

Circular No. (6) of 2021 on the Implementation of Targeted Financial Sanctions by the Implementing Parties at the Ministry of Commerce and Industry

Esteemed Messrs/ Auditors,

Esteemed Messrs/ Dealers in Precious Metals or Precious Stones

Esteemed Messrs/ Trust and Company Service Providers

Greetings,

Pursuant to Article (35) of Law No. (27) of 2019 Promulgating the Law on Combating Terrorism; and

The provisions of Item (14/paragraph c) of the Decision of the Public Prosecutor No. (59) of 2020 Promulgating the Guidelines to the Effective Implementation of the Targeted Financial Sanctions Regime in the State of Qatar, promulgated by the Public Prosecutor Decision No. (59) of 2020, which stipulates that “The supervisory authorities shall redraft the terms of this Mechanism, each within its own competence, in the form of written internal instructions and refer them to their supervised entities”; and

Pursuant to the provisions of Article (2) of Decision of the Minister of Commerce and Industry No. (95) of 2019 on the Establishment of the AML/CFT Section under Companies Affairs Department,

The Anti-Money Laundering and Terrorism Financing Section (AML/CFT Section) under the Companies Affairs Department issued the following Circular:

I. General Provisions:

This Circular provides an overview of the obligations by DNFBPs Implementing Parties subject to the supervision, monitoring and oversight of the Ministry of Commerce and Industry (MOCI): Auditors (chartered accountants), Dealers in Precious Metals or Precious Stones, and Trust and Company Service Providers (TCSPs), with regard to the implementation of targeted financial sanctions requirements related to combating terrorism, terrorism financing, and

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financing of the proliferation of weapons of mass destruction, pursuant to the provisions of the following laws and decisions:

- Law No. (27) of 2019 Promulgating the Law on Combating Terrorism.
- Decision of the Public Prosecutor No. (1) of 2020 Regulating the Implementation Mechanisms of the Targeted Financial Sanctions related to Combatting the Financing of Terrorism and the Financing of the Proliferation of Weapons of Mass Destruction pursuant to the Law on Combatting Money Laundering and Terrorism Financing, the Law on Combatting Terrorism, and the UN Security Council Resolutions.
- Decision of the Public Prosecutor No. (59) of 2020 Promulgating Guidelines to the Effective Implementation of the Targeted Financial Sanctions Regime in the State of Qatar.
- Decision of the Minister of Commerce and Industry No. (48) of 2020 Promulgating the AML/CFT Compliance Rules for Auditors, Dealers in Precious Metals or Precious Stones, Trust and Company Service Providers.

II. Definitions

In application of the requirements of this Circular, the following terms and phrases shall have the meanings assigned thereto, unless otherwise required by the context:

The Ministry: The Ministry of Commerce and Industry (MOCI)

The Committee: The National Counter Terrorism Committee (NCTC), established pursuant to Article (28) of the Law on Combatting Terrorism.

The Section: The AML/CFT Section established under the Companies Affairs Department.

Listing Official: delegated by the Public Prosecutor among the Prosecution members, at the level of Attorney General, to issue and amend designation orders extend the designation period, and issue orders related to basic and extraordinary expenses.

Focal Point: officer of the Section responsible for communicating and coordinating with the Committee in all matters related to the implementation of the targeted financial sanctions.

Implementing Parties: DNFBPs subject to the supervision, oversight and monitoring of the Ministry of Commerce and Industry (MOCI), which are the Auditors (chartered accountants), Dealers in Precious Metals or Precious Stones, and Trust and Company Service Providers (TCSPs).

Person: a natural or legal person.

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Legal Person: any entity other than the natural person which can conduct a permanent business relationship with a financial institution or gain ownership of assets. This includes companies, institutions, associations, or any similar entity.

Entity: Any legal person, group, or parties undertaking a common purpose, regardless of any legal personality.

Sanctions List: a list established by a decision of the Public Prosecutor and maintained by the NCTC, and it shall include:

- The Natural persons and entities designated on the UN Security Council List.
- The Natural persons and entities designated by a decision of the Public Prosecutor, at the proposal of the NCTC.

United Nations Security Council Consolidated Sanctions List: A list established and maintained by the appropriate United Nations body, that includes all persons and entities subject to targeted financial sanctions by a UN Security Council resolution. It may also include individuals and entities, groups subject to targeted financial sanctions for financing the proliferation of weapons of mass destruction, pursuant to the UN Security Council resolutions, and all their relevant identification information.

Designated Person or Entity: Any person or entity designated by a decision of the Public Prosecutor, or listed by the United Nations Security Council or the Sanctions Committee to be subject to the sanctions stipulated by the following resolutions:

1. UN Security Council Resolutions 1267 (1999), 1988 (2011), 1989 (2011) and any current or future successor resolutions.
2. UN Security Council Resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2231 (2015), 2270 (2016), 2321 (2016), 2356 (2017), and any current or future successor resolutions.
3. Any future UN Security Council resolutions imposing targeted financial sanctions in the context of the financing of terrorism and its financing, and the financing of the proliferation of weapons of mass destruction.
4. Any other UN Security Council resolutions determined by the Committee.

Targeted Financial Sanctions: freezing and prohibition of any transfer, conversion, disposition or movement of funds, directly or indirectly, for the benefit of a designated person and entity.

Freeze: prohibiting the transfer, conversion, disposition or movement of funds, in application of the targeted financial sanctions, for designated persons and entities placed on the Sanctions List, for the duration of the validity of the designation order.

Funds: Assets or property of every kind, whether physical or non- physical, tangible or intangible, movable or immovable, including financial assets, economic resources, such as oil and other natural resources, and all related rights of any value, however acquired, and all legal documents or instruments in any form, including digital or electronic copies, evidencing title to, or share in, such assets, and any interest, dividends or other income on or value accruing from or generated by such funds, and any other assets which potentially may be used to obtain funds, goods or services.

Funds of Designated Person or Entity:

1. All funds owned or controlled by the designated person or entity, and not just those that can be tied to a particular terrorist act, plot or threat of proliferation of weapons of mass destruction.
2. Funds that are wholly or jointly owned or controlled, directly or indirectly, by designated persons or entities.
3. Any other funds acquired or generated from funds owned or controlled, directly or indirectly, by designated persons or entities.
4. Funds of persons and entities acting on behalf of, or at the direction of, designated persons or entities.

Economic Resources: assets of every kind, whether physical or non-physical, tangible or intangible, movable or immovable, which may be used to obtain funds, goods or services, such as lands, buildings or other real estate; equipment, including computers, computer software, tools, and machinery; furniture, fittings and fixtures; vessels, aircrafts, motor vehicles, and goods; works of art, cultural property, antiquities, wildlife; jewellery, gold, precious stones, charcoal, oil, refineries, and related materials including chemicals, lubricants, minerals, timber, or other natural resources; commodities, arms and related materiel; raw materials and components that can be used to manufacture improvised explosive devices or unconventional weapons, and any type of proceeds of crime, including illegal cultivation, production and trafficking of drug or derivatives; patents, trademarks, copyrights, and other forms of intellectual property; internet hosting and publication or related services; assets available, directly or indirectly, for the benefit of designated persons and entities, including those used to finance their travel, relocation or lodging, and any assets paid thereto as a ransom, or any other assets.

Basic Expenses: payments for some fees, expenses and service charges such as foodstuffs, rent, mortgage, medicines and medical treatment, taxes, insurance premiums, or public utility charges; or for reasonable professional fees and reimbursement of expenses associated with the provision of legal services, or fees or service charges for routine holding or maintenance of frozen funds, other assets and economic resources.

Extraordinary Expenses: any expenses other than those included in the basic expenses, which are determined by the Public Prosecutor, in coordination with the Committee as necessary for the person or entity subject to the freezing order.

III. General Obligations to the Implementation of TFS

1. Obligations related to reviewing the Sanctions List and UNSC List and any amendment thereof:

- The Committee shall, in coordination with the Section, notify the Implementing Parties of any designation order on the UNSC List, or any designation order on the Sanctions List by the Public Prosecutor, immediately upon its issuance. Every Implementing Party shall provide an email address to the Section where they can receive notifications of designations.
- Every Implementing Party shall subscribe , free of charge, to the RSS Feed service for updates on the sanctions list (designation/ amendment/ delisting) on the Committee website in order to:
 - Be updated of the various relevant notifications and announcements of the decisions of the competent UN body (UNSC List) as soon as they are circulated on the mentioned website.
 - Be informed of the various designation, freezing, delisting and unfreezing orders as soon as they are published on the Committee’s website.
- The Implementing Parties shall subscribe to the RSS Feed service through the official email address rather than the personal address.
- For subscribing to the above-mentioned service, the Implementing Parties shall visit the Committee’s website (“Sanctions List” icon – Subscribing to “Mailing List Registration” to receive the latest updates on the Sanctions List through electronic mail), on the following link:

The National Counter Terrorism Committee ([_ National Counter Terrorism Committee \(moi.gov.qa\)](http://moi.gov.qa))
- In coordination with the Section, every Implementing Party shall **develop an application / information system** to identify designated persons and validate matches, monitor their financial operations and freeze relevant funds. This system must be effective and appropriate to include screening customer database (repertoire) and the various financial transactions, ensuring the following:
 - Real time monitoring of transactions, and when necessary, freezing related funds before the transaction is completed.
 - Screening all customers against the Sanctions List to ensure that they are not designated.
 - Verifying all data related to the customer and party to a customer transaction.
 - Verifying all data in relation to the subject of a transaction.

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- The Implementing Parties should ensure, where necessary, that they have a sufficient number of trained staff with the necessary economic and technical resources to review, examine and process TFS notifications, in order to ensure prompt implementation of freezing.
- In case of adopting a manual screening system against customer and transaction database, given the volume of activity and pattern of transactions, the Implementing Parties should ensure that the adopted manual system allows the effective processing of notifications, to enable it is validated and submitted in a timely manner. The Implementing Parties must, in all cases, be able to justify to the Section the reason for adopting the manual screening system and must prove that this system achieves the same expected outcomes of an automated system.
- For verification and validation of a confirmed match, this should include screening the full name, and not only the first name, middle name or family name, in addition to comparing the identification elements with the data available in the designation order such as address, nationality, passport number, tax identification number, place of birth, date of birth, previous names or aliases for natural persons; or the activity, the registration number and other relevant data with regard to the entity, and then comparing these identification data with the customer database. Exact match should be avoided, and consideration should be given to different name variants and partial matches of names of the customers, entities and their branches, particularly if written in foreign languages, in order to verify and determine whether there is a confirmed match between the name of the customer or the party to the customer transaction and the name of the designated person or entity.
- If the notification cannot be made, due to the inability to distinguish between same or similar names, or to the lack of data, or doubt about the information required to verify identities, the operation should be suspended and immediately communicate with the Section or the Committee by email or via phone to validate matches.
- In order to identify the designated persons and entities whose funds are subject to monitoring and freezing, the Implementing Parties may rely on the Sanctions List published on the Committee's website. In case of relying on lists provided by service providers, the Implementing Party must ensure continuous communication with the provider to ensure that the lists are current and up to date and include all designated persons and entities subject to freezing.
- To ensure timely access to the UN lists, Implementing Parties can also refer to the following links:

-ISIL (Da'esh) & Al-Qaida Sanctions List

https://www.un.org/securitycouncil/sanctions/1267/aq_sanctions_list

-Taliban Sanctions List

<https://www.un.org/securitycouncil/sanctions/1988/materials>

-1718 Sanctions List (DPRK)

<https://www.un.org/securitycouncil/sanctions/1718/materials>

-2231 Sanctions List (Iran's Nuclear Issue)

<https://www.un.org/securitycouncil/content/2231/list>

-United Nations Security Council Consolidated List that includes all individuals and entities subject to sanctions:

<https://www.un.org/securitycouncil/content/un-sc-consolidated-list>

2. Obligations related to implementing instructions and circulars issued by the Committee and the Section:

- The Implementing Parties shall apply instructions and circulars issued by the Section regarding the implementation of designation orders on the Sanctions List and delisting orders, and the implications thereof.
- The Implementing Parties shall execute the notices circulated by the Section, received from the Committee through electronic mail and fax.

3. Obligations related to coordinating with the Committee and the Section on the implementation of targeted financial sanctions:

- The Implementing Parties shall provide the Committee with the required information to prepare the proposals for designation on the Sanctions List, which will be submitted to the Public Prosecutor within one (1) week from the date of notification.
- The Implementing Parties shall communicate to the Section or the Committee, as the case may be, periodic reports and any matters that may occur or arise with respect to the designees listed on the Sanctions List, in addition to any other reports requested by the Section or Committee.

IV. Obligations related to Designation on the Sanctions List

1- Screening Customers and Ensuring that Implementing Parties do not deal with a designated person or entity

- For new designations, the Implementing Parties must verify customers files, including beneficial owners and authorized signatories and their

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addresses, before establishing the business relationship. The same applies to customers wishing to establish a business relationship for the first time. In case the business relationship is not established with the customer (for example in cases of occasional customers or a customer who conducts a single transaction) the customer must be screened before carrying out the transaction.

- It is not sufficient that the Implementing Parties conduct screening against their customers lists to verify any matches with persons subject to sanctions. To ensure their compliance with the freezing of all funds controlled by the designated person, even indirectly, the Implementing Party must undertake adequate CDD measures to verify the identity of the customers, and the identity of the individual or entity controlling the customer.
- The Implementing Parties must have technical systems to allow for immediate implementation of all sanctions associated with designated persons or entities for all incoming and outgoing transactions, identify matches by screening against a list available with the Implementing Parties, and immediately suspend the transaction if a match is identified until completion of the verification process. The screening lists used to monitor transactions, must be immediately updated once the designation order is received. Relevant systems must allow screening and monitoring the whole process of establishing the business relationship with customers, including all additional information provided by third parties or customers.
- The processing of notifications must ensure that the person or entity detected in the database or upon carrying out an occasional transaction is the same person or entity subject to the designation order, and not a person or entity with the same name or trade name, in order to prevent carrying out the transaction and to implement the freezing of funds.
- During the processing of a notification, the operation must be suspended until the final process is completed. When the notification is related to a person or entity other than the designated person or entity, the notification shall be lifted without the need for freezing the funds.
- The Implementing Parties must on an ongoing basis, from onboarding and throughout the business relationship, verify whether the applicant for business or the customer is a designated person or entity on the Sanctions List or is listed by the UN Security Council or the Sanctions

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Committee. If the person or entity is listed, the Implementing Parties must:

- Refrain from establishing or continuing a business relationship with that person or entity;
 - Immediately submit a suspicious transaction report to the Qatar Financial Information Unit (QFIU).
 - Immediately inform the Section of the matter in any written form.
 - Immediately notify the National Counter Terrorism Committee (NCTC) of the matter in any written form.
- Funds must not be returned to the customer and should remain with the Implementing Parties until the competent authorities carry out a comprehensive investigation into the purpose of the payment. The Implementing Parties must also comply with the directives of the competent authorities regarding the ultimate disposition of the funds. They should not, under any circumstances, tip off the customer that an STR has been filed, and should comply with the tipping off rules.
 - To verify whether the applicant or customer is designated on any UN Sanctions List or the national Sanctions List, the Implementing Parties may also obtain basic information on the applicant or customer from the unified register on designations, published on the Committee's website, through the following link: ([National Counter Terrorism Committee \(moi.gov.qa\)](http://moi.gov.qa)).

2- Prohibiting the provision of funds or services:

- Upon the proposal of the Committee, unless there is a prior authorization from the Public Prosecutor, the Implementing Parties shall not:
 - Provide any funds, financial services or other related services, directly or indirectly, in whole or in part, or jointly with others, for the benefit of designated persons or entities, or for entities owned or controlled directly or indirectly by the designated persons or entities; receive from, or engage in any financial transactions, including transferring funds, acting on behalf of the person subject to freezing or making payments for his benefit, or generally taking any action that will make the funds available to the benefit and disposition of that person.
 - It is prohibited to make any funds available indirectly to the person subject to freezing. If there is another person holding funds for the designated person or is controlled by, or acts on behalf of, or at the direction of the designated person, such funds must be frozen. In general, the freezing must in all cases take place

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when the Implementing Party has knowledge that the designated person or entity will eventually be the ultimate beneficial owner of the funds.

- Provide or receive any such funds, relevant financial or other services, for the benefit of persons and entities acting on their behalf or at their direction or engage in a financial transaction.
- The prohibition to provide services does not apply to services which, upon completion, do not lead to or aim at providing funds to the benefit of the person subject to freezing for disposition, such as services related to obtaining or submitting documents, certificates and administrative documentation which are not substitutes of funds.

3- Freezing of funds:

- The Implementing Parties shall, within the subsequent 8 hours of receiving the notification and no later than twenty four (24) hours of designation on the UN Security Council List, immediately and without delay, freeze the funds of the person or entity designated by the Security Council or Sanctions Committee, without requiring the issuance of the designation order on the Sanctions List, or announcement thereof, and without prior notification to the concerned person or entity.
- The Implementing Parties shall freeze all the funds of the persons or entities listed on the Sanctions List pursuant to an order of the Public Prosecutor, including financial transfers made by them or for their benefit, immediately upon announcement of the designation order on the Sanctions List, and without delay or prior notification to the designated person or entity. In all cases, the designation and freezing order shall be implemented within twelve (12) hours of announcement.
- Whenever any of the designated persons or entities, or entities owned or controlled directly or indirectly by the designated persons or entities, attempt to conduct any financial transaction or other related services, the Implementing Parties shall:
 - Freeze the funds transferred for the benefit of the designated persons and entities, once the transaction is completed.
 - Freeze the funds they receive to conduct transactions for the benefit of the designated persons or entities.
 - Immediately notify the Committee in writing to take the appropriate actions.
 - Immediately notify the Section of the matter in writing.
- The freezing applies initially on the funds owned by the designated person or entity in the legal person. The funds of the remaining owners in that legal person

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will not be affected, as long as it has not been established that the legal person is controlled, directly or indirectly, by that designated person or entity.

To view the criteria of control of the designated person or entity over the legal person resulting in the freezing of its associated assets, the Implementing Parties may access the NCTC's website (Obligations of the Implementing Parties – Freezing Typologies related to Legal Persons (companies, institutions, associations or any similar entity)).

- The Implementing Parties shall:
 - Within a maximum of (48) hours from the issuance of the designation order, submit a First Report through electronic mail to the Committee and the Section, on the measures taken to implement the freezing order and all actions taken in compliance with the designation order. The report shall particularly include the value and type of the frozen funds, the date and time of freezing, and any attempted transactions or other relevant information.
 - Within thirty (30) days from the issuance of the designation order, submit a Second Report to the Committee and the Section on updates related to the initial report and any additional actions taken.
 - Submit additional and complementary reports to the Committee and the Section, in case of changes in the information and data related to the funds and economic resources frozen for the same purposes.
 - Refer the reports mentioned above to the Committee and the Section through electronic mail once drafted, provided that the originals of the reports and attachments shall be provided through administrative means.
- The Implementing Parties must ensure that the above reports include **instances where no matches are found**, confirming that screening has been conducted and no matches are found between the designated person or entity and the identification elements of existing or occasional customers; or instances confirming that screening has been conducted, where a confirmed match has been found, but there were no grounds to freeze.
- The notification reports (to the Committee and Section) and suspicion reports (to the QFIU) referred to above, must contain as much data as possible, including, at minimum, the following:
 - 1- Details related to whether there is any direct or indirect link between the conducted or attempted operations subject of the report and any other designated person or entity.
 - 2- Details related to the financial transactions, including the incoming transfers which led to the balance change or increase of the frozen account.

- 3- Details related to any attempt to breach the obligation of prohibiting the provision of funds and services for the benefit of the person or entity subject to freezing.
- The Implementing Parties must adopt adequate measures to take into account the interests and rights of bona fide third parties that have interest in such funds.

4- Management of Frozen Funds:

- If the Implementing Party is assigned to manage the frozen funds, the Party shall receive such funds and initiate an inventory thereof in the presence of the Public Prosecution's representative and a competent expert, depending on the nature of such funds, after seeking the presence of the persons concerned or their representative (s) pursuant to the Law, if any.
- The Implementing Party assigned to manage the frozen funds shall be responsible for safekeeping and properly managing such funds, and shall subsequently return such funds together with the collected yields and revenues, upon the termination of the freezing or of the relevant assigned obligations, pursuant to the provisions of the Civil Code on agency in management, deposit and custodianship.
- The Implementing Party assigned to manage the frozen funds shall commit to maintain the confidentiality of the information, data and documents made available to it, obtained, or exchanged; and shall not disclose the source of such information, even after the end of their assigned task.
- Adequate measures shall be adopted by the Implementing Party, taking into account the interests and rights of bona fide third parties that have interest in such funds.

5- Unfreezing:

a- Unfreezing mistakenly frozen funds: (False Positives)

- Screening may result in identifying a match of data on a person associated with an account or transaction, and data on a designated person such as name or address. The Implementing Parties must adopt a conservative approach in relation to results associated with targeted financial sanctions, which means that results should not be considered as false positives, and must therefore be accurately investigated.

In general, the Implementing Parties must, during the course of investigation, compare the data available on the person identified in matching results, such as date of birth and address, with the information in the designation order. If the concerned party identified in the match is not a customer of the Implementing Parties, the latter may need to obtain credible evidence from the customer on his identity, such as a

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copy of a government-issued identity with a photograph. In case the Implementing Parties identify information evidencing that the concerned party is not a designated person, the Implementing Parties shall not resort to suspending the transaction. Detailed records of the operation and obtained evidence as well as rationale for conducting the transaction must be maintained.

- In order to avoid duplicative or repeat investigations, the Implementing Parties may create a “false hit list / whitelist” and records of customers that have the same name as designated persons, and that the Implementing Parties have determined, after a thorough investigation or review, not to be themselves designated persons. The Implementing Parties can use this list to instruct their automated monitoring system or specific control software not to alert on such matches.
- Customers of the Implementing Parties may submit a claim that their funds or accounts were mistakenly frozen because they have the same or similar name as the designated persons. Such claims should be carefully verified through the same measures applied to verify automated monitoring in case of name match.
- The Implementing Party holding the frozen funds shall decide whether to accept or reject the unfreeze request by persons or entities who believe that their funds were mistakenly frozen – because they have the same or similar name as the designated persons or entities.
- The Implementing Party holding the frozen funds shall receive the written relief requests from those persons or entities, with a return receipt.
- The Implementing Party holding the frozen funds shall consider the request based on the attached documents and the database of its relevant customers. It shall address the Committee and the Section, if necessary, through electronic mail, to seek the information required to decide on the request, no later than twenty-four (24) hours from the date of receiving the relief request.
- If the Implementing Party holding the frozen funds is satisfied with the relief request, it shall spontaneously initiate the release of the frozen funds and notify the petitioner by any written means, and notify the Committee and the Section via electronic mail as soon as the funds are released.
- If the Implementing Party holding the frozen funds decides to reject the relief request, it shall draft a written notice of the rejection order, the reasons for rejection, and the right of the petitioner to petition the Committee against the decision.
- The Implementing Party holding the frozen funds shall send the rejection notice immediately upon issuance to the Committee and the Section via email; and shall then send the original notice and its annexes to the Section to refer it directly to the Committee through the Focal Point, no later than twenty-four (24) hours from the date of the notice.

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- The Implementing Party holding the frozen funds shall send the rejection notice to the petitioner by any written means within twenty-four (24) hours from the date of the notice.
- If satisfied with the request, the listing official shall issue a written decision to release the frozen funds of the petitioner and shall notify the Committee immediately of his decision by any written means.
- The Committee, upon receipt of the listing official's decision, shall notify the Focal Point of the Section via electronic mail to circulate the notifications by fax and electronic mail to the Implementing Parties to implement the decision and release the frozen funds within twenty-four (24) hours from the date of the listing official's decision.
- The Implementing Party shall inform the Section and the Committee without delay of the implementation via email, enclosing a relevant official letter.
- Adequate measures shall be adopted by the Implementing Parties, taking into account the interests and rights of bona fide third parties that have interest in such funds.

b- Unfreezing funds to protect the rights of bona fide third parties:

- Any person, or entity, who is not designated and had rights and legitimate interest in the frozen funds, may petition the Committee to unfreeze funds.
- The Committee shall examine and verify whether the petitioner is a genuine bona fide third party, whether unfreezing funds is necessary to protect the rights of the petitioner, whether unfreezing funds are in line with the objectives of the sanctions program, and any other considerations that the Committee determines to be relevant. The Committee shall make its recommendation to the Public Prosecutor within one (1) month of receiving the petition.
- In case the petition is approved by the Public Prosecutor, the Committee shall inform the Implementing Party to immediately unfreeze funds.

c- Partial unfreezing:

i. Partial unfreezing for payment of necessary Authorizations:

- If the Implementing Party holding the frozen funds receives a request to make or release the payments referred to in Articles (31), (32), and (33) of the Public Prosecutor's Decision No. (1) of 2020, the request shall be immediately referred with the supporting documents to the Section to send it without delay to the Committee through the Focal Point.

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- The Committee shall verify that the application meets the payment or release conditions, and once satisfied, it shall propose to the listing official to issue the authorization after notifying the appropriate UN body of the State's intention to respond to the request.
- The listing official shall issue the authorization to pay or release the funds and send it to the Committee through the Government e-correspondence System. The Committee shall notify the Section and the Implementing Party holding the funds by electronic mail to immediately implement the payment or release authorization.
- If the freezing order applies to persons and entities designated under UNSCR 1718 (2006) and any successor resolutions, the Committee shall take the necessary measures to authorize the Implementing Parties that had frozen funds subject to a judicial, administrative or arbitral lien or judgement, to make the due payments related to such lien or judgment, as per the conditions stipulated in Article (31) of Decision No. (1) of 2020 of the Public Prosecutor.
- If the freezing order applies to persons and entities designated under UNSCR 1737 (2006) and under UNSCR 2231 (2015), the Committee shall take the necessary measures to authorize the Implementing Parties that had frozen funds, to make payments due under contracts established prior to placing such person or entity on the UN List, as per the conditions stipulated in Article (32) of Decision No. (1) of 2020 of the Public Prosecutor.

ii. Partial Unfreezing for payment of basic and extraordinary expenses:

- If the person or entity is designated by a Security Council or Sanctions Committee resolution pursuant to Chapter VII of the Charter of the United Nations, and the listing official has issued the final authorization to partial unfreeze funds to cover basic or extraordinary expenses, the Implementing Party holding the funds shall immediately unfreeze the relevant authorized funds.
- The listing official shall issue the authorization to pay or release the funds and send it to the Committee through the Government e-correspondence System. The Committee shall notify the Section and the Implementing Party holding the funds by electronic mail to immediately implement the payment or release authorization.
- If the person or entity is designated on the Sanctions List by a decision of the Public Prosecutor and the listing official has issued an order to approve partial unfreezing of funds to cover the basic or extraordinary expenses of such person or entity or of their dependents, the Implementing Parties holding the funds shall take the necessary procedures and implement the order.

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- If the listing official decides to approve the request, the Committee shall immediately inform the petitioner by any written means, and shall send, via electronic mail, the relevant notifications to the Focal Point of the Section who shall immediately circulate such notifications via fax and email to Implementing Parties holding the frozen funds to implement the decision and unfreeze certain funds, and they shall inform the Section and the Committee of the implementation thereof within three (3) working days of the implementation.

iii. Submission of Reports:

- In all cases of partial unfreezing of funds to cover basic or extraordinary expenses, the Implementing Party holding the frozen funds shall submit a report to the Section on any actions taken to implement the orders issued by the Public Prosecutor, within three (3) working days of the implementation.
- The Implementing Party holding the frozen funds shall send periodic reports to the Section on the disposal method of the funds used to cover basic and extraordinary expenses.
- The Section shall examine and communicate the periodic reports sent by the Implementing Parties on the disposal methods of the funds used to cover basic and extraordinary expenses to the Committee to refer them without delay to the Public Prosecutor.

V. Obligations related to Delisting from Sanctions List

1- Obligations related to de-listing of persons and entities from UN Lists:

- If the listing official decides to implement the de-listing request from UN lists pursuant to the resolution of the appropriate UN body, he shall immediately notify the Committee of his decision through the Government e-correspondence System, or by any other written means.
- The Committee, upon receiving the de-listing decision from the listing official, shall immediately remove the name of the person or entity from its website, and notify the Focal Point of the Section via electronic mail. The Section shall immediately circulate the notifications by fax and electronic mail to the Implementing Parties to implement the decision, unfreeze the funds, and inform the Section and the Committee of the implementation via electronic mail, enclosing a relevant official letter on the matter.
- The Implementing Parties shall:
 - unfreeze funds within a maximum of three (3) business days after receiving the notification via email by the Committee of delisting from Sanctions List.

- adopt adequate measures taking into account the interests and rights of bona fide third parties that have interest in such funds.

2- Obligations related to de-listing of persons and entities designated by a decision of the Public Prosecutor:

- If the Public Prosecutor decides to revoke the de-listing order and removes the person or entity from the Sanctions List when he determines that there is no basis to keep them listed, revoking the designation order shall nullify all the related implications thereof.
- The Committee shall immediately announce the de-listing order on its website and remove the person or the entity from the relevant Sanctions List, and shall notify the Focal Point of the Section via electronic mail. The Section shall immediately circulate the notifications by fax and email to the Implementing Parties to implement the order, unfreeze funds, and inform the Section and the Committee of the implementation via email, enclosing a relevant official letter.
- The Implementing Parties shall:
 - unfreeze funds within a maximum of three (3) business days after receiving the notification via email by the Committee of delisting from Sanctions List.
 - adopt adequate measures, taking into account the interests and rights of bona fide third parties that have interest in such funds.

VI. Monitoring Compliance of Implementing Parties with the Implementation of Targeted Financial Sanctions

- In case of violation by the Implementing Parties of the requirements of the implementation of targeted financial sanctions related to combating terrorism, terrorism financing and the financing of proliferation of weapons of mass destruction:
 - They shall be subject to penalties for contravening the designation order as mentioned in Article (16) of the Law on Combating Terrorism, and contravening the preventive measures, whether willfully or as the result of gross negligence, according to Articles (8) and (82) of the AML/CFT Law No. (20) of 2019.
 - The Section shall apply all or some of the administrative and financial sanctions stipulated in Article (44) of the AML/CFT Law and Article (40) of the Law on Combatting Terrorism, unless any other law provides for more severe penalties.

VII. Final Provisions

Ministry of Commerce and Industry

- The Implementing Parties shall act in accordance with the requirements of the abovementioned legal texts and this Circular within a maximum of (15) days from the date of its issuance.
- This Circular shall be disseminated via email and published on the Ministry's website (AML/CFT Section).
- A copy of this Circular shall be sent to the listing official and the Committee.
- To contact the Section in all issues related to the implementation of the targeted financial sanctions, kindly contact the Focal Point or his representative via email, phone or fax, as the case may be:
 - Mr. Badr Mohamed Al Dosari, fax: 44932032, phone: 40422905, email: baldosari@moci.gov.qa
 - Mr. Nasser Hamad Al Naimi, fax: 44932032, phone: 40423281, email: nhalnaimi@moci.gov.qa

Respectfully yours,

Salem bin Salim Al Mannai

Director of Companies Affairs Department

Copy to:

- *H.E. Public Prosecutor;*
- *H.E. Chairman of the National Counter-Terrorism Committee (NCTC);*
- *Secretary of the National Anti-Money Laundering and Terrorism Financing Committee (NAMLC);*
- *H.E. Assistant Deputy of Commerce Affairs.*