



CAYMAN ISLANDS
Office of the Governor
Grand Cayman
Cayman Islands

GENERAL LICENCE - LEGAL SERVICES

The Russia (Sanctions) (EU Exit) Regulations 2019 and the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019

GL/2023/0003

IT IS THE RESPONSIBILITY OF ANY PERSON OR PERSONS USING THIS LICENCE TO ENSURE THAT THE ACTIVITIES UNDERTAKEN FALL WITHIN THE TERMS OF THIS LICENCE, AND THAT THE PARTIES COMPLY WITH THE CONDITIONS OF THIS LICENCE IN FULL. IN THE EVENT THAT THE CONDITIONS OF THIS LICENCE ARE NOT COMPLIED WITH IN FULL, IT WILL NOT APPLY TO PERMIT ACTIVITIES TAKEN IN BREACH OF RELEVANT SANCTIONS AND A CRIMINAL PENALTY MAY BE IMPOSED.

1. This licence is granted under regulation 64 of the Russia (Sanctions) (EU Exit) Regulations 2019¹ as extended to the Cayman Islands (with modifications) (the "Modified Russia Regulations") by the Russia (Sanctions) (Overseas Territories) Order 2020² and regulation 32 of the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019³ as extended to the Cayman Islands (with modifications) (the "Modified Belarus Regulations") by the Republic of Belarus (Sanctions) (Overseas Territories) Order 2020⁴.
2. The prohibitions in regulations 11-15 of the Modified Russia Regulations and regulations 11-15 of the Modified Belarus Regulations do not apply to any act necessary to give effect to the Licence.
3. In this licence (including Parts A and B):

"Attorney"	means a person admitted by a Judge to practise as an attorney-at-law under section 3 of the Legal Practitioners Act (2022 Revision) and who is providing advice in relation to the Legal Services.
"Attorney's fees"	means fees charged by an Attorney or a Law Firm for the provision of the Legal Services.

¹ S.I. 2019 No 855

² S.I. 2020 No 1571

³ S.I. 2019 No 600

⁴ S.I. 2020 No 1271

"DP"	means any individual or body of persons (corporate or unincorporate) designated under regulation 5 of the Russia (Sanctions) (EU Exit) Regulations 2019 or regulation 5 of the Republic of Belarus (Sanctions) EU Exit Regulations 2019 or any individual or body of persons (corporate or unincorporate) owned or controlled by that designated person as determined under the criteria set out in regulation 7 of the Modified Russia Regulations or Modified Belarus Regulations.
"Economic Resources"	means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but can be used to obtain funds, goods or services.
"Expenses"	means any fees or expenses associated with the provision of the Legal Services including (but not limited to): <ul style="list-style-type: none"> • fees for expert witnesses; • translation fees; • printing; • travel expenses; • subsistence expenses; • courier expenses; • legal searches; • court transcripts; • administrative fees necessary to provide legal services; and • bank transaction fees, but excluding Attorney's fees.
"Funds"	means financial assets and benefits of every kind, including (but not limited to)— <ol style="list-style-type: none"> a) cash, cheques, claims on money, drafts, money orders and other payment instruments; b) deposits, balances on accounts, debts and debt obligations; c) publicly and privately traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivative products; d) interest, dividends and other income on or value accruing from or generated by assets; e) credit, rights of set-off, guarantees, performance bonds and other financial commitments; f) letters of credit, bills of lading and bills of sale; g) documents providing evidence of an interest in funds or financial resources; h) any other instrument of export financing.
"Law Firm"	means a Person providing legal advice in relation to the Legal Services to a DP.
"Legal Services"	means legal services provided to a DP, including legal advice and/or representation in court, whether provided within the Cayman Islands or another jurisdiction, in relation to any matter except a claim for defamation or malicious falsehood.

"Person"	includes a body of persons corporate or unincorporate, but does not include a DP.
"Relevant Institution"	<p>means a Person domiciled in the Cayman Islands which would satisfy the threshold conditions for permission under Part 4A of the Financial Services and Markets Act 2000 (permission to carry on regulated activity) if it had its registered office (or if it does not have one, its head office) in the United Kingdom;</p> <p>a Person that is licensed under the Bank and Trust Companies Act (2021 Revision) to carry on banking business;</p> <p>a Person that is licensed to carry on a money services business under the Money Services Act (2020 Revision); and</p> <p>a Person registered under the Cooperative Societies Act (2020 Revision) to engage in credit union business.</p>
"The Governor"	means the person holding or acting in the office of Governor of the Cayman Islands in accordance with the Cayman Islands Constitution Order, 2009.

4. Subject to paragraph 6, provided that one (or both) of the sets of conditions in either Part A and/or Part B of this licence are complied with in full, any Person or Relevant Institution may:
 - 4.1 receive payments from or on behalf of a DP;
 - 4.2 make payments (directly or indirectly) for or on behalf of a DP;
 - 4.3 make payments for the benefit of a DP;
 - 4.4 process payments for the benefit of a DP; and
 - 4.5 carry out any other act which is reasonably necessary to give effect to 4.1 – 4.4 above
5. Subject to paragraph 6, provided that one (or both) of the sets of conditions in either Part A and/or Part B of this licence are complied with in full, a DP may pay Attorney's fees and/or Expenses to an Attorney, a Law Firm, or a provider of Expenses for Legal Services which have been provided to that DP.
6. The permissions in this licence do not authorise any act which results in Funds or Economic Resources being made available (directly or indirectly) to any DP.
7. Both Part A and Part B of this licence can be used in conjunction by a Person or DP if the provision of Legal Services commenced before the DP was designated and continued after designation provided that:
 - 7.1 where both Part A and Part B of this licence are used with regard to the Legal Services, the Attorney's fees paid under both Parts in relation to any DP do not exceed US\$1,200,000.00 in total for the duration of this licence;
 - 7.2 where both Part A and Part B of this licence are used with regard to the Legal Services, the Expenses paid under both Parts in relation to any DP do not exceed (in total) either:

7.2.1 10 % of the amount payable for the Attorney's fees; or

7.2.2 US\$120,000.00

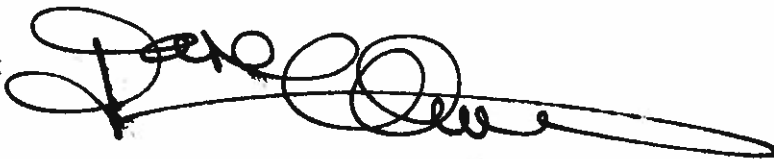
whichever is lower, for all of the Expenses for the duration of this licence;

7.3 Part A is only used to pay for individual matters within the Legal Services which were commenced before the DP was designated; and

7.4 with regard to the provision of Legal Services under Part B, the hourly rates do not exceed those set out in paragraph 11 of Part B.

8. The permissions in this licence do not authorise any act which results in a breach of the Modified Russia Regulations, the Modified Belarus Regulations or any other regulations made under the Sanctions and Anti-Money Laundering Act 2018 (as extended to the Cayman Islands), save as specifically permitted under this licence.
9. Any Person, Relevant Institution or DP acting under the authority of, or otherwise using this licence should note that the conditions set out in Parts A and B of this licence are not capable of being interchanged: the conditions in one Part must be complied with in full for the activities to fall within the terms of this licence.
10. Information provided to The Governor in connection with this licence shall be disclosed to third parties only in compliance with the Data Protection Act (2021 Revision) and the Data Protection Regulations, 2018.
11. This licence takes effect from 15 November 2023 and expires on 15 May 2024. Licence GL/2023/0002 has expired.
12. The Governor may vary, revoke or suspend this licence at any time.
13. The Governor will publicise any variations, suspensions or revocations of this licence online through the Financial Reporting Authority's (FRA) website at www.fra.gov.ky.

SIGNED:



NAME: Her Excellency The Governor Jane Owen

15 November 2023

PART A - LEGAL SERVICES BASED ON A PRIOR OBLIGATION

CONDITIONS FOR USE OF THIS PART OF THIS LICENCE - NOTE THAT ALL OF THE BELOW CONDITIONS MUST BE SATISFIED/ COMPLIED WITH

1. A payment of:
 - 1.1 Attorney's fees; and/or
 - 1.2 Expenses,must be owed by a DP to an Attorney, a Law Firm, or a provider of Expenses.
2. The payment must be in relation to Legal Services which have been provided, or which are being provided to a DP by an Attorney, a Law Firm, or to Expenses.
3. The payment must be owed in accordance with an obligation which was entered into by the DP prior to the date of that DP's designation, or in the case of DPs which are owned and controlled, the owner/ controller of that DP's designation, either under the Modified Russia Regulations, the Modified Belarus Regulations or Council Regulation (EU) No 269/2014 (whichever was earlier).
4. The Attorney's fees paid under this Part in relation to any DP must not exceed US\$600,000.00 in total for the duration of this licence.
5. The Expenses paid under this Part in relation to any DP must not exceed (in total) either:
 - 5.1 10% of the amount payable for the Attorney's fees; or
 - 5.2 US\$60,000.00;whichever is lower, for all of the Expenses paid under this Part for the duration of this licence.
6. If at any point the limits for the Attorney's fees or Expenses set out above are in fact exceeded, Part A of this licence will not apply to any payment of any nature above those limits nor to any other act in relation to the provision of the Legal Services.
7. All payments made under this Part must:
 - 7.1 be paid directly to an account held in the Cayman Islands with a Relevant Institution by an Attorney, a Law Firm, or a provider of Expenses; or
 - 7.2 be paid on behalf of a DP to a provider of Expenses by an Attorney or a Law Firm, to an account held in the Cayman Islands with a Relevant Institution by a provider of Expenses, either before or after payment from, for or on behalf of the DP is received.

Reporting Requirements

8. Within 14 days of receiving payment under this licence any Person who has used the licence must send to The Governor, by email to GovernorsOffice.Cayman@fcdo.gov.uk:

- 8.1 The relevant unredacted letter of engagement between the DP and the Attorney or Law Firm;
- 8.2 Any other document, communication or other record which sets out the obligation pursuant to which payment is made;
- 8.3 The relevant invoice(s) which are being paid; and
- 8.4 A completed "Governor Prior-Obligation Legal Fees GL form" available from the website at www.fra.gov.ky.

Record-keeping Requirements

- 9. A DP or Person must keep accurate, complete and readable records, on paper or electronically, of any activity purporting to have been permitted under this licence for a minimum of six (6) years.

PART B - LEGAL SERVICES NOT BASED ON A PRIOR OBLIGATION
CONDITIONS FOR USE OF THIS PART OF THIS LICENCE- NOTE THAT ALL OF THE BELOW
CONDITIONS MUST BE SATISFIED/ COMPLIED WITH

1. A payment of:
 - 1.1. Attorney's fees; and/ or
 - 1.2. Expenses,must be owed by a DP to an Attorney, a Law Firm, or a provider of Expenses.
2. The payment must be in relation to Legal Services which have been provided, or are being provided by the Attorney or Law Firm, to a DP, or to Expenses.
3. The Attorney's fees paid under this Part in relation to any DP must not exceed US\$600,000.00 in total for the duration of this licence.
4. The Expenses paid under this Part in relation to any DP must not exceed (in total) either:
 - 4.1 10% of the amount payable for the Attorney's fees; or
 - 4.2 US\$60,000.00;whichever is lower, for all of the Expenses paid under this Part for the duration of this licence.
5. If at any point the limits for the Attorney's fees or Expenses set out above are in fact exceeded, Part B of this licence will not apply to any payment of any nature above those limits nor to any other act in relation to the provision of the Legal Services.
6. The hourly rates for an Attorney must not exceed those rates listed in paragraph 11 of this part of the licence in any individual case.
7. If at any point any one hourly rate, for an Attorney exceeds the hourly rates set out in this licence, Part B of this licence will not apply to any payment of any nature applying those hourly rates which exceed the rates set out in this licence nor to any other act in relation to the provision of the Legal Services.
8. All payments made under this Part must either:
 - 8.1 be paid directly to an account held in the Cayman Islands with a Relevant Institution by an Attorney, a Law Firm, or a provider of Expenses; or
 - 8.2 be paid on behalf of a DP to a provider of Expenses by an Attorney or a Law Firm, to an account held in the Cayman Islands with a Relevant Institution by a provider of Expenses, either before or after payment from, for or on behalf the DP is received.

Reporting Requirements

9. Within 14 days of receiving payment under this licence any Person who has used the licence must send to The Governor, by email to GovernorsOffice.Cayman@fcdo.gov.uk:

- 9.1 The relevant unredacted letter of engagement between the DP and the Attorney of Law Firm;
- 9.2 Details of the name, employment, experience and the years of post-qualification experience of any Attorney;
- 9.3 The relevant invoice(s) which are being paid; and
- 9.4 A completed "Governor Post-Designation Legal Fees GL form" available from the website at www.fra.gov.ky.

Record-keeping Requirements

10. A DP or Person must keep accurate, complete and readable records, on paper or electronically, of any activity purporting to have been permitted under this licence for a minimum of six (6) years.

Hourly rates

11. ATTORNEY

Fee Earner	Cayman Islands dollars(CI\$)	United States dollars US\$
Attorney more than 20 years	Up to 738	Up to 900
Attorney between 15 and 20 years	Up to 705	Up to 860
Attorney between 10 and 15 years	Up to 599	Up to 730
Attorney between 5 and 10 years	Up to 513	Up to 625
Attorney fewer than 5 years	Up to 377	Up to 460
Articled Clerks and Paralegals	Up to 262	Up to 320