GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT No. 66 of 2017

The Anti-Terrorism Act, 2007

(Act No. 21 of 2007)

The Anti-Terrorism (United Nations Resolutions Implementation) Regulations, 2017

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY PROVISIONS

- 1. Title
- 2. Interpretation
- 3. Application

PART II

LISTING AND DE-LISTING

- 4. National listing
- 5. Duration of national listing
- 6. Procedure for publication of designation
- 7. Notification of designation
- 8. Claim by third party
- 9. De-listing requests
- 10. National de-listing
- 11. Basis for maintaining asset freeze after de-listing
- 12. Application to unfreeze funds or property
- 13. Confidential information

PART III

RESTRICTIVE MEASURES AND SANCTIONS IN RELATION TO DESIGNATED OR NATIONALLY LISTED PERSONS

- 14. Prohibition on dealing with funds and economic resources
- 15. Making funds or financial services available to designated or nationally listed person or entity prohibited
- 16. Prohibition on making funds or financial services available for benefit of designated or nationally listed person or entity
- 17. Prohibition on making economic resources available to designated or or nationally listed person or entity

- 18. Prohibition of procuring, supplying, provision, import or export of weapons, arms and related materials, sanctioned items and technical advice, services, assistance and training
- 19. Prohibition of travel by designated or nationally listed person or entity
- 20. Prohibition of transit by designated, listed or nationally listed persons or entities
- 21. Permitted transit
- 22. Exceptions
- 23. Licences
- 24. Circumventing prohibitions

PART IV

Information

- 25. Publication and circulation of designation or national listing
- 26. Reporting obligations of relevant institutions
- 27. Powers to request information
- 28. Production of documents
- 29. Failure to comply with request for information
- 30. Disclosure of information by Centre
- 31. Application of Part

PART V

SUPERVISION OF EXERCISE OF POWERS

- 32. Appeal to High Court in relation to listing
- 33. Review of decision by Court
- 34. Centre to report on operation of Part III
- 35. Appeal or application not to operate as stay

PART VI

GENERAL PROVISIONS

- 36. General penalty
- 37. Offences by corporate body or an unincorporate body
- 38. Service of notices
- 39. Forfeiture proceeds or property
- 40. Application to Republic
- 41. Revocation of S.I. No. 103 of 2015

SCHEDULES

IN EXERCISE of the powers contained in section 50 of the Anti-Terrorism Act, 2007 the following Regulations are made:

1. These Regulations may be cited as the Anti-Terrorism (United Nations Resolutions Implementation) Regulations, 2017.

Title

PART I

PRELIMINARY PROVISIONS

2. (1) In these Regulations, unless the context otherwise requires

Interpreta-

- "applicable resolutions" means
 - (a) United Nations Security Council Resolution 1267 of 1999:
 - (b) United Nations Security Council Resolution 1373 of 2001;
 - (c) United Nations Security Council Resolution 1390 of 2002;
 - (d) United Nations Security Council Resolution 1452 of 2002:
 - (e) United Nations Security Council Resolution 1540 of 2004;
 - (f) United Nations Security Council Resolution 1735 of 2006:
 - (g) United Nations Security Council Resolution 1737 of 2006;
 - (h) United Nations Security Council Resolution 1822 of 2008;
 - (i) United Nations Security Council Resolution 1904 of 2009:
 - (j) United Nations Security Council Resolution 1988 of 2011;
 - (k) United Nations Security Council Resolution 1989 of 2011; and
 - (1) any other United Nations Security Council Resolution that may be issued concerning the designation, asset freezing, arms embargo and travel ban in respect of a designated person or entity in relation to the application of measures for the combatting of terrorism, terrorism financing, proliferation and proliferation financing;
- "Authorised officer" has the meaning assigned to the word in the Act:

Act No. 21 of 2007

Act No. 21 of 2007

- "Centre" has the meaning assigned to the word in the Act;
- "designated person or entity" means any person, group, undertaking or organisation designated in the United Nations Sanctions List by or under the authority of the Security Council as being subject to United Nations sanctions and "designation" shall be construed accordingly;
- "designation" means the addition of a designated person or entity to the targeted sanctions list pursuant to the applicable resolutions, the Act, or these Regulations and designated shall be construed accordingly;
- "document" includes information recorded in any
- form and, in relation to information recorded otherwise than in legible form, references to its production include producing a copy of the information in legible form with or without the aid of anything else;
- "economic resources" means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but can be used to obtain funds, goods or services;
- "entity" means a group, organisation, firm, unincorporated body of persons or any other legal arrangement;
- "financial benefit" includes the discharge of a financial obligation for which the designated person or entity, country or nationally listed person or entity is wholly or partly liable;
- "financial services" means services of a financial nature, including—
 - (a) insurance and pensions related services consisting of—
 - (i) direct insurance other than life assurance;
 - (ii) reinsurance and retrogression;
 - (iii) insurance intermediation, such as brokerage and agency;
 - (iv) services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services; or
 - (v) Pension Fund Management;
 - (b) banking and other financial services consisting of—
 - (i) accepting deposits and other repayable funds;
 - (ii) lending, including consumer credit, mortgage credit.
 - factoring, financing of commercial transactions and credit referencing;

Act No. 21 of 2007

- (iii) financial leasing;
- (iv) payment and money transmission services, including credit, charge and debit cards, travellers' cheques and bankers' drafts;
- (v) providing guarantees or commitments;
- (vi) financial trading;
- (vii) participating in issues of any kind of securities, including underwriting and placement as an agent, whether publicly or privately and providing service related to such issues;
- (viii) money brokering or foreign exchange purchase and sale;
- (ix) asset management, including case or portfolio management, all forms of collective investment management, custodial, depository and trust services;
- (x) settlement and clearing services for financial assets including securities, derivative products and other negotiable instruments;
- (xi) providing or transferring financial information, and financial data processing or related software by suppliers of other financial services; or
- (xii) providing advisory and other auxiliary financial services, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy;
- "financial trading" means trading for a person's, group of persons' or entity's own account or for the account of customers, whether on an investment exchange, in an overthe counter market or otherwise, in—
 - (a) money market instruments, including cheques, bills and certificates of deposit;
 - (b) foreign exchange;
 - (c) derivative products, including futures and options;
 - (d) exchange rate and interest rate instruments, including products such as swaps and forward rate agreements;
 - (e) transferable securities;

- (f) other negotiable instruments; and
- (g) financial assets including bullion.
- "freeze" means the prohibition of the use, transfer, conversion, disposition or movement of any funds, economic resources, property or other assets that are owned or controlled by a designated person, entity, country or nationally listed person on the basis of, and for the duration of the validity of an action initiated by the Security Council in accordance with applicable Security Council Resolutions and shall be construed accordingly;

Act No. 21 of 2007

- "funds" has the meaning assigned to the word in the Act;
- "group" means a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing a terrorist act or serious offence;
- " information " means a document or any communication which is in an oral or recorded form;
- "national listing" means the listing of a person or entity by the Minister as being engaged in or concerned with terrorism, proliferation or the proliferation financing by the Centre of the name of a designated person or entity in accordance with applicable United Nations Resolutions;
- "other services" includes technical assistance, training or any other service rendered in connection with a terrorist act, terrorist financing or any contravention of the Act, the applicable resolutions or these Regulations;
- "privileged information" means information with respect to which a claim to legal professional privilege could be maintained in legal proceedings;
- "proliferation" includes the manufacture, acquisition, possession, development, export, transhipment, brokering, transport, transfer, stockpiling, supply, sale or use or use of nuclear, ballistic, chemical, radiological or biological weapons or any other weapon capable of causing mass destruction, and their means, of delivery and related materials (including both technologies and dual-use goods used for non-legitimate purposes), including technology, goods, software, services or expertise, in contravention of this Act or where applicable, international obligations derived from relevant Security Council Resolution;

- "proliferation financing" means an act by a person who by any means, directly or indirectly, willfully or negligently provides funds or financial services to be used or knowing that they are to be used in whole or in part for the manufacture, acquisition, possession, development, export, transshipment brokering, transport, transfer, stockpiling, supply, sale or use of nuclear, ballistic, chemical, radiological or biological weapons or any other weapon capable of causing mass destruction and their means, of delivery and related materials (including both technologies and dual-use goods used for non-legitimate purpose), including technology, goods, software, services or expertise, in contravention of this Act or, where applicable, international obligations derived from relevant Security Council Resolutions;
- "reporting entity" has the meaning assigned to the word in the Financial Intelligence Centre Act, 2010;

Act No. 46 of 2010

- " sanctions " includes an asset freeze, travel ban and arms embargo;
- " supervisory authority " has the meaning assigned to the term in the Financial Intelligence Centre Act, 2010;

Act No. 46 of 2010

- " terrorism" has the meaning assigned to the word in the Act;
- "terrorism financing" means an act by a person who by any means directly or indirectly, wilfully, provides or collects funds from any source whether legal or illegal or attempts to do so, intending that the funds should be used or knowing or reasonably suspecting that the funds are to be sued in full or in part, whether actually used or not—
 - (a) to carry out a terrorist act;
 - (b) by an individual terrorist; or
 - (c) by a terrorist entity;
- "travel ban" means the prohibition of the travel of a designated or listed person, group or entity to, from or through the territory of the Republic;
- (2) For the purposes of these Regulations involvement in terrorism includes—
 - (a) the commission, preparation or instigation of acts of terrorism;
 - (b) the financing of terrorism acts or persons or entities connected with terrorism;

- (c) conduct that facilitates the commission, preparation or instigation of acts of terrorism, or that is intended to do so;
- (d) conduct that gives support or assistance to persons or entities known or believed by the person concerned, to be involved in terrorism;
- (e) obtaining supply or instruction or training in the use of—
 - (i) firearms or explosives; or
 - (ii) chemical, biological, radiological or nuclear weapons or their components; or
- (f) the commission of any act of terrorism defined under the Act or any other law.

Application

- 3. These Regulations apply to—
 - (a) a designated person or entity under the applicable resolutions;
 - (b) a person or an entity suspected of being involved in terrorism, terrorism financing, proliferation or proliferation financing;
 - (c) a reporting entity;
 - (d) a supervisory authority;
 - (e) any other person or entity that does any thing provided for or prohibited under these Regulations.

PART II

LISTING AND DE-LISTING

National listing

- 4. (1) The Minister may nationally list a person or entity upon receipt of information from the Centre or at the request of a foreign country.
- (2) The Centre shall submit information in relation to a person or entity to the Minister in writing for national listing where the Centre—
 - (a) reasonably believes that a person or entity—
 - (i) is or has been involved in terrorism, terrorism financing, proliferation or proliferation financing;
 - (ii) is owned or controlled directly or indirectly by a person who is or has been involved in terrorism, terrorism financing, proliferation or proliferation financing;

- (iii) is acting on behalf of a person, or entity that is involved or has been involved in terrorism, terrorism financing, proliferation or proliferation financing; and
- (b) considers that it is necessary for purposes connected with protecting members of the public from terrorism and that financial restrictions and other sanctions should be applied in relation to that person or entity.
- (3) For the purposes of a national listing under these Regulations and the applicable resolutions, it is immaterial whether the acts of terrorism in question are specific acts of terrorism or general acts of terrorism or whether they are intended to be or are actually committed.
- (4) The information referred in subregulation (1) shall include, where available—
 - (a) the name, including any alias or title, of the persons or entity;
 - (b) the place and date of birth, establishment or incorporation as applicable;
 - (c) the original or acquired nationality;
 - (d) the passport number, identity card number or registration number;
 - (e) the gender;
 - (f) the physical, postal and electronic mail addresses;
 - (g) the occupation;
 - (h) the telephone number; and
 - (i) any other information which the Centre considers relevant.
- (5) A request for national listing made by a foreign country shall be transmitted to the Zambian Mission in that country or the nearest country where a Zambian mission is located.
- (6) Where a Zambian Mission referred to in subregulation (5) does not exist, the foreign country shall transmit the request to the ministry responsible for foreign affairs in Zambia.
- (7) The ministry responsible for foreign affairs shall, on receipt of a request under paragraph (2), immediately, submit the request to the ministry responsible for internal security for consideration.
- (8) The Minister responsible for internal security, shall, upon receipt of a request under paragraph (3) and as soon as practicable, submit the request to the Centre for a determination as to whether there are reasonable grounds to nationally list a person or entity in accordance with the Act and these Regulations.

- (9) Where the Centre determines that there are reasonable grounds to nationally list a person or entity, the Centre shall immediately notify the Minister.
- (10) The Minister shall, upon receipt of the information from the Centre or at the request of a foreign country, nationally list a person or entity for the purposes of these Regulations and the applicable resolutions in Form I set out in the First Schedule, with necessary modifications.
 - (11) The Centre shall, upon receipt of the national listing—
 - (a) direct all reporting entities to immediately freeze all property, funds, and other financial assets or economic resources suspected or belonging to a listed person or entity including funds derived from property owned or controlled directly or indirectly, by that nationally listed person or entity or by a person acting on that nationally listed person's or entity's behalf or at the nationally listed person's or entity's direction, and ensure that these funds and other financial assets or any other funds, financial assets or economic resources are not made available, directly or indirectly for the nationally listed person's or entity's benefit, by their nationals or by persons within their territory;
 - (b) give written notice of the national listing to the nationally listed person or entity, specifying its implications and the procedure for review and information on the delisting process after the national listing has taken effect; and
 - (c) publicise the national listing as soon as is practicable in a national newspaper of general circulation and on its website.
- (12) A reporting entity that contravenes regulation 11(a) commits an offence and is liable on conviction to fine not exceeding two thousand five hundred penalty units or to imprisonment for a term not exceeding two years or to both.
 - (13) The Centre shall circulate the national list to—
 - (a) a supervisory authority;
 - (b) a defence and security organ;
 - (c) a law enforcement agency;
 - (d) the Financial Intelligence Centre; and
 - (e) a reporting entity.
- (14) The Centre shall circulate the national list to another State as specified in the relevant Resolution.

- (15) The Centre shall review and, where applicable, update, the national list annually.
- (16) The Centre shall publicise the national listing generally, except where—
 - (a) in the case of an individual, the Centre believes that the nationally listed individual is under the age of eighteen years; or
 - (b) the Centre considers that disclosure of the national listing should be restricted—
 - (i) in the interests of national security;
 - (ii) for reasons connected with the prevention or detection of an

offence; or

- (iii) in the interest of justice.
- (17) Where the conditions referred to under subregulation (2) exist, the Centre shall inform the supervisory authorities and reporting entities which the Centre considers necessary to give effect to these Regulations.
- (18) Where the conditions preventing a national listing under subregulation (2) cease to exist, the Centre shall—
 - (a) give written notice of that fact to the nationally listed person or entity; and
 - (b) take steps to publicise the national listing generally.
- 5. (1) A national listing by the Minister expires at the end of the period of one year after the date on which it was made, unless it is renewed.

Duration of national listing

- (2) The Minister may renew a national listing at any time before it expires, if the circumstances referred to under regulation 4 continue to exist.
- (3) The provisions of Regulation 4 apply where a national listing is renewed.
- 6. (1) The Permanent Mission of the Republic of Zambia to the United Nations shall, without delay, submit to the Ministry responsible for foreign affairs, a designation made by the Security Council in accordance with the applicable resolution and the provisions of the Act and these Regulations.

(2) The Minister shall, immediately upon receipt of a designation referred to in sub-regulation (1), submit the designation to the Centre.

Procedure for publication of designation Act No. 46 of 2010

- (3) The Centre shall, on receipt of the designation referred to in sub-regulation (2), without delay, circulate the designation to—
 - (a) a supervisory authority;
 - (b) a defence and security organ;
 - (c) such law enforcement agencies as it considers necessary; and
 - (d) the Financial Intelligence Centre.
- (4) A supervisory authority shall, on receipt of the designation submitted to it in accordance with sub-regulation (3)—
 - (a) circulate the designation to the reporting entities under its supervision for their information and action;
 - (b) where necessary, provide guidance to the reporting entities holding funds or other assets of a designated person or entity, in relation to their obligations under the Act, these Regulations or any other law; and
 - (c) ensure that the reporting entities comply with the requirements of the Act, these Regulations and any other law.

Notification of designation

- 7. (1) The Centre shall, upon receipt of the designation in accordance with the applicable resolution, the Act or these Regulations—
 - (a) instruct supervisory Authorities to direct all reporting entities to immediately or without delay freeze all property, funds, and other financial assets or economic resources suspected or belonging to a designated person or entity including funds derived from property owned or controlled directly or indirectly, by that designated person or entity or by a person acting on that designated person's or entity's behalf or at the designated person's or entity's direction, and ensure that these funds and other financial assets or any other funds, financial assets or economic resources are not made available, directly or indirectly for the designated person's or entity's benefit, by their nationals or by persons within their territory;
 - (b) give written notice of the designation to the designated person or entity, specifying its implications and the procedure for review and information on the de-listing process after the designation has taken effect; and
 - (c) publicise the designation as soon as is practicable in a national newspaper of general circulation and on its website.

- (2) A supervisory Authority or reporting entity that contravenes sub-regulation (1) (a) commits an offence and is liable on conviction to two thousand five hundred penalty units or to six months imprisonment or to both.
- 8. (1) A person who claims to have a *bona fide* right to funds or assets frozen in accordance with regulation 4(11) or regulation 7(1) (a) may apply to the Minister for the exclusion of that person's interest from the freezing order.

Claim by third party

- (2) The application referred to in subregulation (1) shall be accompanied with a sworn or affirmed statement setting out—
 - (a) the nature and extent of the right, title or interest claimed by the applicant in the funds or assets concerned;
 - (b) the time and circumstances of the acquisition by the applicant of the right, title or interest in the funds or assets; and
 - (c) any additional facts supporting the application.
- (3) A person or entity that takes any freezing action under these Regulations shall ensure reasonable preservation of those funds and other assets.
- 9. (1) The Centre is authorised to make delisting requests on behalf of the Republic in accordance with the de-listing procedures under the applicable resolutions.

De-listing requests

- (2) A designated or nationally listed person, entity or country may request the appropriate Sanctions Committee to delist that person or entity in accordance with the appropriate resolution or the de-listing procedure provided for in the applicable Resolution.
- (3) A person or entity listed pursuant to an applicable resolution shall for purposes

of making a request for de-listing in accordance with these Regulations, make the de-listing request in Form II set out in the First Schedule, with necessary modification and shall address that request to the address specified in Part B of the Second Schedule.

- (4) A request for de-listing in terms of subregulation (2) shall contain—
 - (a) in case of an individual—
 - (i) the full name of the individual including any middle names or initials, parent's and grandparent's names as may be applicable, and any other names or pseudonyms used by individual;
 - (ii) the date and place of birth;

- (iii) a nationality or nationalities of the individual where the individual holds more than one nationality;
- (iv) the state of current residence; and
- (v) any other information which may help to clarify any issues of identity; or
- (b) in the case of an entity—
 - (i) full name of the entity including any alternative names used;
 - (ii) where applicable the place and date of incorporation or registration;
 - (iii) current and any other state of operation; and
 - (iv) any other information which may help to clarify issues of identity.
- (5) The request in terms of sub-regulation (2) shall include—
 - (a) a detailed statement of the reasons or justification for delisting, addressing any specific designating criteria set out in the designation entry or in the narrative summary and include any information or suspicion as to the basis for the person's or entity's inclusion on designation and any explanation, argument or submission relating to the same;
 - (b) where available, copies of any documents or other supporting or explanatory material;
 - (c) where applicable, a description of any court proceedings or litigation of relevance to the de-listing request; and
 - (d) where applicable, a reference to any previous request for de-listing made by the same designated person or entity through the focal point or any other way.
- (6) Where a request for de-listing is made by a person acting on behalf of a designated person or entity the request shall be accompanied by a document signed by the designated person or entity authorising the person to act on the designated person's or entity's behalf.
- (7) Where the Sanctions Committee deletes the name of a person or entity appearing on a sanctions list, the Centre shall, within twentyfour hours of the deletion, notify—
 - (a) the supervisory authorities;
 - (b) defence and security organs;
 - (c) such other law enforcement agencies as it may consider necessary; and
 - (d) the Financial intelligence Centre.

10. (1) A nationally listed person or entity may apply to the Minister by depositing an application to the Centre in Form II set out in the Schedule, with necessary modifications.

National de-listing

- (2) The Minister may, on the advice of the Centre, if satisfied on reasonable grounds that a person or entity is no longer concerned with terrorism or the funding thereof—
 - (a) delist such person, entity or country; and
 - (b) without delay, by notice in the *Gazette*, and when necessary by expeditious means of publication, publish a notice to delist that person or entity and the de-listing shall take effect from the date of publication or on a date that may be specified in the notice.
- (3) The notice published in the *Gazette* in accordance with sub-regulation (2)(b) is sufficient notice to the de-listed person or entity.
- (4) The Centre shall, within twenty fourhours of the de-listing circulate a notice of the de-listing to the institutions to which a national list was circulated under regulation 4 (13).
- (5) A supervisory authority shall notify a reporting entity of a de-listing and direct that reporting entity to delete the name of the person or entity from the designation or national listing circulated to the reporting entity.
- (6) The Centre shall notify a foreign State of the deletion as specified in the relevant Resolution.
- (7) The de-listing of a person, entity or country shall not automatically result in the unfreezing of assets.
- 11. Property frozen following a national listing or a designation shall remain frozen following a de-listing where the Centre reasonably suspects that the—

Basis for maintaining asset freeze after de-listing

- (a) property will still be used in furtherance of terrorist activities;
- (b) assets are tainted property; or
- (c) unfreezing of assets is contrary to national security, subject to confirmation by court.
- 12. (1) A de-listed person, entity or country may apply to the Centre to have that person's, entity's or country's property unfrozen within twelve months of the de-listing.

Application to unfreeze funds or property

(2) Where a de-listed person fails to apply to have that person's property unfrozen within twelve months, the Centre may apply for the property to be forfeited to the State in accordance with the Forfeiture of Proceeds of Crime Act, 2010.

Act No. 19 of 2010

(3) Despite sub-regulation (2), where the Centre determines that the circumstances upon which the property of the de-listed person was frozen no longer exist, the Centre shall unfreeze the property as soon as practicable but without delay.

Confidential information

- 13. (1) Where the Centre notifies specific persons of a designation or national listing, the Centre may specify that the information contained in the notification must be treated as confidential.
 - (2) Subject to subregulation (3), a person who—
 - (a) is provided with information that is to be treated as confidential in accordance with subregulation (1); or
 - (b) obtains information of a designation or national listing by any other means;

shall not disclose the information to an unauthorised person if the person knows, or reasonably suspects that the information is required to be treated as confidential.

- (3) A person who contravenes subregulation (2) commits an offence and is liable, on conviction to a fine not exceeding two thousand five hundred penalty units or to imprisonment for a term not exceeding two years, or to both.
- (4) Subregulation (2) does not apply to a disclosure made by a person pursuant to lawful authority.
- (5) For the purposes of this Regulation, information is disclosed with lawful authority if the disclosure is—
 - (a) made or authorised by the Minister;
 - (b) by, or with the consent of, the designated or nationally listed person or entity;
 - (c) necessary to give effect to a requirement imposed under or by virtue of this Part or any other law; or
 - (d) required, under an order of the High Court or tribunal under the Act or any other law for the purposes of legal proceedings of any description.
- (6) This Regulation does not prevent the disclosure of information that is already, or has previously been, available to the public from other sources.
- (7) The High Court may on the application of the Centre or a person or entity that is the subject of the information, grant an injunction to prevent a contravention of sub-regulation (2).

PART III

RESTRICTIVE MEASURES AND SANCTIONS IN RELATION TO DESIGNATED OR NATIONALLY LISTED PERSONS

- 14. (1) Subject to Regulations 16 and 19, a person must not deal with funds or economic resources owned, held or controlled by a designated or nationally listed person or entity if the person knows, or reasonably suspects, that the person is dealing with those funds or economic resources.
- Prohibition on dealing with funds and economic resources
- (2) A person who contravenes subregulation (1) commits an offence and is liable, on conviction, to penalties specified in the Act.
 - (3) In this Regulation, "deal with" means—
 - (a) in relation to funds
 - (i) use, alter, move, allow access to or transfer;
 - (ii) treat the funds in a way that would result in any change in volume, amount, location, ownership, possession, character or destination; or
 - (iii) make any other change that would enable use, including portfolio management; and
 - (b) in relation to economic resources, exchange or use the resources in exchange for funds, goods or services.
- 15. (1) Subject to Regulations 16 and 19, a person or entity shall not make funds or financial services available, directly or indirectly, to a designated, listed or nationally listed person or entity if that person or entity knows, or reasonably suspects, that the person or entity is making the funds or financial services so available for the purposes of terrorism.
- Making funds or financial services available to designated or nationally listed person or entity prohibited
- (2) A person or entity that contravenes subregulation (1) commits an offence and is liable, on conviction, to penalties specified in the Act.
- 16. (1) A person or entity must not make funds or financial services available to another person or entity for the benefit of a designated or nationally listed person or entity if that person or entity knows, or reasonably suspects that the other person or entity is making the funds or financial services available to a designated or nationally listed person or entity for the purposes of terrorism, terrorism financing, proliferation or proliferation financing.
- (2) For the purposes of this Regulation, funds are made available for the benefit of a designated, listed or nationally listed person or entity if that person, group or entity thereby obtains, or is able to obtain, a financial benefit.

Prohibition on making funds or financial services available for benefit of designated or nationally listed person or entity (3) A person who contravenes subregulation (1) commits an offence and is liable, upon conviction, to penalties specified in the Act.

Prohibition on making economic resources available to designated or nationally listed person or entity

- 17. (1) Subject to Regulation 19, a person or entity shall not make economic resources available directly or indirectly to a listed or nationally listed person or entity if that person or entity knows, or reasonably suspects—
 - (a) that the person or entity is making the economic resources so available to the listed or nationally listed person or entity; and
 - (b) that the designated, listed or nationally listed person or entity would be likely to exchange the economic resources, or use them in exchange, for funds, goods, services or arms.
- (2) A person or entity that contravenes subregulation (1) commits an offence and is liable, on conviction, to penalties specified in the Act.
- 18. (1) A person or entity shall not facilitate the acquisition, transportation or other transactions, relating to firearms, explosives, chemical, biological, radiological or nuclear weapons or their components within or through the Republic on behalf of a designated or nationally listed person or entity or for the benefit of that designated or nationally listed person or entity.
- (2) A person who knows or reasonably suspects that a transaction under subregulation (1) is about to take place must notify an authorised officer immediately that person becomes aware of that transaction or as soon as practicable after that person becomes aware of the transaction.
- (3) An authorised officer who receives information under subregulation (2) must take immediate steps to prevent the performance or conclusion of the transaction.
- (4) A person from the Republic or elsewhere who, directly or indirectly—
 - (a) procures, supplies, delivers, sells, brokers, or transfers, imports or exports;
 - (b) agrees to procure, supply, deliver, sell, broker, transfer, import or export; or
 - (c) does any act calculated to promote the procurement, supply, delivery, brokering, sale or transfer, import or export of, items which are subject to sanctions, firearms, explosives, chemical, biological, radiological or nuclear

Prohibition of procuring, supplying, provision, import or export of weapons, arms and related materials, sanctioned items and technical advice, services, assistance and training

weapons or their components and related material of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and their spare parts, inclusive of technical advice, services, assistance, or training related to military or terrorist acts to or from—

- (i) a designated or nationally listed person or entity;
- (ii) a person or entity controlled or owned directly or indirectly bya designated or nationally listed person or entity referred to in paragraph (a); or
- (iii) a person or entity acting on behalf of, or at the direction, of a designated or nationally listed person or entity mentioned in paragraph (a), using a Zambian or non-Zambian flagged vessel or aircraft or aircraft registered in Zambia;

commits an offence and is liable, on conviction, to the penalties specified in the Act.

- (5) A person who, directly or indirectly—
 - (a) procures, supplies, delivers, sells, brokers, transfers, import or export;
 - (b) agrees to procure, supply, deliver, sells, brokers, transfers, import or export; or
 - (c) does any act calculated to promote the procurement, supply, delivery, sale, brokering, transfer, import or export of, items which are not subject to sanctions, to or from, or brokered by—
 - (i) a designated or nationally listed person or entity;
 - (ii) a person or organisation controlled or owned directly or indirectly by a designated or nationally listed person or entity referred to in paragraph (a); or
 - (iii) a person or entity acting on behalf of, or at the direction of a designated or nationally listed person or entity referred to in paragraph (a), using a Zambian or non-Zambian flagged vessel or aircraft registered in Zambia, must—
 - (A) follow the requirements of the applicable Security Council Sanctions Committees;
 - (B) verify the enduse and enduse location of such items; and

- (C) notify the relevant Security Council Sanctions Committee and where applicable, the International Atomic Energy Agency, within ten days of the supply, sale or transfer of those items.
- (6) A Customs and Excise officer or an authorised officer may—
 - (a) search and inspect all cargo to and from a designated country, including cargo on an aircraft or a vessel, where reasonable grounds exist to suspect a violation of applicable terrorism, terrorism financing proliferation or proliferation, financing Security Council resolutions and sanctions;
 - (b) seize any items subject to sanctions, arms and related material of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and their spare parts, where reasonable grounds exist to suspect a violation of applicable Security Council resolutions and sanctions relating to terrorism, terrorism financing, proliferation and proliferation financing; or
 - (c) cause the disposal of any items subject to sanctions, arms and related material of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and their spare parts, where reasonable grounds exists to suspect a violation of applicable Security Council resolutions and sanctions relating to terrorism, terrorism financing, proliferation or proliferation financing.
- (7) Where a search and inspection is refused by a flagged vessel of another State, the Customs and Excise officer or an authorised officer shall—
 - (a) through the Ministry responsible for foreign affairs, request the flag State permission to carry out a cargo search and inspection; and
 - (b) where a requested flag State refuses a search and inspection under paragraph (a), request the flag State, through the Ministry responsible for foreign affairs, to instruct the vessel to proceed to an appropriate and convenient port for the required search and inspection.

- (8) A Customs and Excise officer or an authorised officer shall inform the Minister of the action taken within fourteen days after—
 - (a) conducting a search and inspection of cargo under subregulation (3) (a);
 - (b) seizure of an item subject to sanctions under subregulation (3)(b); or
 - (c) disposal of an item subject to sanctions under subsection (3)(c).
- (9) A person, entity and any Customs and Excise official or an authorised officer, must cause the refusal of any bunkering service to be provided to a vessel or aircraft, where—
 - (a) reasonable grounds exist to suspect a Security Council resolution or sanctions violation; or
 - (b) a search or inspection is refused under this Regulation, except where those services are necessary for humanitarian purposes or until such time as the cargo has been inspected, or seized and disposed of, if necessary.
 - (10) A person commits an offence who—
 - (a) directly or indirectly, interferes with a Customs and Excise officer or an authorised officer in the exercise of their functions under this Regulation; or
 - (b) provides bunkering services in contravention of these Regulations.
- (11) A person who contravenes sub-regulation (10) commits an offence and is liable on conviction to the penalties specified in the Act.
- (12) A person who facilitates a transaction knowing or reasonably suspecting that the transaction contravenes subregulation (1) commits an offence and is liable, on conviction, to the penalties specified in the Act.
- 19. (1) A road, water or air transportation provider or any transportation agent operating within the Republic or whose transportation carries persons or goods within or outside the Republic shall not knowingly permit or facilitate the transportation of a designated, listed or nationally listed person or restricted goods specified by the Centre.
- (2) A person shall not knowingly provide or facilitate the transportation of a designated, listed or nationally listed person or restricted goods specified by the Centre by road, water or air transportation within or outside the Republic.

Prohibition of travel by designated or nationally listed person or entity Prohibition of transit by designated, listed or nationally listed persons or entities

- 20. (1) A designated or nationally listed person shall not enter or transit through the Republic if the entry or transit would be contrary to a determination of the Security Council made under Article 41 of the Charter of the United Nations.
- (2) Despite the provisions of any other law, the Director-General of Immigration shall not grant a visa to a designated or nationally listed person unless the Director-General has obtained the advice of the Centre that the issuance of the visa is consistent with a determination of the Security Council referred to in subregulation (1).
- (3) A person who contravenes this Regulation commits an offence and is liable, on conviction to the penalties specified in the Act.

Act No. 18 of 2010

(4) The provisions of this Regulation shall not be construed as varying or waiving the requirements imposed by the Immigration and Deportation Act, 2010.

Permitted transit

- 21. Despite the provisions of Regulation 20, a designated or nationally listed person shall not be prevented from entering or transiting through the Republic where—
 - (a) the designated or nationally listed person is a citizen;
 - (b) the entry or transit is necessary for compliance with a judicial process; and
 - (c) the appropriate United Nations Sanctions Committee determines, on a casebycase basis, that the entry or transit is justified.

Exceptions

- 22. (1) Despite Regulations 11 to 13, a reporting entity may credit a frozen account with—
 - (a) interest or other earnings due on the account; or
 - (b) payments due under contracts, agreements or obligations that were concluded or arose before the account was frozen.
- (2) Despite Regulations 12 and 13 a reporting entity may credit a frozen account where it receives funds transferred to the account.
 - (3) Despite Regulation 13, a payment may be made which—
 - (a) is a benefit under or by virtue of a law relating to social security; and
 - (b) is to a person or entity that is not a designated or nationally listed person or entity whether or not the payment is made in respect of that designated or listed person.

- (4) A reporting entity shall inform the Centre without delay if it credits a frozen account in accordance with subregulation (1) or (2).
- (5) In this Regulation "frozen account" means an account with a reporting entity which is held or controlled, directly or indirectly, by a designated or nationally listed person or entity.
- (6) A person whose property has been frozen following a designated or national listing under these Regulations may submit a request to the Minister to release that property or a portion of that property to cover—
 - (a) necessary and basic expenses, including payments for rent or
 - mortgage, foodstuffs, monthly family expenses, medicines and medical treatment, taxes, insurance premiums and public utility charges;
 - (b) expenses exclusively for payment of reasonable professional fees, or reimbursement of incurred expenses associated with the provision of legal services;
 - (c) fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources:
 - (d) necessary extraordinary expenses; and
 - (e) in respect of funds frozen under UNSCR 1718 and 1737 (2006)—
 - (i) expenses necessary to honour any judicial, administrative or arbitral lien or judgement;
 - (ii) payments due under contracts entered into prior to the listing of such person or entity, provided—
 - (A) that it has been determined that the contract is not related to any of the prohibited items, materials, equipment, goods, technologies, assistance, training, financial assistance, investment, brokering or services referred to in the relevant Security Council resolution;
 - (B) that it has been determined that the payment is not directly or indirect received by a person or entity designated pursuant to UNSCR 1737; and

- (C) 10 working days prior to the notification of the intention to make or receive such payments or to authorise, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, has been given to the 1737 Sanctions Committee.
- (7) The request to have funds released for expenses under subsection 1(a), (b), (c) and (e), shall be assessed by the Centre within fourteen (14) working days, and if favourably considered, the request shall be directed to the relevant Sanctions Committee for its decision.
- (8) The Centre may, within 48 hours from date of submission of the request to the relevant Committee in terms of subregulation (6) and in the absence of any negative decision received from that Committee, authorise the release of funds as applied for.
- (9) The request to have funds released as outlined in subregulation (6) shall be—
 - (a) assessed by the Centre and if favourably considered, the request
 - is forwarded to the relevant Sanctions Committee for its approval; and
 - (b) authorised by the Centre upon receipt of approval from the relevant Sanctions Committee.

Licences

- 23. (1) Regulations 11 and 15 do not apply to anything done under the authority of a licence granted by the Centre.
 - (2) A licence shall specify the acts authorised and may be—
 - (a) general or granted to a category of persons or entities or to a particular person;
 - (b) subject to conditions; and
 - (c) of indefinite duration or subject to an expiry date.
 - (3) The Centre may vary or revoke a licence at any time.
- (4) On the grant, variation or revocation of a licence, the Centre shall—
 - (a) in the case of a licence granted to a particular person, give written notice of the grant, variation or revocation to that person; or

- (b) in the case of a general licence or a licence granted to a category of persons or entity, take such steps as the Centre considers appropriate to publicise the grant, variation or revocation of the licence.
- (5) A person commits an offence if that person, for the purpose of obtaining a licence, knowingly or recklessly—
 - (a) provides information that is false in a material respect; or
 - (b) provides or produces a document that is not what it purports to be.
- (6) A person who purports to act under the authority of a licence but fails to comply with a condition of the licence commits an offence and is liable, on conviction, to imprisonment for a term not exceeding two years.
- 24. A person or entity that intentionally participates in activities knowing that the object or effect of those activities is to directly or indirectly circumvent, enable or formulate the contravention of provisions of this Part, commits an offence and is liable, on conviction, to the penalties specified in the Act.

Circumventing prohibitions etc.

PART IV

Information

25. The Centre may adopt measures or make arrangements for the prompt publication and circulation of the National list, including publication on its website and in other media as applicable.

Publication and circulation of designation or national listing

- 26. (1) Subject to the Financial Intelligence Centre Act, 2010 a reporting entity shall notify the Centre as soon as practicable if—
 - (a) it knows, or reasonably suspects, that a person or entity—
 - (i) is a designated or nationally listed person or entity;
 - (ii) has committed an offence under Part III; and
 - (b) the information or other matter on which the knowledge or suspicion under paragraph (a) is based came to the institution in the course of carrying on its business.
- (2) Where a reporting entity informs the Centre under sub-regulation (1), the reporting entity shall state—
 - (a) the information or other matter on which the knowledge or suspicion is based; and
 - (b) any information it holds about the person or entity by which the person or entity can be identified.

Reporting obligations of relevant institutions Act No. 46 of 2010

- (3) If a reporting entity informs the Centre under sub-regulation (1) that the entity knows, or has reasonable cause to suspect, that a person or entity is a designated or nationally listed person or entity and that the person, group or entity is a customer of the reporting entity, the reporting entity shall also state the nature and amount or quantity of any funds or economic resources held by the reporting entity for the customer at the time when the reporting entity first had the knowledge or suspicion.
- (4) A reporting entity that fails to comply with this Regulation commits an offence and is liable, on conviction, to the penalties specified in the Act.

Power to request information

- 27. (1) Where the Centre believes that information is necessary for the purpose of monitoring compliance with this Part, the Centre may directly or through a supervisory authority request a designated or nationally listed person or entity to provide information—
 - (a) concerning—
 - (i) funds or economic resources owned, held or controlled by or on behalf of the designated or nationally listed person or entity; or
 - (ii) any disposal of such funds or economic resources; or
 - (b) that the Centre may reasonably require about expenditure—
 - (i) by or on behalf of the designated or nationally listed person or entity; or
 - (ii) for the benefit of the designated or nationally listed person or entity.
- (2) The Centre may request a person acting under a licence granted under Regulation 23 to provide information concerning—
 - (a) funds or economic resources dealt with under the licence; or
 - (b) funds, economic resources or financial services made available under the licence.
- (3) The Centre may request any person in or resident in the Republic to provide information that the Centre may reasonably require for the purpose of—
 - (a) establishing under this Part—
 - (i) the nature and amount or quantity of any funds or economic resources owned, held or controlled by or on behalf of a designated or nationally listed person or entity;

- (ii) the nature and amount or quantity of any funds, economic resources or financial services made available directly or indirectly to, or for the benefit of, a designated or nationally listed person or entity; or
- (iii) the nature of any financial transactions entered into by a designated or nationally listed person or entity;
- (b) monitoring compliance with or detecting circumvention of this Part; or
- (c) obtaining evidence of the commission of an offence under this Part.
- (4) The Centre may issue guidelines specifying the manner in which, and the period within which, information is to be provided pursuant to a request.
- (5) Where no period is specified for provision of information in accordance with sub-regulation (4), the information which has been requested shall be provided as soon as practicable.
- (6) A request may include a continuing obligation to keep the Centre informed as circumstances change, or on such regular basis as the Centre specifies.
- (7) Information requested under this Regulation may relate to any period of time during which a person, group or entity is, or was, a designated, listed or nationally listed person or entity.
- (8) Information requested under this Regulation may relate to any period of time before a person or entity became a designated or nationally listed person or entity.
- 28. (1) A request made under Regulation 27 may include a request to produce specified documents or documents of a specified description.

Production of documents

- (2) Where the Centre requests that documents be produced, the centre may—
 - (a) take copies of or extracts from any document so produced;
 - (b) request any person or entity producing a document to give an explanation of it; and
 - (c) where the person or entity under paragraph (b) is a body corporate, partnership or unincorporated body other than a partnership, request any person to give such an explanation who is—

- (i) in the case of a partnership, a present or past partner or employee of the partnership; and
- (ii) in any other case, a present or past director or manager or employee of the body concerned.
- (3) Where the Centre requests a designated or nationally listed person or entity or a person acting under a licence granted under Regulation 23 to produce documents, that person shall—
 - (a) take reasonable steps to obtain the documents; and
 - (b) keep the documents under the person's possession or control, except for the purpose of providing them to the Centre or as the Centre may otherwise permit.

Failure to comply with request for information

obligations.

- 29. (1) A person or entity shall not—
 - (a) without reasonable excuse, refuse or fail within the time and in the manner specified, or if no time has been specified, as soon as practicable to comply with any request made under these Regulations;
 - (b) knowingly or recklessly give any information, or produce any document, which is false in a material particular in response to that request;
 - (c) with intent to circumvent the provisions of these Regulations destroy, mutilate, deface, conceal or remove any document; or
 - (d) otherwise intentionally obstruct the Centre, a supervisory authority or an authorised officer in the exercise of their powers under these Regulations or any other law.
- (2) A person or entity that contravenes subregulation (1) commits an offence and is liable, on conviction, to the penalties specified in the Act.
- (3) The Centre, upon application to the High Court and satisfying the Court that a person or entity has failed without reasonable excuse to comply in whole or in part with any obligations in the request, shall obtain an order against that person or entity or any of their officers or employees, where applicable, on the terms that the court considers necessary to enforce compliance with those
- (4) Where a person or entity is convicted of an offence under this Regulation, the High Court may order that person or entity to comply with the request within such period as may be specified in the order.

30. (1) The Centre may disclose any information obtained by it in exercise of its powers under this Part, including any document so obtained and any copy or extract made of any document so obtained to—

Disclosure of information by Centre

- (a) an authorised officer;
- (b) a person holding or acting in any office under or in the service of the Republic;
- (c) the Legal Aid Board;
- (d) the Financial Intelligence Centre;
- (e) a supervisory authority;
- (f) a defence and security organ;
- (g) such law enforcement agencies as it consider necessary;
- (h) a reporting entity;
- (i) a third party, with the consent of a person who, in their own right, is entitled to the information or to possession of the document, copy or extract; and
- (j) any organ of the United Nations or any person in the service of the United Nations, the African Union, the Council of the European Union, the European Commission or the Government of any country for the purpose of giving assistance or cooperation, pursuant to the relevant Security Council resolutions;
- (2) The Centre shall take such steps as it considers appropriate to cooperate with an investigation in the Republic or elsewhere relating to the funds, economic resources or financial transactions of a designated or nationally listed person or entity.
- 31. (1) Nothing done in compliance with this Part shall be treated as a breach of any restriction imposed by a law or otherwise.

Application of Part Act No. 21 of 2009

- (2) Nothing in this Part authorises a disclosure that—
 - (a) contravenes the provisions of the Electronic Communications and Transactions Act, 2009, relating to Data Protection;

Act No. 19 of 2010 Cap. 111

- (b) is prohibited under the Financial Intelligence Centre Act, 2010; or
- (c) is prohibited by the State Security Act.
- (3) Nothing in this Part shall be construed as requiring a legal practitioner who has acted as an advocate for any person to disclose any privileged information in that legal practitioner's possession in that capacity.

- (4) This Part does not limit the circumstances in which information may be lawfully disclosed apart from this Part.
- (5) This Part does not limit the powers of the Centre to impose conditions in connection with the discharge of the Centre's functions under these Regulations.

PART V

SUPERVISION OF EXERCISE OF POWERS

Appeal to High Court in relation to listing or national listing

- 32. (1) This Part applies—
 - (a) to any decision of the Minister—
 - (i) to make or vary a listing or national listing of a person or entity;
 - (ii) to renew a national listing of a person or entity;
 - (iii) not to vary or revoke a national listing of a person or entity; or
 - (b) an order to freeze assets or prohibit travel of a designated or nationally listed person or entity.
- (2) The designated or nationally listed person or entity concerned may appeal against a decision referred to in subregulation (1) to the High Court.
- (3) On appeal, the High Court may make an order that it considers appropriate.

Review of decision by High Court

- 33. (1) Despite Regulation 31, a person or entity affected by a designation or national listing, freezing, travel prohibition, or other decision may apply to the High Court for the designation or national listing, freezing, travel prohibition or other decision to be set aside on the ground that it is illegal, improper or irrational.
- (2) In determining whether the designation or national listing or decision should be set aside, the High Court shall apply the principles applicable to an application for Judicial Review.

Centre to report on operation of Part III

- 34. (1) As soon as practicable, but not later than ninety days after the end of the financial year, the Centre shall prepare and submit to the Minister a report about the exercise of the powers conferred on it by Part III and its activities during that financial year.
- (2) The Minister shall not later than seven days after the first sitting of the National Assembly next after receipt of the report referred to in subregulation (1) lay the report before the National Assembly.

35. The making of an appeal or application under this Regulation does not suspend the effect of or stay the decision to which the appeal or application relates.

Appeal or application not to operate as stay

PART VI

GENERAL PROVISIONS

36. A person who is convicted of an offence under these Regulations for which no penalty is expressly provided, is liable, on conviction, to a fine not exceeding two thousand five hundred penalty units, or to imprisonment for a term not exceeding two years, or to both.

General penalty

37. Where an offence is committed by a body corporate or unincorporated body, every director or manager of the body corporate or unincorporated body is liable, on conviction, as if the director or manager personally committed the offence, unless the director or manager proves to the satisfaction of the court that the act constituting the offence was done without the knowledge, consent or connivance of the director or manager or that the director or manager took reasonable steps to prevent the commission of the offence.

Offences by body corporate or unincorporate body

38. (1) This Regulation applies in relation to any notice to be given to a person by the Centre under this Part.

Service of notices

- (2) A notice under subregulation (1) may be given—
 - (a) to the person named in the notice;
 - (b) by posting it to the person's last known address;
 - (c) by electronic mail;
 - (d) where the person is a body corporate, partnership or unincorporated body other than a partnership, by posting it to the registered or principal office of the body or partnership concerned; or
 - (e) through substituted service.
- 39. (1) The provisions of the Forfeiture of Proceeds of Crime Act, 2010, apply in relation to the seizure and forfeiture of any proceeds or property.

Forfeiture of proceeds or property Act No. 19 of 2010

- (2) A person who tampers with any property that is seized or forfeited under these Regulations commits an offence and is liable, on conviction, to imprisonment for a period not exceeding two years.
 - 40. (1) This Part binds the Republic.

(2) A contravention of this Part by the Republic does not make the Republic criminally liable. Application to Republic

(3) The High Court may, on the application of a person appearing to the Court to have an interest, declare unlawful any act or omission of the Republic that constitutes a contravention of a provision of this Part.

Revocation of SI No. 103 of 2015 41. The Anti-Terrorism (Implementation of the United Nations Security Council Resolutions on the Prevention of Terrorism) Regulations, 2015, are revoked.

SCHEDULE (Regulations 4 and 36)

PRESCRIBED FORMS

Form I (Regulation 4)



REPUBLIC OF ZAMBIA

The Anti-Terrorism Act, 2007 (Act No. 21 of 2007)

The Anti-Terrorism (United Nations Resolutions Implementation) Regulations, 2017

PART A—LISTING OF INDIVIDUALS

CONSOLIDATED LIST: STANDARD FORM FOR MEMBER STATE SUBMISSIONS TO THE COMMITTEE FOR LISTING OF INDIVIDUALS

For additional information on listing and explanatory notes on completing this form see: www.un.org/sc/committees/1267/listing.shtml

I.A - IDENTIFYIN	I.A - IDENTIFYING INFORMATION THAT WILL APPEAR ON THE CONSOLIDATED LIST	EAR (LNC	HEC	SNO	OLI	DAT	EDI	IST	
Member States are i identifying informat	Member States are requested to provide the Committee with as much relevant information as possible, in particular sufficient identifying information to allow for the accurate and positive identification of the individual concerned.	h as m e ident	uch r ificat	eleva ion o	nt inf fthe i	orma ndiv	tion idual	as po conc	ssibl	e, in particular sufficient 1.
Full name (in Latin alphabet, a	Full name (in Latin alphabet, as to appear on the List)									
Name components		Describe name component	nan	ne co	odu	nent				
Provide $1-8$ comp	(Provide 1 – 8 components. On the columns to the						Name of:	of:		Other, please describe in
left, please describe each part of t middle or family name, et cetera.)	left, please describe each part of the name as first, middle or family name, et cetera.)	ę						father		writing
	First name	Middle name	Last name	Family name	Geographics Seligious titl	Father	Grand father	Great-grand	Mother	Tribe
1.						_				
2.										
3.										
4.										
5.						무				
6.										
7.										
8.										
Spelling variations	Spelling variations or other transliterations if used in official	offici								
documents										
Original script	ate script: Arabic	Chinese□								
(as to appear on	Pashtu Russian	Urdu								
the List)	Other Which									
Other script(s)	Arabic	Chinese□								
(if used officially)	Dari □ Pashtu □ Russian □ □ Other □ Which	Urdu								
Date of birth	(DD/MM/YYYY)									
	Аддіцопан шноппаноп		1							

Place of birth (city/area/country)	ıty/area/country)	
Alternative date	Alternative dates or places of birth (please explain)	
Male / Female		
Nationality or	Current	
citizenship(s)	Previous (add dates)	
State(s) of	Current	
residence	Previous (add dates)	
Passport(s),	Document type	Passport ☐ Driver license ☐ National identity card ☐ Birth certificate ☐
other travel	(see explanatory notes)	Social security card ☐ Other ☐ Which ☐
national	Document number	
identification	Name issued to (in original script)	Name:
documents		Indicate script: Arabic □ Chinese □ Dari □ Pashtu □ Russian □
		Urdu□ Other □ Which: □
	Issued by (authority, city, country)	
	Issue date	Day: Month: Year:
	Expiry date	Day: Month: Year:
	Additional information	
To add mo	re documents, make a copy of and fill ir	To add more documents, make a copy of and fill in annex A. Please provide a copy of the document if possible
Aliases/	If the individual has aliases/also-know	If the individual has aliases/also-known-as names, both current and formerly used, please fill in annex B. Provide thi
Also-Known-	information only if the data is suffic	information only if the data is sufficient to allow for the accurate and positive identification of the individua
As	concerned, otherwise include this into pseudonyms not sufficient for accurate	concerned, outerwise include uns information in section 1.15 of tims form, in fields designated for incknames and oute pseudonyms <i>not</i> sufficient for accurate and positive identification. For definitions please see explanatory notes.

I.B—ADDITIONA Member States are r. concerned.	LIDENTIFYING INFORMATION TH. equested to provide the following informa	I.B—ADDITIONAL IDENTIFYING INFORMATION THAT MAY ALSO APPEAR ON THE CONSOLIDATED LIST Member States are requested to provide the following information in order to facilitate the identification of the individual concerned.	TED LIST dividual
Nicknames, diminutives and	Type	Nom de guerre ☐ Nickname ☐ Adop Other ☐ which:	Adopted name
other	Details (in Latin script)		
(Not legal names, not sufficient for positive	Additional information about this pseudonym		
To add more pse	nication.) To add more pseudonyms fill in an additional sheet (annex C)	x C)	
Title(s)			
Employment / Occu of employment, in p listed entities)	Employment / Occupation (please provide dates and nature of employment, in particular regarding positions held in listed entities)		
Marital status			
Address	Primary address		
	Other addresses (current/previous)		
Location	Current		
(11 different fromaddress)	Alternative		
Status	Wanted / Subject to arrest	Yes □ No□Not Known	
	warrant	If yes, please explain:	
	Detained (please provide date of likely release)	Yes □ No□Not Known If yes, please explain:	
	Convicted / Sentenced (please	Yes □ No□Not Known	
	provide details of sentence)	If yes, please explain:	
	Others (please see explanatory	Yes □ No□Not Known	
	notes)	If yes, please explain:	
Relevant INTERPOL Notices	OL Notices	Yes □ No□Not Known If yes, please explain:	
Other supplementary information	ary information		

Names of	Father's name				
parents	Mother's name				
Residency permits or	Document type	Residency Other	:y permit⊐Work po Which	ermit 🗌 Visa 🔲	Residency permit□Work permit□ Visa□ Alien registration card□ Other□ Which
visas of	Document number				
individual, or similar	Issued by (authority, city, country)				
official	Issue date	Day:	Month:	Year:	
documents	Expiry date	Day:	Month:	Year:	
	Additional info				
Other identity	Document type				
documents	Document number				
	Issued by (authority, city, country)				
	Issue date	Day:	Month:	Year:	
	Expiry date	Day:	Month:	Year:	
	Additional info				
Official identity	Type				
number		Social security National ID nu Other □ which	Social security number □Alien registration National ID number □ Employee number □Other □ which	n registration num oyee number	Social security number□Alien registration number□Customer ID number□ National ID number□ Employee number Tax ID□ Other□which
	Number	l			
	Issued by (authority, city, country)				
	Other details				
Other numbers					
(indicate type, nu	(indicate type, number and issuer as above)				

To add more documents, make a copy of and fill in annex A. Please provide a copy of the document if possible.

Height (cm)	Eve color
Weight (La)	Hair color
Weight (Ag) Build	Complexion
Tribal / ethnic background	
Photograph, sketch, computer image attached?	Yes No If yes, type(s):
Other biometric identifiers attached? For example fingerprints, DNA code, iris scan or digital facial image	Yes □ No □ If yes, type(s):
Distinguishing marks and other physical characteristics	
Languages spoken Additional physical characteristics	
1.D—OTHER IDENTIFYING INFORMATION NOT SPECIFIED ABOVE	SPECIFIED ABOVE
II. BASIS FOR LISTING Member States are requested to indicate in one or more of the fields below the nature in section I.A of this form and Al-Qaida, Usama bin Laden and/or the Taliban as set cand subsequent resolutions. Full explanations and details of the nature of this ass (Statement of Case). Please include the permanent reference number(s) of those natready appear on the Consolidated List. In the event of the designation of this indivisitly be used for the development of the narrative summary of reasons for listing accordance with paragraph 14 of Security Council resolution 1904 (2009). [a) participating in the financing 1, planning, facilitating, preparing, or perpetratir the name of, on behalf of, or in support of Al-Qaida (AQ), Usama bin Laden (UBL), or derivative thereof. Name(s) and permanent reference number(s) on Consolidated List (if applicable):	II. BASIS FOR LISTING Member States are requested to indicate in one or more of the fields below the nature of the association between the individual inscribed in section I.A of this form and Al-Qaida, Usama bin Laden and/or the Taliban as set out in paragraphs 2 and 3 of resolution 1617 (2005) and subsequent resolutions. Full explanations and details of the nature of this association should be given in Part III of this form already appear on the Consolidated List. In the event of the designation of this individual by the Committee, the information provided will be used for the development of the narrative summary of reasons for listing to be published on the Committee's website in accordance with paragraph 14 of Security Council resolution 1904 (2009). □ (a) participating in the financing I, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of Al-Qaida (AQ), Usama bin Laden (UBL), or the Taliban, or any cell, affiliate, splinter group or derivative thereof. ► Name(s) and permanent reference number(s) on Consolidated List (if applicable):

 (b) supplying, selling or transferring arms and related materiel to AQ, UBL or the Taliban, or any cell, affiliate, splinter group or derivative thereof. Name(s) and permanent reference number(s) on Consolidated List (if applicable):
(c) recruiting for AQ, UBL or the Taliban, or any cell, affiliate, splinter group or derivative thereof. ² • Name(s) and permanent reference number(s) on Consolidated List (if applicable):
(d) otherwise supporting acts or activities of AQ, UBL or the Taliban, or any cell, affiliate, splinter group or derivative thereof. ² • Name and permanent reference number(s) on Consolidated List (if applicable):
 (e) other acts and activity indicating association with AQ, UBL or the Taliban, or any cell, affiliate, splinter group or derivative thereof.² Name and permanent reference number(s) on Consolidated List (if applicable): Briefly state the nature of the association:
(<i>f</i>) entity owned or controlled, directly or indirectly, by, or otherwise supporting, an individual or entity on the Consolidated List. ² • Name(s) and permanent reference number(s) on Consolidated List (if applicable):

¹ The Security Council has noted that such means of financing or support include but are not limited to the use of proceeds derived from illicit cultivation, production and trafficking of narcotic drugs originating particularly in Afghanistan, and their precursors (resolution 1904 (2009), para. 9).

III. STATEMENT OF CASE

In accordance with paragraph 11 of resolution 1904 (2009), the whole statement of case shall be releasable, upon request, except for the supporting a determination that the individual meets the criteria above; (ii) the nature of the information, for example, intelligence, law parts a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons The Statement of Case should provide as much detail as possible on the basis(es) for listing, including: (i) specific information enforcement, judicial, media, and admissions by subject; and (iii) additional information or documents provided with the submission, States should include details of any connection between the individual proposed for listing and any currently listed individual or entity. for listing described in paragraph 14 of resolution 1904 (2009).

In accordance with paragraph 12 of resolution 1904 (2009) Member States proposing a new designation are encouraged to specify whether the Committee may make known, upon request from a Member State, the Member State's status as a designating State. III. B PARTS OF STATEMENT OF CASE IDENTIFIED AS BEING CONFIDENTIAL TO THE COMMITTEE A STATEMENT OF CASE (RELEASABLE UPON REQUEST) IV. IDENTITY OF DESIGNATING STATE S S Yes

V. INTERPOL COOPERATION

The Security Council stressed in its resolution 1699 (2006) that its sanctions measures are often implemented under national law, including criminal law where applicable, and that enhanced cooperation between the United Nations and INTERPOL would enhance States' enforcement of those laws. In the same resolution, the Security Council encouraged Member States to use the tools offered by INTERPOL to reinforce the implementation of mandatory measures adopted by the Security Council, particularly the freezing of assets, travel bans, and arms embargoes. In this connection, the Committee regularly requests INTERPOL to issue INTERPOL-United Nations Security Council Special Notices to alert national law enforcement authorities in INTERPOL member countries that designated individuals and entities are subject to Security Council sanctions.

INTERPOL may for implementation purposes wish to contact tadditional information on the individual(s)/entity(ies) proposed for Committee may inform INTERPOL, upon INTERPOL's request, individual(s) (INTERPOL would then contact your country's perminquiries).	INTERPOL may for implementation purposes wish to contact the relevant authorities in your country, with a view to obtaining additional information on the individual(s)/entity(ies) proposed for designation herewith. For this purpose, please indicate below if the Committee may inform INTERPOL, upon INTERPOL's request, that your country is a designating State of the above- mentioned individual(s) (INTERPOL would then contact your country's permanent mission to the United Nations in New York with the relevant inquiries).
In addition, please indicate below if the Committee may convey to INTERPOL, upon INTERPOL's request, the details of the of contact below within your Government (INTERPOL may then contact directly the contact point below with the relevant inquiries). \[\sum \text{Yes} \qquad \sum \text{No mments:} \]	In addition, please indicate below if the Committee may convey to INTERPOL, upon INTERPOL's request, the details of the point of contact below within your Government (INTERPOL may then contact directly the contact point below with the relevant inquiries). \[\sum \text{Ves} \qquad \sum \text{No mments:} \]
VI. POINT OF CONTACT The individual(s) below may serve as a point-of-contact for further questions on this submission: (THIS INFORMATION SHALL REMAIN CONFIDENTIAL	r questions on this submission:
Name:	Position/Title:
Contact details:	
Office: Address:	
Telephone number: Fax number: E-mail address:	

	ANNEX A—Additional identification documents	ditional identif	ication docum	ents
Make as many cop.	Make as many copies of this sheet as needed and fill them in where relevant – other entries may remain blank.	in where releva	ınt – other entri	s may remain blank.
Passport(s), other travel	Document type (see explanatory notes)	Passport ☐ Dri Birth certificat	Passport □ Driver license □ Nationa Birth certificate □ Other □ Which:	Passport □ Driver license□ National identity card □ Social security card □ Birth certificate □ Other □ Which:
documents and	Document number			
identification documents	Name issued to (in original script)	Name: Indicate script: Aı Other □ Which	: Arabic □ Chine ich	Name: Indicate script: Arabic □ Chinese□ Dari □ Pashtu □ Russian □ Urdu □ Other □ Which
	Issued by (authority, city, country)			
	Issue date	Day: M	Month:	Year:
	Expiry date	Day: M	Month:	Year:
	Additional information			
Passport(s), other travel documents and	Document type (see explanatory notes)	Passport□ Dri Birth certificat	Passport□ Driver license□ Nationa Birth certificate □ Other□Which:	Passport□ Driver license□ National identity card□ Social security card□ Birth certificate□ Other□Which:
national	Document number			
identification documents	Name issued to (in original script)	Name: Indicate script: . Other ☐ Which	: Arabic□Chine th	Name: Indicate script: Arabic□Chinese□ Dari □Pashtu□Russian□Urdu□ Other□ Which
	Issued by (authority, city, country)			
	Issue date	Day: M	Month:	Year:
	Expiry date	Day: M	Month:	Year:
	Additional information			

Residency permits or	Document type	Residency permi Other □ Which	. permit □ Vhich	Residency permit □ Work permit □ Visa □ Alien registration card □ Other □ Which
visas of	Document number			
individual, or	Issued by (authority, city, country)			
other identity	Issue date	Day:	Month:	Year:
	Expiry date	Day:	Month:	Year:
	Additional info			
Other identity	Document type			
documents	Document number			
	Issued by (authority, city, country)			
	Issue date	Day:	Month:	Year:
	Expiry date	Day:	Month:	Year:
Official identity Additional info	Additional info			
number	Туре	Social secu National II	Social security number	Social security number□ Alien registration number□ Customer ID number□ National ID number □ Employee number □ Tax ID□
		Other	which	
	Number			
	Issued by (authority, city, country)			
	Other details			
Other numbers	Other numbers (indicate type number and issuer as above)			
(Illuicate type, main	UCI allu Issuei as accive)			

	ANNEX B—Aliases and Also-Known-As	X B-	-Alia	ses :	/ puı	VIso-	Kno	wn-⁄	9		
Include only if data nickname, diminuti in where relevant –	Include only if data is sufficient to allow for the accinickname, diminutive or other pseudonym in section in where relevant – other entries may remain blank.	<i>trate</i> I.B. o	and p f the s	o <i>siti</i> stand	<i>ve id</i> ard f	entif	i <i>cati</i> Mak	on of	the nany	ndiv cop	Include <i>only if data is sufficient to allow for the accurate and positive identification of the individual concerned</i> , otherwise include as nickname, diminutive or other pseudonym in section I.B. of the standard form. Make as many copies of this sheet as needed and fill them in where relevant – other entries may remain blank.
Full name (in Latin alphabet, a	Full name (in Latin alphabet, as to appear on the List)										
Name components		Des	Describe name component	nar	ne c	duo	onen				
(Provide 1 – 8 com	(Provide 1 – 8 components. On the columns to the					- ا	Nai	Name of:	ļ.,		Other, please describe in writing
left, please describe	left, please describe each part of the name as first,						-	-	. -	-	Suidi, picase aesentos in winns
middle or family name, et cetera.)	me, et cetera.)) i		91	al ref.	əĮį					
		rst name iddle nan	amen 12st	msn ylimi	oidqsrgoe	it suoigile	ıther	randfathe reat-grand	other	əqi.	
			-1	F	œ	В			_	\rightarrow	
1.							$\frac{\sqcup}{\sqcap}$	$\frac{\sqcup}{\Box}$		<u>Ц</u>	
2.											
3.										Ш	
4.										Ш	
5.][
6.											
7.											
8.								_			
Spelling variations	is or other transliterations if used in	asn J	ğ.								
Original serint	Indicate	1.5									
Original script	are s	Cuin]								
(as to appear on	Dari □ Pashtu□Russian□ Urdu □	Urdu									
the List)	Other Which:										

Other script(s) (if used officially)	Indicate script: Arabic ☐ Chinese ☐ Dari ☐ Pashtu☐Russian ☐ Urdu ☐ Other ☐ Which:				
Date of birth	(DD/MM/YYYY) Additional information	Day:	Month:	Year:	
Place of birth (city/area/country)	//area/country)				
Alternative dates	Alternative dates or places of birth (please explain)				
Nationality or	Current				
citizenship(s)	Previous (add dates)				
State(s) of	Current				
residence	Previous (add dates)				
Any additional information (background onalias)					

OR PSEUDONYMS	fication of the individual concerned	e relevant – other entries may remain blank.	Nom de guerre ☐ Nickname ☐ Adopted name ☐ Other ☐ Which				Nom de guerre ☐ Nickname ☐ Adopted name ☐ Other ☐ Which				Nom de guerre ☐ Nickname ☐ Adopted name ☐ Other ☐ Which		
ANNEX C—ADDITIONAL NICKNAMES, DIMINUTIVES OR PSEUDONYMS	Include <u>only if data is not sufficient f</u> or accurate and positive identification <u>of</u> the individual concerned	Make as many copies of this sheet as needed and fill them in where relevant – other entries may remain blank.	Type	Details (in Latin script)	Additional information about this pseudonym		Type	Details (in Latin script)	Additional information about this pseudonym		Type	Details (in Latin script)	Additional information about this pseudonym
ANNEX C—ADDIT	Include only if data is	Make as many copies	Nicknames, diminutives	and other	(Not legal names, not sufficient for	positive identification	Nicknames, diminutives	and other	pseudonyms (Not legal names, not sufficient for	positive identification	Nicknames, diminutives	and other	pseudonyms (Not legal names, not sufficient for positive identification

Nicknames, diminutives	Type	Nom de guerre ☐ Nickname ☐ Adopted name ☐ Other ☐ Which
and other	Details (in Latin script)	
(Not legal names, not sufficient for positive identification	Additional information about this pseudonym	
Nicknames, diminutives	Type	Nom de guerre □ Nickname □ Adopted name □ Other □ Which
and other	Details (in Latin script)	
pseudonyms (Not legal names, not sufficient for positive identification	Additional information about this pseudonym	
Nicknames, diminutives	Type	Nom de guerre □ Nickname □ Adopted name □ Other □ Which
and other	Details (in Latin script)	
pseudonyms (Not legal names, not sufficient for positive identification	Additional information about this pseudonym	

Form II (Regulation 36)



REPUBLIC OF ZAMBIA

The Anti-Terrorism Act, 2007 (Act No. 21 of 2007)

The Anti-Terrorism (United Nations Resolutions Implementation) Regulations, 2017

Standard form for the submission of requests to remove a name from the Al-Qaida Sanctions
List maintained by the Security Council Committee pursuant to resolutions 1267 (1999) and
1989 (2011) concerning Al-Qaida and associated individuals and entities

The use of this form is optional. If used, please complete as many fields as possible.

D If you are a representative of a Member State:

Please send the completed form to the Secretariat of the Committee:

- by mail: 1267/1989 Committee Secretariat

Security Council Subsidiary Organs Branch (Room TB-08040C) United Nations

- New York, N.Y. 10017 USA
- by fax: +1 212 963 1300/3778
- by email: SC-1267-Committee@un.org

D If you are a <u>petitioner</u> (individual, group, undertaking or entity on the Al-Qaida Sanctions List, or a representative thereof):

Please refer to the Office of the Ombudsperson for guidance

website: http://www.un.org/en/sc/ombudsperson/

The use of this form is not required by the Ombudsperson but may be forwarded to her as follows.

- by mail: Office of the Ombudsperson

Room TB-08041D

United Nations - New York, NY 10017, United States of America

- by fax: +1 212 963 1300/3778
- by email: ombudsperson@un.org

The use of this form by no means prejudges the decision of the Committee

I. FOR AN INDIVIDUAL	UAL	
Permanent Reference Number (PRN)	: Number (PRN)	
Full name (in Latin alphabet, as	Full name (in Latin alphabet, as it appears on the List)	
Date of birth	(DD/MM/YYYY)	Day: Month: Year
Place of birth (city/area/country)	ea/country)	
Male / Female		
Nationality or	Current	
citizenship(s)	Previous (add dates)	
State(s) of	Current	
residence	Previous (add dates)	
	Primary address (city/area/country)	
Address	Other addresses (current/previous)	
Location	Current	
(if different from address)	Other	
Associated Entity (en Sanctions List (cf. pa Councilresolution 198	Associated Entity (entities) on the Al-Qaida Sanctions List (cf. paragraph 5 of Security Councilresolution 1989(2011))	
Please indicate if the i	Please indicate if the individual is deceased	Yes□ No □
Paragraph 31 of Secur encourages States to a viduals that are officia	Paragraph 31 of Security Council resolution 1989 (2011) encourages States to submit delisting requests for individuals that are officially confirmed to be dead	If yes, please provide a death certificate or similar official documentation confirming the death, which should include, to the extent possible, the full name, permanent reference number and date of birth of the
		individual, and the date and place of death, as well as any further information about the circumstances of the death. See also part III of
Other information		this form

II. FOR A	GROUP, UN	II. FOR A GROUP, UNDERTAKING OR ENTITY	2 ENTITY
Permanent	Reference N	Permanent Reference Number (PRN)	
Full Name (in Latin al _l	phabet, as it	Full Name (in Latin alphabet, as it appears on the List)	(t)
Short name	Short name / acronym(s)		
Registration and other identification numbers	Registration and other identification numbers		
Registered Address	Address	Current	
		Previous, if any	
Type of entity	tity		
Location	Current		
	Previous, if any	if any	
Known assets / origin of assets	Known assets / location of assets / origin of assets	of assets /	
Please indi	cate if the e	Please indicate if the entity is reported or confirmed to	r confirmed to Yes No
Paragraph 31 of Sec	1 to exist 31 of Securit	nave ceased to exist Paragraph 31 of Security Council resolution 1989 (2011)	on 1989 (2011) If yes, please provide official confirmation. See also part III of this form.
encourages entities repo	States to sul orted or conf	encourages States to submit delisting requests for entities reported or confirmed to have ceased to exist	
Other information	mation		

III. IDENTIFIED FROZEN ASSETS OF DECEASED INDIVIDUALS OR ENTITIES THAT HAVE CEASED TO EXIST (SECTION FOR REPRESENTATIVES OF MEMBER STATES) Paragraph 31 of Security Council resolution 1989 (2011) encourages States to take all reasonable measures to ensure that the assets that belonged to these individuals or entities have not been or will not be transferred or distributed to other individuals, groups, undertakings and entities on the Al-Qaida Sanctions List
For deceased individuals, is any legal beneficiary of the deceased's estate, or any joint owner of his/her assets, on the Al-Qaida Sanctions List? Yes \sum \text{No} \sum (If yes, please provide details)
For defunct entities, is any legal beneficiary of the defunct entity, or any joint owner of its assets, on the Al-Qaida Sanctions List? Yes \(\subseteq \text{No} \supseteq \text{(If yes, please provide details)} \)
IV. PREVIOUS DELISTING REQUESTS (IF KNOWN)
Has a de-listing request pertaining to this individual or entity been submitted before?
Yes 🗆 No 🗀
If yes, please elaborate:

V. JUSTIFICATION
The delisting request should explain why the individual or entity concerned no longer meets the criteria described in paragraphs 4 and 5 of resolution 1989 (2011). Attach documentation where appropriate.

VI. SUBMISSION OF DELISTING REQUEST	
A request for the de-listing of	currently inscribed on the Al-Qaida Sanctions List of the
1267/1989 Sanctions Committee under permanent reference number, —	is hereby submitted.
(date and signature/official seal)	(capacity in which submitting form)

SECOND SCHEDULE

(Regulation 36)

ADDRESS FOR DE-LISTING REQUESTS

Office of the Ombudsperson Room TB-08041D United Nations New York, NY 10017 United States of America Tel: +1 212 963 2671

Fax: +1 212 963 1300/3778 E-mail: ombudsperson@un.org

Lusaka 1st September, 2017 S. Kampyongo,

Minister of Home Affairs