

FINANCIAL REPORTING AUTHORITY

(CAYFIN)



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CAYMAN ISLANDS

General Notice of Renewal of Final Designations

17/9/2019

Terrorism and Terrorist Financing

Introduction

1. Two designations have been renewed under the Terrorist Asset-Freezing etc. Act 2010 (TAFE).

By virtue of paragraph 2 of Schedule 4A of the Terrorism Law (2018 Revision) (TL), a “designated person” includes a person designated by the Treasury in accordance with the applicable laws in the United Kingdom. Such designated persons are therefore automatically designated in the Cayman Islands.

The reason for this Notice

2. The Office of Financial Sanction Implementation (OFSI), part of HM Treasury, has renewed the final designation of the following entities with effect from Monday 16 September 2019:
 - **Ejército de Liberación Nacional (ELN)** (Group ID: 7364)
 - **Sendero Luminoso (SL)** (Group ID: 7440)
3. This means that the entities listed above are therefore designated persons for the purposes of TAFE and continue to be subject to the financial sanctions imposed by it.

What you must do

4. You must:
 - i. check whether you hold any accounts, funds or economic resources for, or provide financial services to, the persons set out in the Annex to this Notice;
 - ii. freeze such accounts or other funds;
 - iii. suspend the provision of any financial services to that person;
 - iv. refrain from dealing with such funds or making them available to such persons unless licensed by the Governor;
 - v. report any findings to the FRA at financialsanctions@gov.ky, together with any additional information that would facilitate compliance with TAFSA ;
 - vi. provide any information concerning the frozen assets of designated persons to the FRA at financialsanctions@gov.ky by completing and submitting a TF/PF Asset Freeze Report Form. Information reported to FRA may be passed on to other regulatory authorities or law enforcement.
5. If you have already reported details of accounts held frozen for designated persons, you are not required to report these details again.
6. Failure to comply with financial sanctions is a criminal offence.
7. Some dealings with funds and economic resources that would otherwise contravene TAFSA can be licensed by the Governor. You can find out about applying for a licence as well as information about General Licences in the FRA's Industry Guidance regarding Targeted Financial Sanctions:

<http://fra.gov.ky/contents/page/1>

Can I challenge a Designation or Decision?

8. If you are the designated person, you may appeal to the High Court or, in Scotland, the Court of Session, under section 26 of TAFSA, any decision of OFSI to make or vary, or not to vary or revoke, an interim or final designation, or to renew a final designation.
9. If you are the designated person or a person affected by a decision of OFSI (other than decisions to which section 26 applies) you may apply to the High Court or, in Scotland, the Court of Session, for the decision to be set aside.
10. Any person affected by a decision of the Governor under Schedule 4A of the Terrorism Law (2018 Revision) may apply to the Grand Court for the decision to be set aside.
11. Please see OFSI's Guide to Financial sanctions for more information:

<https://www.gov.uk/government/publications/financial-sanctions-faqs>

Other information

12. TAFE implements the terrorist asset freezing requirements of UN Security Council Resolution 1373 (2001) and Council Regulation (EC) No 2580/2001 in the UK.

13. OFSI's consolidated list of persons subject to financial sanctions in effect in the UK has been updated to reflect the renewal of the designation. The consolidated list can be found on the GOV.UK website:

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

14. A copy of TAFE is available from legislation.gov.uk:

<http://www.legislation.gov.uk/ukpga/2010/38/contents>

15. Copies of relevant Releases, UN Security Council Resolutions, EU Regulations and UK legislation can be obtained from the Terrorism and Terrorist Financing regime page on the Financial Sanctions pages of the GOV.UK website:

<https://www.gov.uk/government/publications/current-list-of-designated-persons-terrorismand-terrorist-financing>

Enquiries

16. Enquiries regarding this Financial Sanctions Notice should be addressed to:

The Sanctions Coordinator
Financial Reporting Authority
P.O. BOX 1052
Grand Cayman KY1-1102
Cayman Islands
financialsanctions@gov.ky

ANNEX TO NOTICE
FINANCIAL SANCTIONS: TERRORISM AND TERRORIST FINANCING
DESIGNATION MADE UNDER SECTION 2 OF THE TERRORIST ASSET-FREEZING ETC. ACT 2010

RENEWAL OF FINAL DESIGNATION

Date of Renewal of Final Designation

16/09/2019

Entities

1. EJERCITO DE LIBERACION NACIONAL (ELN)

a.k.a: National Liberation Army **Other Information:** Both UK listing and EU listing. **Listed on:** 02/11/2001 **Last Updated:** ~~09/10/2018~~ 16/09/2019 **Group ID:** 7364.

2. SENDERO LUMINOSO (SL)

a.k.a: Shining Path **Other Information:** Both UK listing and EU listing. **Listed on:** 02/11/2001 **Last Updated:** ~~09/10/2018~~ 16/09/2019 **Group ID:** 7440.

Financial Reporting Authority

Portfolio of Legal Affairs

17/09/2019