



**CABINET OF MINISTERS OF UKRAINE**

**RESOLUTION**

**of November 25, 2015 No. 966**

**Kyiv**

**On Approving the Procedure for Composing of the List of Persons Related to Terrorist Activities or Subjected to International Sanctions**

Pursuant to Part 7 of Article 17 of the Law of Ukraine "On Preventing and Countering Legalization (Laundering) of Proceeds of Crime, Financing of Terrorism and Financing of Proliferation of Weapons of Mass Destruction", the Cabinet of Ministers of Ukraine **resolves**:

1. Approve the attached Procedure for Composing of the List of Persons Related to Terrorist Activities or Subjected to International Sanctions.
2. Declare null and void the Resolutions of the Cabinet of Ministers of Ukraine as per the list attached.

**Prime Minister of Ukraine**

**A. YATSENYUK**

APPROVED  
by the Cabinet of Ministers of Ukraine  
Resolution  
of November 25, 2015 No. 966

**PROCEDURE  
for Composing of the List of Persons Related to  
Terrorist Activities or Subjected to International  
Sanctions**

1. The attached Procedure determines the mechanism for composing of the list of persons related to terrorist activities or subjected to international sanctions (hereinafter "the List").
2. Grounds for including of a legal entity or natural person on the List by the State Financial Monitoring Service of Ukraine shall be:
  - 1) a court verdict that has come into effect on finding a natural person guilty of the crimes under Articles 258 - 258<sup>5</sup>, 439 and 440 of the Criminal Code of Ukraine, a court decision on finding (determining) an organization, legal entity or natural person related to pursuit of terrorist activities or proliferation of weapons of mass destruction;
  - 2) information produced by international organizations or their authorized bodies on organizations, legal entities and natural persons related to terrorist organizations or terrorists and on persons who came under international sanctions;
  - 3) court verdicts (decisions), decisions of other competent foreign agencies regarding organizations, legal entities or natural persons related to pursuit of terrorist activities or proliferation of weapons of mass destruction which are recognized in Ukraine under international agreements of Ukraine.
3. The List shall be compiled based on the information (documents) stipulated in Clause 2 of this Procedure and shall include the following information:
  - 1) in relation to citizens of Ukraine – surname, first name and patronymic, birth date, series and number of the passport or another identification document, issuance date and name of the issuing authority, place of stay and/or residence, registration number of the tax payer account card or passport series and number (for natural persons who refuse to accept a tax payer account card registration number on religious grounds and have officially informed the competent supervising authority and have a mark in the passport), and in relation to citizens of Ukraine who are individual entrepreneurs – also details (if available) of the bank where the account was opened and the bank account number;
  - 2) in relation to resident legal entities – full name, location, identification code under Unified State Register of Enterprises and Organizations of Ukraine (EDRPOU), details of the bank where the account was opened and the bank account number;

3) in relation to foreigners and stateless persons – surname, first name and patronymic if available, citizenship or allegiance if available, birth date, series and number of a passport or another identification document, issuance date and name of the issuing authority, place of stay and/or permanent or temporary residence;

4) in relation to non-resident legal entities – full name, location, details of the bank where the account was opened and the bank account number.

4. The list shall be provided to the primary financial monitoring subjects by the State Financial Monitoring Service according to the procedure determined by the Ministry of Finance and agreed with other state financial monitoring subjects which, under the Law of Ukraine "On Preventing and Countering Legalization (Laundering) of Proceeds of Crime, Financing of Terrorism and Financing of Proliferation of Weapons of Mass Destruction" perform state regulatory and supervisory functions in relation to the primary financial monitoring subjects.

5. The information under Clause 3 of this Procedure shall be provided by the Security Service of Ukraine to the State Financial Monitoring Service of Ukraine by express delivery or sent by registered mail observing the rules which preclude unauthorized access to it if there are grounds stipulated in sub-Clause 1, Clause 2 of this Procedure, and by the Ministry of Foreign Affairs – sub-Clauses 2 and 3, Clause 2 of this Procedure.

The data (documents) and information stated in Clauses 2 and 3 of this Procedure shall be sent to the State Financial Monitoring Service of Ukraine no later than five work days from the date of receiving the data required for adding a legal entity or natural person to the list.

The State Financial Monitoring Service of Ukraine obtains information under sub-Clause 2, Clause 2 of this Procedure from the official UN web-site and from the Ministry of Foreign Affairs.

6. The State Financial Monitoring Service of Ukraine shall compile the List or make changes thereto within three work days from the date of receiving the data (documents) and information stated in Clauses 2 and 3 of this Procedure.

7. If a legal entity or a natural person is added to the List, the State Financial Monitoring Service of Ukraine shall without delay analyze the available information on such entity's/person's financial transactions that became the object of financial monitoring, as well as the data of the unified state information system in the sphere of preventing and countering legalization (laundering) of proceeds of crime or financing of terrorism for any data on the assets of the legal entity or natural person added to the List.

Should assets of the legal entity or natural person added to the List be detected, the State Financial Monitoring Service of Ukraine shall without delay provide summarized materials to the Security Service of Ukraine for taking action, if there are relevant grounds, to seize the property (deposits) of such an entity/person.

8. Grounds for removing of a legal entity or natural person from the List shall be:

1) expungement or cancellation of conviction of a natural person sentenced by a court verdict, which has taken effect, finding the person guilty of the crimes specified in Articles 258 - 258<sup>5</sup>, 439 and 440 of the Criminal Code of Ukraine;

2) exclusion of data on a person from the information produced by international organizations or their authorized bodies on organizations, legal entities and natural persons connected to terrorist organizations or terrorists and on persons who came under international sanctions;

3) expungement or cancellation of conviction of a natural person sentenced by a court verdict (decision), decision of other competent foreign agencies on the organizations, legal entities or natural persons related to pursuit of terrorist activities which are recognized under international agreements of Ukraine.

9. Should the information (documents) specified in sub-Clauses 1 and 3, Clause 8 of this Procedure be available, the Security Service of Ukraine and the Ministry of Foreign Affairs shall submit relevant information to the State Financial Monitoring Service of Ukraine within five work days.

10. In response to a request from a person added to the List or his/her official representative, the State Financial Monitoring Service of Ukraine shall consider a possibility of removing the person from the List.

The State Financial Monitoring Service of Ukraine shall decide on the requests within thirty work days of the date of receiving the request.

After receiving the request, the State Financial Monitoring Service of Ukraine shall, no later than the next work day of the date of its receiving, send a copy of such a request for consideration to the Security Service of Ukraine, Ministry of Foreign Affairs or another state agency which may own information on the person added to the List.

The Security Service of Ukraine, Ministry of Foreign Affairs or another state agency shall, within five work days, submit to the State Financial Monitoring Service of Ukraine corresponding originals of documents or their certified copies confirming or refuting the information provided in the request as to availability of grounds for removing a person from the List. In the case of additional checks, the said information shall be provided within the term agreed with the State Financial Monitoring Service of Ukraine.

11. Should information, including from the official UN web-site and from the Ministry of Foreign Affairs, be received as specified in Clause 8 of this Procedure, the State Financial Monitoring Service of Ukraine shall decide on removing the person from the List and delete all the relevant records therefrom.

12. The State Financial Monitoring Service of Ukraine shall inform the requesting person of its decision made on the request no later than three work days of the date of its adoption.

APPROVED  
by the Cabinet of Ministers of Ukraine  
Resolution  
of November 25, 2015 No. 966

**LIST  
of the Cabinet of Ministers of Ukraine Resolutions  
that became ineffective**

1. Cabinet of Ministers of Ukraine Resolution of August 18, 2010 No. 745 "On Approving the Procedure for Composing of the List of Persons Related to Terrorist Activities or Subjected to International Sanctions" (Official Herald of Ukraine, 2010, No. 65, Art. 2259).

2. Clause 40 of the changes made to the Cabinet of Ministers of Ukraine resolutions on State Registration of Legal Entities and Individual Entrepreneurs approved by the Cabinet of Ministers of Ukraine Resolution of August 10, 2011, No. 849 (Official Herald of Ukraine, 2011, No. 61, Art. 2435).

3. Section 33 of the changes to the Cabinet of Ministers of Ukraine Resolutions approved by the Cabinet of Ministers of Ukraine Resolution of April 8, 2013, No. 233 (Official Herald of Ukraine, 2013, No. 28, Art. 955).