

Licence Application Form

The form below sets out the minimum information required by the **Governor's Office** in order to process application by individuals or entities seeking a licence to allow for an activity or transaction to take place that would otherwise be prohibited under asset freezing measures in Sanction Orders. You may be contacted for additional information. This form should be used for all licence applications relating to sanctions implemented by way of the United Kingdom Overseas Territories Orders. The Government Gazette's website lists all of the United Nations and European Union sanction regime related to the United Kingdom Overseas Territories Orders which are extended to Anguilla.

This form should **not** be used for export control licence applications or other non-asset-freeze matters.

Licence applications can be legally and/or commercially complex, and in certain circumstances require clearance or prior notification internationally (e.g. UN level). There is a requirement for the Governor to seek consent from the Secretary of State prior to the issuance of any licence under the Order. This is to enable the Foreign and Commonwealth Office to complete any approval or notification process at the international level prior to consenting to the issuance of a licence by the Governor, thereby **complying with the UK's international obligations**.

Please note that the application process requires clearance or prior notification from international authorities (e.g. at the UK or UN level). Therefore, the time it will take for the Foreign Secretary to decide whether to consent to the licence will vary according to the international exemption procedure to be followed. 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.

The Governor can only issue a licence where there are grounds to do so. These grounds will be set out in the relevant Sanctions Order. 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 Sanctions Order. Applications which do not make reference to the relevant licensing ground will be returned with a request that a suitable licensing ground be added.

Ongoing Monitoring and Reporting

Licences issued by the Governor's Office may be unconditional or may come with conditions that require information to be reported within a specific time frame. These will likely include reporting every time a transaction is made under the licence.

A failure to comply with these reporting requirements may result in the **revocation**, **suspension or termination** of a licence or **further restrictions** being included in it. It may also result in a criminal prosecution or monetary penalty.

The completed application forms should be submitted to:

H.E. The Governor Governor's Office, Old Ta, AI-2640 Anguilla

Phone: (264) 497-2621

PART 1 – REGIME UNDER WHICH LICENCE IS BEING SOUGHT			
Name of Order/regime under which the			
application is made: (Egypt, Libya, etc.)			
URGENCY			
Please provide any details that may help			
us determine the urgency of the case (e.g.			
deadlines, impact on your business if a licence cannot be granted by a given date).			
PART 2 – DETAILS OF APPLICANT			
Date of Application			
Name of Applicant (to whom the			
licence will be granted)			
(Individual/Company name etc.)			
Are you/is your company a YES NO			
"designated person" (that is,			
subject to an asset freeze), or			
owned or controlled by a			
designated person? If so, please			
provide details			
Nature of business:			
Address:			
Contact Name:			
Telephone number:			
Email Address:			

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PART 3 – DETAILS ABOUT TH	HE LICENCE BEING SOUGHT
Name of Designated Person:	
Licence required to release frozen funds or econor indirectly, to or for the benefit of a designated person PLEASE TICK WHICHEVER APPLIES Note: Those grounds marked * are licensing grounds or economic resources cannot be made available to li	only relating to the release of frozen funds. Funds
Basic expenses of the designated person or his or l	ner dependent family members
Legal Fees: Reasonable professional fees and rein with the provision of legal services	abursement of incurred expenses associated
Routine maintenance of funds/assets: payments of frozen funds or economic resources Extraordinary expenses	fees or service charges for the maintenance of
*Obligations due under a contract or agreement e prior to the designation of the person or entity in *Obligations arising in connection with certain ju decisions or judgments Other (please specify, including relevant legislation	question dicial, administrative or arbitral liens,
Specify the legal basis for licensing – see note 4 (i.e. the paragraph). Please give the licence number(s) of any applicable).	
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PART 4 – O'	VERVIEW
Briefly outline the transaction and your role in it. What is the prohibited act that the licence is for?	

PART 5 – DETAILS OF THE TRANSACTION(S) CONCERNED Date of the intended transaction(s): Description of funds, goods or services to be supplied or obtained: (Individual/Company name etc.) Are the goods or services for humanitarian YES N purposes (e.g. delivering or facilitating the \mathbf{o} delivery of assistance, including medical supplies, food, the provision of electricity, or other humanitarian purposes)? 'Yes' the _____ please explain humanitarian purpose fully.) Value of the goods or services to be supplied or obtained: Names of the parties to Seller / supplier the contract: Buyer / customer _____ Agent / broker / other _____ intermediary Is the end user different to the contract YES NO customer? If 'Yes' please provide details of the end user (if known) Is the end user owned or controlled by a YES NO designated person? If 'Yes' please provide details of the ______ ownership or control Do you know or have reasonable suspicion YES NO 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? If 'Yes' who is the individual or _____ entity Dates of any transactions / shipments / payments already made. Dates of any future transactions / _____ shipments/ payments.

PART 6 – BANKING DETAILS			
Method of payment (e.g. cash, che transfer, confirmed or unconfirme			
credit, or other method)			
The banks (including correspondent, intermediary and confirming banks, if applicable)			
through which payment will be made. Please provide a/c numbers if they are available:			
Correspondent bank			
Intermediary bank			
Confirming or advisory bank			
Are payment instructions/funds YES NO available for this transaction?			
PAR	T 7 – FURT	THER DETAILS	
Please provide any additional background information or			
explanation that would be			
helpful for the Governor to have.			
You may wish to submit copies of documents that support your application or help us to understand			
it. Please indicate below if additional documentation has been provided and list attachments.			
	Yes	No	
	<u> </u>		
PART 8 – CONFIRMATION OF INFORMATION			
I confirm that the above information is true to the best of my knowledge and belief. I will inform the Governor			
of the Anguilla if there are any changes to this information.			
Signed		Dated	

NOTES

Please read these notes before completing the form.

- 1. This form is designed to be used for all financial sanction's regime.
- 2. Licences can only be issued where there is a legal basis to do so. The legal basis will usually be set out in the relevant Overseas Territory Order that established the sanctions regime in question.
- 3. The form has been developed with commercial arrangements in mind (i.e. sales of goods or services etc.). It should be adapted and used (for example) for gifts or humanitarian transactions where funds, goods or services are donated. Whatever the nature of the arrangements please provide a full explanation of what is happening and how much and who is involved.

The form is in EIGHT (8) parts:

- a. 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.
- b. 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).
- c. Part 3 is about the licence sought the type of licence sought. Please note that the Governor can only issue a licence if there is a legal basis to do so. The grounds for issuing a licence are found in the EU Regulation imposing sanctions.
- d. Parts 4 and 5 are about the transaction involved. Please make it clear if a transaction 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.
- e. Part 6 is about the banking details of the transaction.
- f. Part 7 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 the Governor 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.
- g. Part 8 requires the applicant to confirm that the information being submitted is true to the best of his/her knowledge and belief; and will inform the Governor if there have been any changes