

S.I. 13 of 2022**PREVENTION OF TERRORISM ACT***(Act 7 of 2004)***Prevention of Proliferation Financing (Amendment) Regulations, 2022**

In exercise of the powers conferred by section 20E of the Prevention of Terrorism Act, 2004 (Cap. 179), the Minister responsible for Internal Affairs makes the following regulations —

Citation

1. These regulations may be cited as the Prevention of Proliferation Financing (Amendment) Regulations, 2022.

Amendments to S.I. 21 of 2021

2. The Prevention of Proliferation Financing Regulations, 2021 are amended as follows —

(a) in regulation 4 —

(i) in subregulation (4), repeal the word “annually” and therefor substitute the words “as and when necessary”;

(ii) after subregulation (6), the following subregulations shall be added —

“(6A) The Committee shall seek required approvals at all stages from the relevant United Nations Sanctions Committee before making any recommendation to the Attorney General for the deletion of the name of the entity appearing on the sanctions list.

(6B) Upon receipt of an application under subregulations (3) or (5), after the verification of

identity documentation and other information, if the Attorney General or the Committee establishes that the party is not the actual designated party or listed party, it shall —

- (a) where the application relates to the United Nations Consolidated List, submit the request to the United Nations Sanctions Committee for determination, and upon receipt of feedback, the Attorney General or the Committee shall inform the applicant of the decision taken;
- (b) assess the application and make a determination and inform the applicant of the decision not later than fifteen working days from the date of receipt of the application.”;

(iii) by repealing subregulations (10) and 11;

- (b) after regulation 4, the following regulation shall be added —

“Application for delisting by the Focal Point of the United Nations Secretariat

4A. Notwithstanding anything in regulation 4, a listed party may submit a request for delisting directly to the Focal Point established within the United Nations Secretariat under the United Nations Security Council Resolution 1730.”;

- (c) in regulation 5 —

(i) in subregulation (2), repeal the words “make an application” and therefor substitute the words “submit an application along with necessary documents and information to substantiate the grounds in the

application”;

- (ii) after subregulation (3), the following proviso shall be added —

“Provided that when the Committee proposes to determine that the funds or other property are to be allowed for the purposes specified in regulation 5(2), the Committee shall notify the relevant United Nations Sanctions Committee at all stages of its verification and the Committee shall also communicate to the United Nations Sanctions Committee about its opinion on the release or otherwise of the funds or other property.”;

- (iii) after subregulation (3), the following subregulation shall be added —

“(3A) The Committee shall notify the listed party of the decision of the United Nations Sanctions Committee for the use of the funds or other assets, or any part thereof, for ordinary or extraordinary expenses.

Provided that for ordinary expenses, in the absence of a decision within the 5 working days of the notification under proviso to subregulation (3), it shall be deemed that the relevant United Nations Sanctions Committee has not objected to the use of the funds or other assets.”.

MADE this 28th day of January, 2022.

ERROL FONSEKA
MINISTER FOR INTERNAL AFFAIRS
