

THE UNITED REPUBLIC OF TANZANIA



FINANCIAL INTELLIGENCE UNIT

**THE TARGETED FINANCIAL SANCTIONS ON TERRORISM FINANCING
AND PROLIFERATION FINANCING GUIDE**

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1.0 OBJECTIVE

- 1.1 The objective of issuing these guidelines is to ensure implementation of targeted financial sanctions to comply with the United Nations Security Council resolutions that require countries to freeze, without delay, the funds or other assets, and to ensure that no funds and other assets are made available to or for the benefit of any person or entity designated by the United Nations Security Council (the Security Council) under Chapter VII of the Charter of the United Nations, as required by Security Council resolutions -
 - (a) 1267 (1999), 1989 (2011) and 2253 (2015) and any of their successor resolutions relating to targeted financial sanctions against persons and entities associated with the ISIL (Da'esh) and Al-Qaeda organizations;
 - (b) 1988 (2011) on Afghanistan/Taliban in relation to persons and entities associated with the Taliban and the threat they pose to the peace, stability and security of Afghanistan;
 - (c) 1373 (2001) relating to any person or entity designated by the United Republic of Tanzania as suspected domestic terrorist pursuant to section 12A of the Prevention of Terrorism Act (Cap, 19);
 - (d) 1718 (2006) and 2231 (2015) and their successor resolutions on sanction measures to counter proliferation financing.
- 1.2 The Guidelines are intended to complement any other measures or obligations that are in place for dealing with funds or other assets in the context of a criminal, civil or administrative investigation or proceedings for the purposes of confiscation and provisional measures.
- 1.3 The Guidelines also complement criminal proceedings against a designated person or entity, and therefore may be adopted by a competent authority or a court, but are not conditional upon the existence of such proceedings. Instead, the Guidelines provide for preventive measures that are necessary and unique in the context of stopping the use or flow of funds or other assets to designated persons, entities or terrorist groups.
- 1.4 The Guidelines sets out the limits for fostering widespread support for an effective counter-terrorist financing regime, the respect of human rights, the respect for the rule of law, and recognize the rights of innocent third parties.
- 1.5 The Guidelines are hinged upon all current and future successor resolutions to resolution 1267(1999) and any future UNSCRs which impose targeted financial

sanctions in the terrorist financing context. These includes the resolutions: 1333 (2000), 1363 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1617 (2005), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009), 1988 (2011), and 1989 (2011).

- 1.6 The reporting persons or any other in possession of funds or assets of any other person or entity, should take cognizance of the fact that the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988 (the Vienna Convention) and the United Nations Convention Against Transnational Organized Crime, 2000 (the Palermo Convention), contain obligations regarding freezing, seizure and confiscation in the context of combating transnational crimes. Additionally, the International Convention for the Suppression of the Financing of Terrorism, 1999 (the Terrorist Financing Convention) contain obligations regarding freezing, seizure and confiscation in the context of combating terrorist financing. Those obligations exist separately apart from the obligations set forth by Financial Action Task Force in Recommendations 6 and 7 and the United Nations Security Council Resolutions related to terrorist financing and proliferation financing.

2.0 TARGETED FINANCIAL SANCTIONS ON TERRORISM FINANCING

2.1 Definition and Interpretation

“customer” includes “beneficial owner” and “beneficiary”;

“Domestic List” refers to names and particulars of specified individuals or entities as declared by the Minister of Home Affairs under the Prevention of Terrorism Act or regulations made under it;

“designated party” means a party that is declared by the Minister or by the Security Council to be subjected to targeted financial sanctions;

“party” means an individual, a group, an undertaking or an entity;

“related party” refers to:

(a) a person related to the properties or funds that are wholly or jointly owned or controlled, directly or indirectly, by a specified entity; and

(b) a person acting on behalf or at the direction of a specified entity;

“reporting person” has a meaning ascribed to it under the Anti-Money Laundering Act;

“UNSCR List” refers to names and particulars of persons as designated by the United Nations Security Council (UNSC) or its relevant Sanctions Committee pursuant to the relevant United Nations Security Council Resolutions (UNSCR) and are deemed as specified entities by virtue of the Prevention of Terrorism Act;

2.2 General

2.2.1 A Reporting Persons or any person who holds funds or other assets of another person or entity, are required to keep up to date with targeted financial sanctions relating to individuals or entities named any United Nations Security Council or its relevant Sanctions Committee pursuant to the relevant United Nations Security Council Resolution which includes:

(a) UNSCR 1267(1999), 1373(2001), 1988(2011), 1989(2011) and 2253(2015) which require sanctions against individuals and entities belonging or related to Taliban, ISIL (Da’esh) and Al-Qaida; and

(b) new UNSCR published by the UNSC or its relevant Sanctions Committee as published in the United Nations (UN) website.

2.2.2 The Consolidated Lists for the purposes of implementing the targeted financial Sanctions is available at the UNSC Sanctions Committee’s websites, which are regularly updated and can be accessed at the following links:

- a) https://www.un.org/sc/suborg/en/sanctions/1267/aq_sanctions_list.
- b) <https://www.un.org/sc/suborg/en/sanctions/1988/materials>;
- c) <https://www.un.org/sc/suborg/en/sanctions/1718/materials>
- d) <http://www.un.org/en/sc/2231/list.shtml>.
- e) <https://www.un.org/sc/suborg/en/sanctions/un-sc-consolidated-list>.

2.2.3 Reporting persons and all persons who hold funds and other assets of other persons should regularly access the aforesaid Consolidated Lists to ensure compliance with measures in line with Regulations 4, 19, 20, 25 and 26 of the Prevention of Terrorism (General) Regulations 2022 G.N. No: 379 of 2022 (POTA Regulations) as amended from time to time and every person who has the responsibility under the said POTA Regulations, should check the availability of the updated lists.

2.2.4 All persons who hold funds and other assets of other persons should not provide any services to designated parties and their associates. For this purpose, necessary measures should be taken including but not limited to the following:

- a) In case of accounts, it should be ensured that individual account holder or beneficial owners, directors, members, trustees and authorized signatories of a legal person or other legal arrangement are not linked with any designated name in the consolidated lists referred to in paragraph 2.2.2 above, whether under the same name or with a different name.
- b) The association of individuals/ entities with proscribed/ designated parties may be determined on the basis of appropriate screening of sanctions lists/ watch lists, publicly known information or linkages on the basis of online verification, government or regulatory sources or reliable media information, etc.
- c) While opening new accounts, on boarding clients or extending services to existing customers, any similarity between the information of the customer and that of designated party including national identification number, address, etc may be viewed with suspicion and properly verified and if positive match is detected should be reported to Minister, FIU and the Police in accordance with the POTA Regulation 4 (5).
- d) Reporting persons or persons holding funds or other assets of other persons should monitor their relationships on a continuous basis and ensure that no such relationship exists. If any such relationship is found, action should be taken as in accordance with the law, including reporting to the Minister, FIU and the Police in accordance with the POTA Regulation 4 (5).
- e) Reporting persons or persons holding funds or other assets of other persons should also ensure compliance with targeted financial sanctions with regards to their vendors, employees (permanent, contractual or hired through outsourcing), Board of Directors/ members, sponsors/ shareholders etc.

2.2.5 Reporting persons or persons holding funds or other assets of other persons should deploy adequate systems for real time screening and allocate sufficient/trained resources to ensure meticulous compliance with targeted financial sanctions.

2.2.6 Further, the Government has prescribed penalty up to five hundred million for individuals and more than five hundred million for bodies corporate for contravention with targeted financial sanctions.

- 2.2.7** The relevant UNSC resolutions permit deposits (credits) in frozen accounts without changing status of the accounts. For further information access relevant may be made to information/documents from the UNSC website.
- 2.2.8** No charges shall be deducted from such frozen accounts and no such account should be treated as unclaimed deposit. Guidance should be sought and be obtained regarding any queries on the necessary withdrawals from frozen accounts.
- 2.2.9** Reporting persons or persons holding funds or other assets of other persons should educate their customers that in case of any wrongful or inadvertent freezing, they may apply in writing for de-listing to minister of Home Affairs in the case of domestic designation or directly to the UN's Ombudsperson or Focal Point as the case may be or through the Ministry of Home Affairs or through a personal legal representative.

2.3 Maintenance of Sanctions List

2.3.1 UNSCR List

- 2.3.1.1** Reporting persons or persons holding funds or other assets of other persons are required to maintain a sanctions database on the UNSCR List.
- 2.3.1.2** Reporting persons or persons holding funds or other assets of other persons must ensure that the information contained in the sanctions database is updated and effected without delay upon the publication of the UNSC or its relevant Sanctions Committee's designation in the UN website.
- 2.3.1.3** Reporting persons or persons holding funds or other assets of other persons may refer to the Consolidated UNSCR List published in the following UN website:
<https://www.un.org>
- 2.3.1.4** The UNSCR List shall remain in the sanctions database until the delisting of the specified entities by the relevant Sanctions Committee is published in the UN website.

2.3.2 Domestic List

- 2.3.2.1** Reporting persons or persons holding funds or other assets of other persons are required to keep updated with the Domestic List as and when published in the *Gazette*.
- 2.3.2.2** Reporting persons or persons holding funds or other assets of other persons are required to maintain a sanctions database on the Domestic List.

2.3.2.3 Reporting persons or persons holding funds or other assets of other persons must ensure that the information contained in the sanctions database is updated and effected without delay upon publication in the *Gazette*.

2.3.2.4 The Domestic List shall remain in the sanctions database until the delisting of the specified entities is published in the *Gazette*.

2.3.3 Other requirements

2.2.3.1 Reporting persons and all persons holding funds or other assets of other persons must ensure that the information contained in the sanctions database is comprehensive and easily accessible by its employees at the head office, branch, subsidiary and where relevant, to the outsourced service providers or agents.

2.2.3.2 Reporting persons and all or persons holding funds or other assets of other persons may monitor and consolidate other countries' unilateral sanctions lists in their sanctions database.

2.2.3.3 Reporting persons and all persons holding funds or other assets of other persons may also consider electronic subscription services in ensuring prompt updates to the sanctions database.

2.4 Sanctions Screening – Customers

2.4.1 Reporting persons and all persons holding funds or other assets of other persons are required to conduct sanctions screening on existing, potential or new customers against the Domestic List and UNSCR List.

2.4.2 Screening shall be conducted as part of the CDD process and ongoing due diligence.

2.4.3 Reporting persons and all persons holding funds or other assets of other persons are required to screen its entire customer database (including dormant accounts), without delay within twenty-four (24) hours after designation is made, for any positive name match against the:

(a) Domestic List; and

(b) UNSCR List, when the designation is made by the UNSC or its relevant Sanctions Committee's designation.

2.4.4 Reporting persons and all persons holding funds or other assets of other persons in the insurance shall conduct sanctions screening when establishing business relationships, during in-force period of the policy and before any payout.

2.4.5 When conducting the sanctions screening process, reporting persons and any person holding funds or other assets of another person may perform name searches

based on a set of possible permutations, variations or arrangements for each specified entity to prevent unintended omissions.

2.5 Dealing with False Positives

2.5.1 Reporting persons and all persons holding funds or other assets of other persons are required to ascertain potential matches with UNSCR List or Domestic List are true matches to eliminate false positives.

2.5.2 Reporting persons and all persons holding funds or other assets of other persons are required to make further inquiries for additional information and identification documents from the customer, counter-party or credible sources to assist in determining whether the potential match is a true match.

2.5.3 Reporting persons and all persons holding funds or other assets of other persons may direct any query to the Financial Intelligence Unit or the regulator to ascertain whether or not the customer is a specified entity, in the case of similar or common names.

2.6 Related Parties

2.6.1 Reporting persons and all persons holding funds or other assets of other persons must conduct due diligence on related parties.

2.5.2 In conducting due diligence on the related parties, examination and analysis must be made on the past transactions of the specified entities and related parties, and the records on the analysis of these transactions must be maintained.

2.6.3 In ascertaining whether an entity is owned or controlled by a designated party, reference may be made to the definition of a “beneficial owner” in the Act.

2.7 Freezing, Blocking and Rejecting

2.7.1 Customers and Related Parties

2.7.1.1 Reporting persons and all persons holding funds or other assets of other persons are required to conduct the following, within twenty-four hours from the time the designation is made, upon determination and confirmation of a customer’s identity as a designated or related party:

(a) freeze the customer’s funds and properties; or

(b) block transactions (where applicable), to prevent the dissipation of the funds.

2.7.1.2 Reporting persons and all persons holding funds or other assets of other persons are required to reject a potential customer when there is a positive name match.

2.7.1.3 The freezing of funds and properties, or blocking of transactions, as the case may be, shall remain in effect until the specified party is removed from the Domestic List or UNSCR List as the case may be.

2.8 Allowable Transactions

2.8.1 Any dealings with frozen funds or assets, whether by the designated party, related party, or any interested party, requires prior written authorization from the Minister of Home Affairs.

2.8.2 The frozen funds or assets, may continue receiving deposits, dividends, interests, bonus, premiums/contributions or other benefits. However, such funds and benefits must remain frozen as long as the designated party continues to be listed under the Domestic List and UNSCR List.

2.9 Exemption for Basic and Extraordinary Expenditures

2.9.1 Reporting persons and persons holding funds or other assets of other persons may advise the designated party, a related party or any interested party of the frozen funds or properties, or to the blocked or rejected transactions, to make an application to the Minister of Home Affairs for exemptions on basic and extraordinary expenditures.

2.9.2 Reporting persons and persons holding funds or other assets of other persons shall only proceed with payments for basic and extraordinary expenditures upon receiving written authorization from the Minister of Home Affairs.

2.10 Reporting on Positive Name Match

2.10.1 Reporting persons and persons holding funds or other assets of other persons must immediately without delay within twenty-four hours from the time the designation is made, report to the Minister, the Police and FIU, upon determining a Positive Name Match.

2.10.2 Reporting persons and persons holding funds or other assets of other persons are required to immediately report upon a determination that they are in the possession or in control of funds or properties, of any designated party or related party, using the form attached in **Appendix 1**, to the Financial Intelligence Unit, the regulator and the Inspector-General of Police.

2.11 Periodic Reporting on Positive Name Match

2.11.1 Reporting persons and persons holding funds or other assets of other persons that have reported positive name matches and are in possession or in control of frozen or blocked funds or assets of any designated party or related party are required to,

immediately and without delay report any changes to those funds, other assets and economic resources, using the form in **Appendix II**.

2.11.2 Reporting persons and persons holding funds or other assets of other persons are not required to submit periodic report on positive name matches involving customers who conduct one-off transactions and where the customer does not maintain an account with the reporting institution or person holding funds or other assets for other persons.

2.12 Reporting of Suspicious Transaction

2.12.1 On Related Transactions

2.12.1.1 A suspicious transaction report should be submitted upon determination of any positive match or having reason to suspect that the account or transaction is related or linked to, or is used or intended to be used for or by any specified entity or related party.

2.11.1.2 A suspicious transaction report should also be submitted on any attempted transactions undertaken by a designated party or related party.

2.11.2 On Name Match with Other Unilateral Sanctions Lists

2.11.2.1 A suspicious transaction report may be submitted if there is any positive name match with individuals or entities listed in other unilateral sanctions lists.

3.0 TARGETED FINANCIAL SANCTIONS ON PROLIFERATION FINANCING

Definition and Interpretation

“customer” includes “beneficial owner” and “beneficiary”.

“related party” refers to:

- (a) a person related to the funds, other financial assets or economic resources that are wholly or jointly owned or controlled, directly or indirectly, by a designated person; and
- (b) a person acting on behalf or at the direction of a designated person.

“reporting person” has a meaning ascribed to it under the Anti-Money Laundering Act or the Anti-Money Laundering Act and Proceeds of Crime Act of Zanzibar.

“UNSCR List” refers to names and particulars of persons as designated by the UNSC or its relevant Sanctions Committee and are deemed as designated persons under the Prevention of Terrorism Act or subsidiary legislation.

3.1 Maintenance of Sanctions List

- 3.1.1** Reporting persons and persons holding funds or other assets of other persons are required to keep updated the list of countries and persons designated as restricted end-users and prohibited end-users in accordance with the relevant UNSCR relating to the prevention of proliferation of weapons of mass destruction (WMD) as published in the UN website, as and when there are new decisions by the UNSC or its relevant Sanctions Committee.
- 3.1.2** Reporting persons and persons holding funds or other assets of other persons are required to maintain a sanctions database on the UNSCR List.
- 3.1.3** Reporting persons and persons holding funds or other assets of other persons must ensure that the information contained in the sanctions database is updated and effected without delay within twenty-four hours upon designation by the UNSC or its relevant Sanctions Committee's.
- 3.1.4** Reporting persons and persons holding funds or other assets of other persons may refer to the Consolidated UNSCR List published in the following UN website: <https://www.un.org>;
- 3.1.5** The UNSCR List shall remain in the sanctions database until the delisting of the designated country or person by the UNSC or its relevant Sanctions Committee is published in the UN website.
- 3.1.6** Reporting persons and persons holding funds or other assets of other persons must ensure that the information contained in the sanctions database is comprehensive and easily accessible by its employees at the head office, branch, subsidiary, and where relevant, to the outsourced service providers or agents.
- 3.1.7** Reporting persons and persons holding funds or other assets of other persons should monitor and consolidate other countries' unilateral sanctions lists in their sanctions database.
- 3.1.8** Reporting persons should consider electronic subscription services in ensuring prompt updates to the sanctions database.

3.2 Sanctions Screening – Customers

- 3.2.1** Sanctions screening should be conducted on existing, potential or new customers against the UNSCR List and the screening should be conducted as part of the CDD process and ongoing due diligence.
- 3.2.2** Screening of the entire customer database (including dormant accounts), must be conducted immediately without delay and within twenty-four hours from the time

the designation is made, for any positive name match against the UNSCR List or its relevant Sanctions Committee's designation in the UN website.

- 3.2.3** In the insurance sector, screening shall be conducted upon establishing business relationships, during in-force period of the policy and before any payout.
- 3.2.4** When conducting the sanctions screening process, name searches based on a set of possible variations, version or arrangements for each designated person to prevent unintended omissions.
- 3.2.5** Reporting persons and persons holding funds or other assets of other persons are encouraged to undertake their own Proliferation Financing Risk assessment, including the consideration of Proliferation Financing typologies, when reviewing transactions and customer information collected through their existing AML/CFT obligations. The information collected should allow identification of transactions, accounts, or relationships with designated countries and parties.

3.3 Dealing with False Positives

- 3.3.1** Reporting persons and persons holding funds or other assets of other persons are required to ascertain potential matches with UNSCR List are true matches to eliminate false positives.
- 3.3.2** Reporting persons and persons holding funds or other assets of other persons are required to make further inquiries for additional information and identification documents from the customer, counter-party or credible sources, to assist in determining whether the potential match is a true match.
- 3.3.3** Reporting persons and persons holding funds or other assets of other persons should direct any query to the Financial Intelligence Unit or the Regulator to ascertain whether or not the customer is a designated party, in the case of similar or common names.

3.4 Related Parties

- 3.4.1** Reporting persons and persons holding funds or other assets of other persons must conduct due diligence on related parties.
- 3.4.2** In conducting due diligence on the related parties, examination and analysis of past transactions of the designated party and related parties must be made, and records on the analysis of these transactions must be maintain.
- 3.4.3** In ascertaining whether an entity is owned or controlled by a designated party, reference must be made to the definition of "beneficial owner" in AMLA or AMLPOCA and requirements in relation to CDD on beneficial owners.

3.5 Freezing, Blocking, and Rejecting - Customers and Related Parties

3.5.1 Reporting persons and persons holding funds or other assets of other persons are required to conduct the following, immediately and without delay (within twenty-four hours from the time a designation is made), upon determination and confirmation of a customer's identity as a designated party and/or related party:

- (a) freeze the customer's funds, other financial assets and economic resources; or
- (b) block transactions (where applicable), to prevent the dissipation of the funds, other financial assets and economic resources.

3.5.2 Reporting persons and persons holding funds or other assets of other persons are required to reject a potential customer when there is a positive name match.

3.5.3 The freezing of funds, other financial assets and economic resources or blocking of transactions, as the case may be, shall remain in effect until the designated party or country is removed from the UNSCR List.

3.6 Allowable Transactions

3.6.1 Any dealings with frozen funds, other financial assets or economic resources, whether by the designated party or country, identified related party or any interested party, requires prior written authorization from the Minister of Home Affairs or any other authority as designated as such by the Minister of Home Affairs.

3.6.2 The frozen funds, other financial assets, or economic resources may continue receiving deposits, dividends, interests, bonuses, premiums/contributions, or other benefits. However, such funds and benefits must remain frozen as long as the country or designated party continues to be listed under the UNSCR List.

3.7 Exemption for Basic and Extraordinary Expenditures

3.7.1 Reporting persons and persons holding funds or other assets of other persons may advise the designated party, a related party or any interested party of the frozen funds, other financial assets, or economic resources, or to the blocked or rejected transactions, to make an application to the Minister of Home Affairs for exemptions on basic and extraordinary expenditures.

3.7.2 Reporting persons shall only proceed with the payments for basic and extraordinary expenditures upon receiving written authorization from the Minister of Home Affairs.

3.8 Exemption for Payments Due under Existing Contracts

- 3.8.1** Reporting persons may advise the designated person, related party or any interested party of the frozen funds, other financial assets or economic resources, or to the blocked or rejected transaction, to make an application to the Minister of Home Affairs to allow payments due under contracts entered into prior to the designation.
- 3.8.2** Reporting persons shall only proceed with the payments due under existing contracts upon receiving prior written authorization from the Minister of Home Affairs.

3.9 Reporting on Positive Name Match

3.9.1 Reporting upon Determination of a Positive Name Match

- 3.9.1.1** Reporting persons are required to immediately report to the Financial Intelligence Unit or the Regulator on any detection, freezing, blocking, or rejection actions undertaken with regard to any identified funds, other financial assets, and economic resources or transactions, using the form attached in **Appendix 1**.

3.9.2 Periodic Reporting on Positive Name Match

- 3.9.2.1** Reporting persons that have reported positive name matches and are in the possession or in control of frozen or blocked funds, other financial assets or economic resources of any designated person and/or related party are required to report any changes to those funds, other financial assets or economic resources, using the form and at intervals, as specified in **Appendix 2**.
- 3.9.2.2** The Reporting persons are not required to submit periodic reporting on positive name matches involving customers who conduct one-off transactions and where the customer does not maintain an account with the reporting person.

3.10 Reporting of Suspicious Transactions on Related Transactions

- 3.10.1** Reporting persons are required to submit a suspicious transaction report, upon determination of any positive match or has reason to suspect that the account or transaction is related or linked to, or is used or intended to be used for or by any designated country, person or related party.
- 3.10.2** Reporting persons are also required to submit a suspicious transaction report on any attempted transaction undertaken by designated countries, persons or related parties.

3.11 On Name Match with other Unilateral Sanctions Lists

3.11.1 Reporting persons may consider submitting a suspicious transaction report if there is any positive name match with individuals or entities listed in other unilateral sanctions lists.

3.12 Imposition of New Measures

3.12.1 In the event the UNSC or its relevant Sanctions Committee imposes new measures relating to the prevention of PF or proliferation of WMD, reporting institutions are required to adhere to such measures as specified by FIU.

4.0 IMPLEMENTATION OF COUNTER-PROLIFERATION FINANCING COMPLIANCE PROGRAMME

4.1 Reporting persons are required to implement AMLA, AMLPOCA and the POTA for the purpose of countering PF and the proliferation of WMD.

4.2 Targeted Financial Sanctions under Other UN-Sanctions Regimes

4.2.1 Definition and Interpretation

“customer” includes “beneficial owner” and “beneficiary”.

“related party” refers to:

- (a) a person related to the funds, other financial assets, or economic resources that are wholly or jointly owned or controlled, directly or indirectly, by a designated person; and
- (b) a person acting on behalf or at the direction of a designated person.

“reporting person” has a meaning ascribed to it under the Act;

“UNSCR List” refers to names and particulars of persons as designated by the UNSC or its relevant Sanctions Committee and are deemed as designated persons under these guidelines;

4.2.2 Maintenance of Sanctions List

4.2.2.1 Reporting persons are required to keep updated with the list of designated countries and persons in accordance with the relevant UNSCR relating to upholding peace and security, through prevention of armed conflicts and human rights violations, as published on the UN website, as and when there are new decisions by the UNSC or its relevant Sanctions Committee.

4.2.2.2 Reporting persons are required to maintain a sanctions database on the UNSCR List.

4.2.2.3 Reporting persons must ensure that the information contained in the sanctions database is updated and effected without delay upon publication of the UNSC or its relevant Sanctions Committee's designation in the UN Website.

4.2.2.4 Reporting persons may refer to the Consolidated UNSCR List published in the following: UN website: <https://www.un.org>.

4.2.2.5 The UNSCR List shall remain in the sanctions database until the delisting of the designated country or person by the UNSC or its relevant Sanctions Committee is published in the UN website.

4.2.2.6 Reporting persons must ensure that the information contained in the sanctions database is comprehensive and easily accessible by its employees at the head office, branch or subsidiary, and where relevant, to the outsourced service providers or agents.

4.2.2.7 Reporting persons may monitor and consolidate other countries' unilateral sanctions lists in their sanctions database.

4.2.2.8 Reporting persons may also consider electronic subscription services in ensuring prompt updates to the sanctions database.

4.2.3 Sanctions Screening – Customers

4.2.3.1 Reporting persons are required to conduct sanctions screening on existing, potential or new customers against the UNSCR List. Where applicable, screening shall be conducted as part of the CDD process and ongoing due diligence.

4.2.3.2 Reporting persons are required to screen the entire customer database (including dormant accounts), without delay for any positive name match against the UNSCR List, upon publication of the UNSC or its relevant Sanctions Committee's designation on the UN website.

4.2.3.3 Reporting persons in the insurance and takaful sector, shall conduct sanctions screening upon establishing business relationships, during an in-force period of the policy, and before any payout.

4.2.3.4 When conducting the sanctions screening process, reporting institutions are required to perform name searches based on a set of possible permutations for each designated person to prevent unintended omissions.

4.2.4 Dealing with False Positives

4.2.4.1 Reporting persons are required to ascertain potential matches with UNSCR List are true matches to eliminate false positives.

4.2.4.2 Reporting persons are required to make further inquiries for additional information and identification documents from the customer, counter-party or credible sources, to assist in determining whether it is a true match.

4.2.4.3 Reporting persons may direct any query to the Financial Intelligence and Enforcement Department, to ascertain whether or not the customer is a designated person, in the case of similar or common names.

4.2.5 Related Parties

4.2.5.1 Reporting persons shall undertake due diligence on related parties.

4.2.5.2 In undertaking due diligence on the related parties, reporting institutions are required to examine and analyze past transactions of the designated persons and related parties and maintain records on the analysis of these transactions.

4.2.5.3 In ascertaining whether an entity is owned or controlled by a designated person, Reporting persons may refer to the definition of “beneficial owner” AMLA and AMLPOCA in relation to CDD on beneficial owners.

4.2.6 Freezing, Blocking and Rejecting – Customers and Related Parties

4.2.6.1 Reporting persons are required to conduct the following, immediately and without delay, upon determination and confirmation of a customer’s identity as a designated person and/or related parties:

- (a) freeze the customer’s funds, other financial assets and economic resources; or
- (b) block transactions (where applicable), to prevent the dissipation of the funds, other financial assets and economic resources.

4.2.6.2 Reporting persons are required to reject a potential customer, when there is a positive match.

4.2.6.3 The freezing of funds, other financial assets and economic resources or blocking of transactions, as the case may be, shall remain in effect until the designated country or person is removed from the UNSCR List.

4.2.7 Allowable Transactions

4.2.7.1 Any dealings with frozen funds, other financial assets or economic resources, whether by the designated person, related party or any interested party, requires prior written authorization from the UNSC or its relevant Sanctions Committee.

4.2.7.2 The frozen funds, other financial assets or economic resources may continue receiving deposits, dividends, interests, bonuses, premiums/contributions or other

benefits. However, such funds and benefits must remain frozen as long as the countries and persons continue to be listed under the UNSCR List.

4.2.8 Exemption for Basic and Extraordinary Expenditures

4.2.8.1 Reporting persons may advise the designated person, related party or any interested party of the frozen funds, other financial assets or economic resources, or to the blocked or rejected transactions, to make an application to the UNSC or its relevant Sanctions Committee for exemptions on basic and extraordinary expenditures.

4.2.8.2 Reporting persons shall only proceed with payments for basic and extraordinary expenditures upon receiving written authorization from the UNSC or its relevant Sanctions Committee.

4.2.9 Exemption for Payments Due under Existing Contracts

4.2.9.1 Reporting persons may advise the customer, related party or any interested party of the frozen funds, other financial assets or economic resources, or to the blocked or rejected transaction, to make an application to the UNSC or its relevant Sanctions Committee to allow payments due under contracts entered into prior to the designation.

4.2.9.2 Reporting persons shall only proceed with the payments due under existing contracts upon receiving prior written authorization from the UNSC or its relevant Sanctions Committee.

4.2.10 Reporting on Positive Name Match

4.2.10.1 Reporting upon Determination of a Name Match

Reporting persons are required to immediately report to the Financial Intelligence Unit and the regulator on any detection, freezing, blocking, or rejection actions undertaken with regard to any identified funds, other financial assets, economic resources, or transactions.

4.2.10.2 Periodic Reporting on Positive Name Match

Reporting persons that have reported positive name matches and are in the possession or in control of frozen or blocked funds, other financial assets or economic resources of any designated person and/or related party are required to report to the Financial Intelligence Unit and the regulator any changes to those funds, other financial assets or economic resources.

4.2.10.3 Reporting persons are not required to submit periodic reporting on positive name matches involving customers who conduct one-off transactions and

where the customer does not maintain an account with the reporting institution.

4.2.11 Reporting of Suspicious Transaction

4.2.11.1 On Related Transactions

- (a) Reporting persons are required to submit a suspicious transaction report, upon determination of any positive match or have reason to suspect that the account or transaction is related or linked to, or is used or intended to be used for or by any designated country, person or related party.
- (b) Reporting persons are also required to submit a suspicious transaction report on any attempted transaction undertaken by designated countries, persons or related parties.

4.2.11.2 On Name Match with other Unilateral Sanctions List

Reporting persons may consider submitting a suspicious transaction report if there is any positive name match with individuals or entities listed in other unilateral sanctions lists.

4.2.11.3 Imposition of New Measures

In the event the UNSC or its relevant Sanctions Committee impose new measures relating to upholding of peace and security, and prevention of conflicts and human rights violations, Reporting persons are required to adhere to such measures as specified by Minister for Home Affairs or FIU.

4.2.11.4 Other Reporting Obligations

Reporting persons are required to submit the following reports to the Financial Intelligence Unit and the regulator where applicable:

- (i) Annual Summary Report on Exposure to Customers and Beneficial Owners from High-Risk Countries;
- (ii) Quarterly Statistics on Orders Issued by Law Enforcement Agencies; and
- (iii) any other report as may be specified.

Dar es Salaam
November, 2023



Fatma A Simba
Commissioner, FIU

[Under Paragraph 2.9.2]

REPORT ON FREEZE OR SEIZURE OF PROPERTY OF DESIGNATED PARTY

This report is submitted in relation to the obligation to freeze or seize properties of designated entities and designated individuals PURSUANT TO Regulation 4 (5) of the Prevention of Terrorism (Genera) Regulations, 2022 as follows:

1.	Date of Report	
2.	Date of Freeze or Seizure:	
3.	Location of funds/assets:	
4.	Nature and particulars of funds/assets frozen or seized	
5.	Estimated Value of funds/assets (if known):	
6.	Whether funds/assets require any special treatment (give details):	
7.	Name(s) of designated party	
8.	Address(s) of designated party	
9.	Office bearers of designated party (if legal person or other legal arrangement)	
10.	Name(s) of affected person(s)	
11.	Address(s) of affected person(s)	
12.	Name of Reporter:	
13.	Authorized Officer of Reporter (in case of entities or bodies)	
14.	Signature and stamp:	

[Under paragraph 2.9.3]

Date:

Name of the Person:

Address:

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NOTICE OF FREEZE AND SEIZURE OF PROPERTIES

WHEREAS pursuant to Regulation 19, 20, 25 and 26 of the Prevention of Terrorism (General) Regulations, 2022 the following funds/assets have been frozen and/or seized:

- 1:.....
- 2:.....
- 3:.....

AND WHEREAS the access to the above properties may be granted by this Office under Regulation 21, 22, 23 and 24 of the said Prevention of Terrorism (General) Regulations, 2022 upon due cause shown;

AND WHEREAS the details of procedure for seeking exemptions from the freeze and/or seizure of the above funds/assets and removal from the list of the Sanctions Committee of the United Nations Security Council is provided in the Appendix attached herewith;

NOW, THEREFORE, take notice that no use, transfer or dealing in the above funds/assets is allowed except in accordance with the conditions and procedures mentioned herein.

Any violation thereof shall be punishable.

Authorized Agency