economic resources were frozen after the date on which the Central Bank of Syria became a designated person.

(4) Subject to sub-paragraph (7), to enable, by the transfer of funds or economic resources to or through the Central Bank of Syria, the satisfaction of an obligation arising under a trade contract.

(5) Subject to sub-paragraph (7), to enable, by the transfer of frozen funds or economic resources from outside of the United Kingdom, by or through the Commercial Bank of Syria, the satisfaction of an obligation arising under a trade contract, provided that—

- (a) the trade contract is for the purpose of meeting the essential needs of the civilian population in Syria, and
- (b) the funds or economic resources were frozen after the date on which the Commercial Bank of Syria became a designated person.

(6) Subject to sub-paragraph (7), to enable, by the transfer of funds or economic resources from outside of the United Kingdom, to or through the Commercial Bank of Syria, the satisfaction of an obligation arising under a trade contract, provided that the trade contract is for the purpose of meeting the essential needs of the civilian population in Syria.

(7) Sub-paragraphs (3) to (6) do not apply where—

- (a) the transfer of the funds or economic resources directly or indirectly benefits a designated person, or

(b) the transfer is prohibited under Part 5 (Trade).

(8) In sub-paragraph (5) and (6), “essential needs” includes medical needs and needs for food, shelter, sanitation and hygiene.

## PART 3

### Financial sanctions in Chapter 2 of Part 3 (investment, financial services and financial markets)

#### **Assisting the civilian population in Syria**

17.—(1) Subject to sub-paragraph (2), to enable anything to be done, for the purpose of providing assistance to the civilian population in Syria, by any activity that would otherwise be prohibited under by any of the following—

- (a) regulation 16(1)(a) (opening bank accounts with a Syrian credit or financial institution);
- (b) regulation 16(3) (opening representative offices or establishing branches or subsidiaries of a UK credit or financial institution in Syria);
- (c) regulation 21 (investments in relation to crude oil and electricity production).

(2) Sub-paragraph (1) does not apply where—

- (a) the act directly or indirectly benefits a designated person, or
- (b) the act is prohibited under Part 5 (Trade).