



REPUBLIC OF KENYA
FINANCIAL REPORTING CENTRE
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FINANCIAL REPORTING CENTRE CIRCULAR NO. 5 OF 2024

March 9, 2024

TO: CHIEF EXECUTIVES OF REPORTING INSTITUTIONS

Dear Sirs/Madams,

AMENDMENTS TO AN ENTRY IN THE 1718 SANCTIONS LIST

1 Background

- 1.1 Section 40E of the Prevention of Terrorism Act, 2012 (POTA) confers the Counter Financing of Terrorism Inter-Ministerial Committee the mandate to implement United Nations Security Council Resolutions 1267, 1373, 1718 and 1988, resolutions relating to the suppression of terrorism financing and the prevention, suppression and disruption of the proliferation of, and financing of, dealings with weapons of mass destruction and such other related resolutions.
- 1.2 The United Nations Security Council Committee pursuant to resolution 1718 (2006) has on 7 March 2024 enacted amendments to one entry in the 1718 Sanctions List.
- 1.3 Accordingly, the Secretary to the Counter Financing of Terrorism Inter-Ministerial Committee hereby circulates the amendments to the entry in the 1718 Sanctions List to reporting institutions and provides guidance on actions to be taken following receipt of this notification.

2 Amendments to an Entry in the 1718 Sanctions List

2.1 The details of the amendments to the Entity are specified with strikethrough and underline, in the entry below on the 1718 Sanctions List of individuals and entities.

A. Individuals

B. Entities and other groups

KPe.054 Name: ~~MINISTRY OF THE PEOPLE'S ARMED FORCES (MPAF)~~ MINISTRY OF NATIONAL DEFENCE ~~A.k.a.: na~~ **a) MINISTRY OF NATIONAL DEFENSE b) MINISTRY OF DEFENCE c) MINISTRY OF DEFENSE** ~~F.k.a.: na~~ MINISTRY OF THE PEOPLE'S ARMED FORCES (MPAF) **Address:** Pyongyang, Democratic People's Republic of Korea **Listed on:** 22 Dec. 2017 (amended on 7 Mar. 2024) **Other information:** ~~The Ministry of the People's Armed Forces~~ The Ministry of National Defence manages the general administrative and logistical needs of the Korean People's Army.

Press releases concerning changes to the Committee's Sanctions List may be found in the "Press Releases" section on the Committee's website at the following URL: <https://www.un.org/securitycouncil/sanctions/1718/press-releases>.

The updated version of the Committee's Sanctions List, available in HTML, PDF and XML format, may be found at the following URL: <https://www.un.org/securitycouncil/sanctions/1718/materials>.

The United Nations Security Council Consolidated List is also updated following all changes made to the Committee's Sanctions List and is accessible at the following URL: <https://www.un.org/securitycouncil/content/un-sc-consolidated-list>.

2.2 The full list of the 1718 Sanctions List is accessible in Financial Reporting Centre's website https://www.frc.go.ke/?page_id=193 under the tab "UNSCR 1718" or United Nations Security Council website <https://www.un.org/securitycouncil/sanctions/1718/materials>.

3 Action to be taken by Reporting Institutions

3.1 Pursuant to Regulations 6, 7 and 8 of the Prevention of Terrorism (Implementation of the United Nations Security Council Resolutions on

Prevention, Suppression and Disruption of Proliferation Financing) Regulations, 2023, all Reporting Institutions and any other person who is authorized to detect, freeze or seize the funds or other assets of a designated entity to: -

- 3.1.1 Immediately verify whether the details of a designated person or entity match with the particulars of any customer, and if so, identify whether the customer owns any funds or other assets in Kenya, including the funds or other assets referred in 3.1.2 below;
- 3.1.2 Freeze, without delay, and without prior notice:
 - i. all funds or other assets that are owned or controlled by the designated person or entity, and not just those that can be tied to a particular act, plot or threat of proliferation;
 - ii. those funds or other assets that are wholly or jointly owned or controlled, directly or indirectly, by designated persons or entities;
 - iii. the funds or other assets derived or generated from funds or other assets owned or controlled directly or indirectly by designated persons or entities; and
 - iv. funds or other assets of persons and entities acting on behalf of, or at the direction of, designated persons or entities;
- 3.1.3 Within twenty four hours of detecting the funds or other assets and freezing them or taking any action in compliance with the prohibition requirements of the relevant United Nations Security Council Resolutions make a report to the Committee via tfs@frc.go.ke using the template provided in the attached Appendix.
- 3.1.4 Pursuant to Regulation 8 (3), a reporting institution shall report any attempted transaction by a designated person or entity, by filing a suspicious transaction report to the Financial Reporting Centre in accordance with section 44 of the Proceeds of Crime and Anti- Money Laundering Act, 2009.

3.1.5 Pursuant to Regulation 10 of the POT-PFR, no person within Kenya shall make available any funds or other assets to or for the benefit of designated persons or entities unless licensed, authorised or otherwise notified in accordance with the relevant United Nations Security Council Resolutions.

4 Non-compliance with the provisions of the obligations provided in this Circular is an offense under the POT-PFR.

5 For any clarifications or further guidance on this circular, please contact the Centre through 0709858000 or tfs@frc.go.ke.

Please be guided accordingly.



SAITOTI K. MAIKA, MBS
DIRECTOR GENERAL, FINANCIAL REPORTING CENTRE AND SECRETARY TO
COUNTER FINANCING OF TERRORISM INTER-MINISTERIAL COMMITTEE

cc **The Governor**
Central Bank of Kenya
NAIROBI

The Chief Executive Officer
Insurance Regulatory Authority
NAIROBI

The Chief Executive Officer
Betting Control and Licensing Board
NAIROBI

The Chief Executive Officer
Capital Markets Authority
NAIROBI

The Chief Executive Officer
Sacco Societies Regulatory Authority
NAIROBI

The Chief Executive Officer
Retirement Benefits Authority
NAIROBI

The Chairperson
Estate Agents Registration Board
NAIROBI

The Chief Executive Officer
Institute of Certified Public Accountants of Kenya
NAIROBI

President
The Law Society of Kenya
Nairobi

Chief Executive Officer
Institute of Certified Secretaries
Nairobi