REPUBLIC OF SEYCHELLES

CHAPTER 179

PREVENTION OF TERRORISM ACT

Subsidiary Legislation

Revised Edition

showing the law as at 17 January 2025

This is a revised edition of the law, prepared by the Seychelles Law Commission under the authority of the Law Commission Act, 2022.

This edition contains a consolidation of the following laws—

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PREVENTION OF TERRORISM (IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTIONS ON SUPPRESSION OF TERRORISM) REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

PART V

PROTECTION OF NON-PROFIT ORGANISATION SECTOR

PART VI

MISCELLANEOUS

PREVENTION OF TERRORISM (IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTIONS ON SUPPRESSION OF TERRORISM) REGULATIONS

(S.I. 39 of 2015, S.I 1 of 2025)

Commencement

[24 August 2015]

WHEREAS the Republic has enacted the Prevention of Terrorism Act, Cap. 179, the Anti-Money Laundering Act, Cap. 251, and the Proceeds of Crime (Civil Confiscation) Act, Cap. 298;

AND WHEREAS the Republic of Seychelles is a member of the United Nations and as such bound by the decisions and Resolutions of the United Nations Security Council by virtue of Article 41 of the Charter of the United Nations;

AND WHEREAS the Republic of Seychelles has ratified the United Nations Conventions aimed at addressing terrorism and terrorism financing;

AND WHEREAS Article 41 of the Charter of the United Nations provides that the Security Council may determine the measures not involving the use of armed force that may be employed to give effect to its decisions, and call upon the Members of the United Nations to apply such measures;

NOW THEREFORE, in exercise of the powers conferred by section 42(2) of the Prevention of Terrorism Act, Cap. 179, the Minister of Home Affairs makes the following Regulations

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Prevention of Terrorism (Implementation of United Nations Security Council Resolutions on Suppression of Terrorism) Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires—

(1) **"Act"** means the Prevention of Terrorism Act, 2004;

(2) **"AML Act"** means the Anti-Money Laundering and Countering the Financing of Terrorism Act (Cap. 251); *(Substituted by S.I. 22 of 2021)*

(2A) **"calendar day"** means every day including Saturdays, Sundays and public holidays;(*Inserted by S.I 1 of 2025*)

(3) **"Committee"** means the National Countering Terrorism Committee established under regulation 4; *(Amended by S.I. 22 of 2021)*

(4) **"competent authority"** means a supervisory authority, security, intelligence or law enforcement agency, or other relevant regulatory or administrative agency of Seychelles;

(5) **"dealing"**, in relation to property, means any of the acts specified in section 3(1)*(a)* to *(c)* of the AML Act;

(6) **"designated entity"** means a person or other entity designated pursuant to the applicable United Nations Security Council Resolutions adopted under Article 41 of Chapter VII of the United Nations Charter;

(7) **"designation"** or **"listing"** means the identification of a person or other entity that is subject to targeted financial sanctions pursuant to the applicable United Nations Security Council Resolutions or the making of a specified entity order under section 3 of the Act;

(8) **"Director"** means the Director of the Financial Intelligence Unit appointed under section 17 of the AML Act;

(9) **"entity"** has the meaning assigned to it by section 2 of the Act;

(10) **"financing of terrorism"** has the meaning assigned to it by section 2 of the AML Act;

(11) **"Financial Intelligence Unit"** means the Financial Intelligence Unit established under Part 3 of the AML Act;

(12) **"freeze"** means to prevent or restrain property from being dealt with, without affecting the ownership thereof;

(12A) **"immediately"** means instantly, without delay and not later than 24 hours; (*Inserted by S.I 1 of 2025*)

(13) **"Minister"** means the Minister responsible for internal affairs;

(14) **"non-profit organisation"** means an association as defined in section 2 of the Registration of Associations Act;

(15) **"PoC Act"** means the Proceeds of Crime (Civil Confiscation) Act, 2008;

(16) **"property"** shall have the same meaning assigned to it in the Anti-Money Laundering and Countering the Financing of Terrorism Act (Cap. 251); *(Substituted by S.I. 22 of 2021)*

(17) **"property of a listed entity"** includes property owned or controlled, directly or indirectly, by or on behalf of that entity, including property that is derived or generated from such property and property of entities acting on behalf or at the direction of that entity;

(18) **"regulated non-profit organisation"** means a non-profit organisation which is the subject of a current determination by the Minister under regulation 19(1);

(19) **"reporting entity"** has the meaning assigned to it by section 2 of the AML Act and includes a regulated non-profit organisation;

(20) **"Resolution 1267/1989 (Al-Qaida)"** means Resolutions 1267 (1999) and 1989 (2011) of the Security Council and includes their successor resolutions, including Resolutions 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004), 1617 (2005), 1735 (2006), 1822 (2008), 1904 (2009), 2083 (2012) and 2161 (2014);

(21) **"Resolution 1373"** means Resolution 1373 (2001) of the Security Council and includes its successor resolutions;

(22) **"Resolution 1718 (DPRK)"** means Resolution 1718 (2006) of the Security Council and includes its successor resolutions, including Resolutions 1874 (2009), 2087 (2013) and 2094 (2013);

(23) **"Resolution 1988 (Taliban)"** means Resolution 1988 (2011) of the Security Council and includes its successor resolutions, including Resolutions 2082 (2012) and 2160 (2014);

(23A)**"Resolution 2231"** means Resolution 2231 (2015) of the Security Council and includes all its successor resolutions; *(Inserted by S.I. 12 of 2022)*

(24) **"Sanctions Committee"** means a committee of the Security Council established under a Resolution of the Security Council;

(25) **"sanctions list"** means the 1267/1989 Al- Qaida Sanctions list and the 1988 Sanctions list or other similar lists issued by the Security Council;

(26) **"Security Council"** means the Security Council of the United Nations established under Article 7 of Chapter III of the United Nations Charter;

(27) **"Seychelles list"** means the list compiled by the Committee and distributed under regulation 11;

(28) **"specified entity"** has the meaning assigned to it by section 2 of the Act;

(29) **"supervisory authority"** means a supervisory authority of a reporting entity;

(30) **"terrorist group"** has the meaning assigned to it by section 2 of the Act;

(31) **"United Nations list"** means a United Nations designation or sanctions list received and distributed under regulation 8.

Application

3. These Regulations shall apply to designated entities and specified entities.

PART II

IMPLEMENTATION COMMITTEE

National Countering Terrorism Committee

4. (1) There is established a Committee to be known as the National Countering Terrorism Committee.

(Amended by S.I. 22 of 2021)

(2) The Committee shall consist of—

(a) the Minister, who shall be the chairperson;

(b) the Minister responsible for finance, or his or her representative;

(c) the Minister responsible for foreign affairs, or his or her representative;

(d) the Attorney-General;

(e) the Commissioner of Police;

(f) the Director; and

(g) a Secretary to the Committee, to be nominated by the Minister.

Functions of Committee

5. (1) The functions of the Committee shall be to—

(a) implement Resolution 1267/1989, 1373, 1540, 1718, 1988 and 2231, resolutions relating to the suppression of financing of terrorism and the prevention, suppression and disruption of the proliferation of, and financing of, dealings with weapons of mass destruction and such other related resolutions in accordance with these Regulations; *(Amended by S.I.s 22 of 2021 and 12 of 2022)*

(b) formulate and supervise the implementation of the National Strategy and Action Plan on Countering Terrorism; *(Amended by S.I. 22 of 2021)*

(c) advise the Minister and the Attorney-General in the performance of their functions under the Act, in accordance with these Regulations;

(d) advise the Registrar of Associations in protecting the non-profit organisation sector from misuse by terrorist groups, in accordance with the Registration of Associations Act and these Regulations;

(e) coordinate and advise the National Anti-Money Laundering and Countering the Financing of Terrorism Committee established under section 6 of the AML Act and the Financial Intelligence Unit on financing of terrorism matters to ensure a coordinated and effective approach to implementation and enforcement of the Act, the AML Act and the PoC Act; *(Amended by S.I. 22 of 2021)*

(f) identify the persons or entities for designation as a competent authority, based on the designation procedures and standard forms of listing as adopted in UNSCR 1267/1989 (Al Qaida) and 1988 United Nations Sanctions Regimes;
(Inserted by S.I. 22 of 2021)

(g) identify the persons and entities for designation that meet the criteria for designation as set forth in UNSCR 1373 as put forth by the Committee or after examining and giving effect to, if appropriate, the request of another country; and
(Inserted by S.I. 22 of 2021)

(h) perform such other functions as may be conferred on it by or any other written law. *(Amended by S.I. 22 of 2021)*

(2) The Secretary to the Committee shall notify relevant competent authorities of measures taken by the Committee in accordance with these Regulations.

Powers of Committee

6. (1) The Committee shall have all the powers necessary for the performance of its functions under these Regulations and shall regulate its own procedure for the conduct of its business.

(2) Without prejudice to the generality of subregulation (1), the Committee shall have the powers to—

(a) meet and conduct business remotely;

(b) establish such sub-committees or working groups as it may consider necessary;

(c) co-opt any person to the Committee or nominate any person to its sub-committees or working groups on an *ad hoc* basis; and

(d) recommend the issuance of such directives, guidelines, or instructions as the Committee may consider necessary for the effective implementation of these Regulations.

(3) The Committee shall meet at least once in a quarter. *(Inserted by S.I. 22 of 2021)*

(4) While identifying a person or entity for designation under regulation 5(1)*(f)*, the Committee shall consider all the evidence available to the Committee, or solicit any information from the competent authorities which may be necessary to identify the persons and entities, based on a standard of proof of reasonable grounds to arrive at the conclusion that a person or entity shall be designated and the proposal for designations shall not require the existence of any criminal proceeding and the Committee shall not be required to consider any other standard of proof in arriving to a decision for designation. *(Inserted by S.I. 22 of 2021)*

(5) Every competent authority shall provide all the relevant information as much as possible on a proposed name for identification and necessary information sought for by the Committee under subregulation (4) within 24 hours. *(Inserted by S.I.s 22 of 2021 and 12 of 2022)*

(6) Notwithstanding anything in subregulation (4), the Committee shall have the power to operate *ex parte* in respect of a person or an entity, who has been identified and the proposal for designation of such person or the entity is under consideration of the Committee. *(Inserted by S.I. 22 of 2021)*

Confidentiality

7. A member of the Committee or any other person shall not, without the consent of the Committee in writing, publish or disclose to any person other than in the course of his or her duties, the contents of any document, communication or information which relates to, and which has come to his or her knowledge in the course of his or her duties under these Regulations.

PART III

DESIGNATION AND LISTING OF TERRORIST GROUPS

United Nations designation and sanction lists

8. (1) The Financial Intelligence Unit shall access the United Nations Security Council website on every calendar day to verify as to whether there have been any updates to the relevant United Nations Security Council Consolidated List. *(substituted by S.I 100 of 2022)*

(2) Whenever there are updates, the Financial Intelligence Unit shall immediately disseminate the updated list to—

(a) the Ministry for Internal Affairs and the Committee for updation of the Seychelles list under regulation 11(1);

(b) all supervisory authorities;

(c) all law enforcement agencies; and

(d) such other relevant authorities as the Financial Intelligence Unit may consider necessary.

(2A) In addition to sub regulation (2), wherever there are updates, the Financial Intelligence Unit shall immediately —

(a) make a notice to the public (for the notification of all persons) of the updated list in a manner the Unit may determine and disseminate an order to freeze, accompanied by a directive to —

(i) implement preventive measures to counter the flow of funds or other assets to terrorists, proliferators or those who are responsible for weapons proliferation;

(ii) report to the Unit any funds or other assets frozen and any other action taken in implementing the order and directive.

(*Inserted by S.I 1 of 2025*)

(3) Whenever there are deletions of the names of the designated entities in the Seychelles List under regulation 12(6) and circulation of notice under regulation 12(7), the Financial Intelligence Unit shall immediately disseminate the list and circulate the updated list to the entities specified in subregulation (2)*(b)*, *(c)* and *(d)*.

(4) The entities referred to in paragraphs *(b)* to *(d)* of subregulation (2) shall, immediately upon receipt of the list disseminated to it under subregulation (2)—

(a) circulate the list to all the entities under its purview for their information and to take necessary actions in pursuance of section 35 of the Act;

(b) wherever necessary, provide guidance to the entities holding property of a listed entity or individual, to comply with their obligations under these Regulations and the Act; and

(c) ensure the compliance with the requirements of these Regulations.

(Substituted by S.I. 12 of 2022)

Designated entities deemed to be terrorist groups

9. Where a United Nations list is distributed under regulation 8—

(a) a designated entity listed therein shall be deemed to be an entity that has, as one of its activities and purposes, the committing of, or the facilitation of the commission of, a terrorist act;

(b) the Minister shall declare in a regulation made under section 42(2) of the Act that there are reasonable grounds to believe that each entity designated in the list is engaged in terrorist activity.

Domestic designations and third country requests

10. (1) The Committee may, on its own motion or upon request by a country pursuant to Resolution 1373, advise the Attorney-General that there appear to be reasonable grounds to support a recommendation to the Minister to make an Order declaring any entity as a specified entity under section 3 of the Act.

(2) Upon publication of an Order referred to in subregulation (1) declaring an entity as a specified entity, the Committee shall, as soon as practicable—

(a) consider whether to propose the designation of that entity by—

(i) another country or countries, pursuant to Resolution 1373; or

(ii) the relevant Sanctions Committee; and

(b) where that entity is in Seychelles, make reasonable efforts to inform the entity of—

(i) the designation and its implications;

(ii) any publicly-releasable information concerning the reasons for designation; and

(c) the procedure for de-listing in accordance with regulation 12.

(3) A designation or request for designation by another country pursuant to Resolution 1373 shall be submitted to—

(a) the Seychelles Mission in that country; or

(b) where a Seychelles Mission does not exist in that country, the Ministry responsible for foreign affairs in Seychelles.

(4) Upon receipt of a request under subregulation (3), the Seychelles Mission or the Ministry shall immediately submit the request to the Committee for consideration and the Committee shall, consider whether there are reasonable grounds to advise the Attorney-General to immediately recommend to the Minister that an Order be made declaring an entity as a specified entity under section 3 of the Act. *(Amended by S.I. 22 of 2021, S.I 1 of 2025)*

(5) While requesting any other country to give effect to the freezing mechanisms against the persons designated under section 3 of the Act, all necessary information relating to the identification and supporting information for designation of the person or the entity shall be provided to the requesting country. *(Inserted by S.I. 22 of 2021)*

Seychelles list

11. (1) The Committee shall compile and maintain a Seychelles list comprising—

(a) in Part 1 (Domestic list), specified entities designated under section 3 of the Act; and

(b) in Part 2 (International list), specified entities deemed by reason of the operation of section 42(3) to have been designated under section 3 of the Act.

(2) The Seychelles list shall include, where available, the following information in relation to a specified entity—

(a) name including any alias or title of the entity;

(b) place and date of birth, establishment or incorporation, as the case may be;

(c) original or acquired nationality of persons;

(d) passport, identity card, or registration numbers, as the case may be;

(e) sex, in case of individuals;

(f) residential and postal addresses and registered address in the case of an incorporated entity;

(g) occupation or business;

(h) telephone numbers and other contact details; and

(i) any other information which the Committee may consider relevant.

(3) The Committee shall, immediately upon publication in the *Gazette* of an Order under section 3 of the Act or a regulation under section 42(2) of the Act, update the Seychelles list.

(4) The Committee shall update the Seychelles list from time to time to reflect updated or additional information in relation to specified entities.

(5) When the Seychelles list is updated—

(a) the Secretary to the Committee shall immediately cause the updated Seychelles list to be immediately published on the website of the competent authorities; (*Amended by S.I 1 of 2025*)

(b) the Ministry responsible for foreign affairs shall submit the updated Seychelles list to the relevant Sanctions Committee and countries.

(Substituted by S.I. 12 of 2022)

(6) In addition to sub regulation (5) (a) competent authorities shall, immediately upon receipt of the list disseminated to it —

(a) circulate the list to all the entities under its purview for their information and to take necessary actions in pursuance of section 35 of the Act;

(b) wherever necessary, provide guidance to the entities holding property of a listed entity or individual, to comply with their obligations under these Regulations and the Act; and

(c) ensure the compliance with the requirements of these Regulations.

(*Inserted by S.I 1 of 2025*)

Review and de-listing of designated and specified entities

12. (1) The Committee shall review Part 1 (Domestic list) of the Seychelles list compiled under regulation 11(1)*(a)* annually to consider whether there are still reasonable grounds, as set out in section 3(1) of the Act for any Order in relation to each specified entity to continue to apply.

(2) The Committee shall, if satisfied that there exists no reasonable grounds for any Order in relation to a specified entity to continue, advise the Attorney-General in the discharge of his or her functions under section 3(8) of the Act, to make an appropriate recommendation to the Minister.

(3) A specified entity may apply to the Attorney-General seeking revocation of the Order made in relation to that entity in accordance with section 3(3) of the Act.

(4) The Attorney-General may, on receipt of an application under subregulation (3), refer the application to the Committee for its examination and report.

(5) A designated entity may make an application to the relevant Sanctions Committee for de-listing.

(6) An application made to a Sanctions Committee under subregulation (5) or to the Attorney-General under section 3(3) of the Act may be made on the following grounds—

(a) mistaken identity;

(b) relevant and significant change of facts or circumstances including the inclusion of the applicant in a witness protection programme;

(c) the death, dissolution or liquidation of a designated or specified entity; or

(d) any other circumstance which would show that the basis for designation no longer exists.

(7) Where the Sanctions Committee deletes the name of an entity appearing on a sanctions list, the Director shall, within 24 hours of notification of the deletion, circulate notice of the deletion in accordance with regulation 8(3).

(Amended by S.I. 12 of 2022)

(8) A notice of deletion circulated under subregulation (7) shall have the effect of revoking any freeze and any other sanction imposed against the entity whose name is deleted from the list.

(9) Notwithstanding subregulation (5), an entity designated pursuant to Resolutions 1267/1989 (Al-Qaida) or Resolutions 1988/2082 (Taliban) may make a request for his or her de-listing in accordance with subregulation (10).

(10) A request made by an entity designated—

(a) under Resolutions 1267/1989 (Al-Qaida) shall be submitted to the Office of the Ombudsperson through the address specified under Part A of Schedule 1 appended to these Regulations or through such other address as may be specified by the Sanctions Committee; or

(b) under Resolution 1988, shall be submitted to the Focal Point for De-Listing through the address specified under Part B of Schedule 1 appended to these Regulations or through such other address as may be specified by the Sanctions Committee.

PART IV

AUTHORITY AND OBLIGATION TO FREEZE

Authority to freeze property of designated and specified entities

13. (1) The distribution of a United Nations list or the Seychelles list in accordance with these Regulations shall be deemed to authorise any person or other entity who is in possession or control of property of a listed entity to immediately freeze such property until further notice. (*Amended by S.I 1 of 2025*)

(1A) Every person and legal person within the Republic shall immediately freeze the funds or other assets of the designated persons or entities, within 24 hours and without any prior notice.

(Inserted by S.I. 22 of 2021 and amended by S.I. 12 of 2022, S.I 1 of 2025)

(1B) Freezing funds or other assets of the designated persons or entities under subregulation (1A) shall extend to—

(a) all funds or other assets that are owned or controlled by the designated person or entity and shall not be limited to the funds or other assets related to a particular terrorist act or plot or threat;

(b) funds or other assets that are wholly or jointly owned or controlled, directly or indirectly by the designated persons or entities;

(c) funds or other assets derived or generated from funds or other assets owned or controlled directly or indirectly by the designated persons or entities; and

(d) funds or other assets of the persons and entities acting on behalf of, or at the direction of, designated persons or entities.

(Inserted by S.I. 22 of 2021)

(2) Subregulation (1) shall not affect any existing authority to freeze that is conferred upon a competent authority by the Act, the AML Act or the PoC Act.

(3) Any person, who is a citizen of Seychelles or any other person or entity within the jurisdiction of the Republic shall not make available any funds or other assets, economic resources or financial or other related services directly or indirectly, wholly or jointly, for the benefit of designated persons and entities, entities owned or controlled directly or indirectly by the designated persons or entities and persons and entities acting on behalf of, or at the direction of, designated persons or entities, unless licensed, authorised or otherwise notified in accordance with the United Nations Security Council Resolutions. *(Inserted by S.I. 22 of 2021)*

Action to be taken on receipt of lists

14. (1) Upon distribution of a United Nations list or the Seychelles list in accordance with these Regulations, every person shall take immediate steps in accordance with section 35 of the Act to ascertain whether he or she is in possession or control of property of a listed entity or holds any information regarding a transaction or proposed transaction in respect of any such property.

(2) Every person or other entity who identifies property or information described in subregulation (1) shall—

(a) immediately, without giving prior notice to the listed entity, take the necessary measures to freeze any such property until further notice from the Financial Intelligence Unit; (*Amended by S.I 1 of 2025*)

(b) within 24 hours, disclose the details of the property or information to the Financial Intelligence Unit in the Form provided in Schedule 2 appended to these Regulations; and

(c) on the advice of the Financial Intelligence Unit, take such other action as may be necessary to give effect to Resolutions 1267/1989, 1373, 1718, 1988 and 2231. *(Amended by S.I. 12 of 2022)*

(3) Compliance with subregulation (2)*(b)* shall be deemed sufficient compliance—

(a) with section 35(1) of the Act; and

(b) in the case of a reporting entity or supervisory authority or auditor, with the obligation to file a suspicious transaction report under section 48 of the AML Act, as the case may be. *(Amended by S.I. 22 of 2021)*

(4) Every person or other entity who has frozen property under subregulation (2) shall notify the Financial Intelligence Unit and to the Chairperson of the Committee of any attempted dealing with such property within 24 hours of such attempt. *(Amended by S.I. 22 of 2021)*

(5) The Director shall report to the Committee on all freezes effected under this regulation.

(6) For the avoidance of doubt —

(a) the process from receipt of list from the UN by the FIU in terms of regulation 8 to freezing of funds and other assets by financial institutions or designated non-financial businesses, professions or persons under this Part, shall happen in not more than twenty-four (24) hours;

(b) an order to freeze funds or other assets shall remain in force and not lapse until such entity or person has been removed from list of designated persons by the UN.

(*Inserted by S.I 1 of 2025*)

Periodic reporting by financial institutions

15. Every financial institution which is required to make quarterly reports under section 35(2) of the Act shall—

(a) prepare the report on the basis of the most recent United Nations list and Seychelles list; and

(b) provide an electronic copy of the report to the Financial Intelligence Unit.

Persons inadvertently affected by freezing mechanism

16. (1) A person or other entity who claims to have been inadvertently affected by a freeze effected under regulation 14(2) may make an application to the Minister to unfreeze specified property.

(2) An application made under subregulation (1) shall be in writing and supported by sufficient information to demonstrate to the satisfaction of the Minister that—

(a) the entity is not a terrorist group;

(b) the entity has an enforceable interest in the specified property; and

(c) the specified property is not owned or controlled by or on behalf of a terrorist group.

(3) An application made under subregulation (1) shall be determined by the Minister, after consultation with the Committee, within 10 days from the date of receipt of the application.

(4) Where the Minister determines that specified property has been inadvertently frozen, the Director shall, within 24 hours of the determination, circulate notice of the determination to the entities specified in regulation 8(2)*(b)*, *(c)* and *(d)*. *(Amended by S.I. 12 of 2022)*

(5) A notice of determination circulated under subregulation (4) shall have the effect of revoking any freeze in relation to the property specified in the notice.

Humanitarian exemptions

17. (1) An entity which has been designated as a terrorist group shall not deal with any property in Seychelles unless–

(a) the property is necessary to cover the basic and necessary expenses or extraordinary expenses of the entity; and

(b) the entity has applied for and obtained an authorisation in accordance with this regulation.

(2) An entity which requires funds to cover its basic and necessary or extraordinary expenses may make an application for that purpose to the Committee.

(3) The Committee shall consider an application made under subregulation (2) within 7 days from the date of receipt of the application and make a preliminary recommendation to the Minister.

(4) Where the applicant is a specified entity, the Minister may, if he or she considers necessary and reasonable the withdrawal of funds for the purpose referred to in subregulation (2), authorise the withdrawal of such funds.

(5) Where the applicant is a designated entity, the Minister shall—

(a) if he or she finds merit in an application made under subregulation (2); and

(b) prior to authorising the withdrawal of funds requested under the application,

notify the relevant Sanctions Committee of the application and request the Sanctions Committee to submit to him or her its recommendations on the matter.

(6) The Minister may, within 10 days from the date of notification of the Sanctions Committee under subregulation (5) and in the absence of negative recommendations from the Sanctions Committee, authorise the withdrawal of such funds as he or she considers necessary and reasonable to cover the basic and necessary expenses of the entity.

(7) Where an application is for the withdrawal of funds to cover extraordinary expenses of a designated entity, the Minister may grant an authorisation for the withdrawal of such funds as he or she considers necessary and reasonable for that purpose only with the prior written approval of the relevant Sanctions Committee.

(8) For the purposes of this regulation—

(a) **"basic and necessary expenses"** includes—

(i) monthly family expenses, payments for foods, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;

(ii) reasonable professional fees and reimbursement of expenses related to the provision of legal services; or

(iii) fees or service charges incurred for the routine holding or maintenance of frozen funds or other property;

(b) **"extraordinary expenses"** means any expenses that are not basic or necessary expenses.

(9) Any action taken in good faith to give effect to an authorisation granted by the Minister under this regulation shall not constitute an act of financing of terrorism.

PART V

PROTECTION OF NON-PROFIT ORGANISATION SECTOR

Strategic planning and information gathering

18. (1) The Committee shall, in formulating the National Strategy and Action Plan on Countering Financing of Terrorism, have regard to the objective of ensuring that terrorist groups are prevented from misusing non-profit organisations—

(a) to pose as legitimate entities;

(b) to exploit legitimate entities as conduits for the financing of terrorism; or

(c) to conceal or disguise the diversion of funds for the purposes of financing of terrorism.

(2) The Registrar of Associations shall submit periodic reports to the Committee on the activity, size, and other relevant features of the non-profit organisation sector, including but not limited to a specific report on each non-profit organisation that accounts for—

(a) a significant portion of the financial resources under the control of the non-profit organisation sector; and

(b) a substantial share of the non-profit organisation sector's international activities.

Regulated non-profit organisations

19. (1) The Minister may, in consultation with the Registrar of Associations and the Director, determine that any non-profit organisation that has been the subject of a report under regulation 18(2), or is otherwise regarded by the Minister as potentially vulnerable to misuse by terrorist groups, shall be a regulated non-profit organisation.

(2) Where the Minister makes a determination under subregulation (1)—

(a) the Registrar of Associations shall immediately inform the regulated non-profit organisation of the declaration and its implications; and

(b) the Director shall circulate notice of the determination to the entities specified in regulation 8(2)*(b)*, *(c)* and *(d)*. *(Amended by S.I. 12 of 2022)*

(3) (*Repealed by S.I 1 of 2025*)

(4) A determination made under subregulation (1) may be reviewed by the Minister at any time on his or her own motion or upon the application of a regulated non-profit organisation.

PART VI

MISCELLANEOUS

Right of appeal

20. An appeal against the determinations of the Minister on applications under regulation 16, regulation 17, or regulation 19(4) shall lie to the Supreme Court in accordance with the Appeal Rules *(S.I. 11 of 1961)* made under the Courts Act *(Cap. 52)*.

Protection from liability

21. No proceedings shall lie against any person, including reporting entities and competent authorities, in respect of any action taken in good faith for the purpose of implementing these Regulations.

Protection of *bona fide* third parties for the action taken in good faith

21A. No *bona fide* third party shall be prosecuted for any action taken in good faith for discharging his obligations and duties under the provisions of these Regulations.

(Inserted by S.I. 22 of 2021)

Internal rules

22. A competent authority and any person concerned with the implementation of these Regulations may lay down administrative instructions in relation to procedure to be followed by its employees, agents, or staff for the purposes of implementing the obligations imposed under these Regulations.

Penalties

23. (1) A person who contravenes the provisions of these Regulations commits an offence and shall be liable, on conviction, to a fine not exceeding SCR 2,000,000 or to imprisonment for a term not less than 2 years and not more than 20 years. (*Amended by S.I 1 of 2025*)

(2) Subregulation (1) shall not operate to prevent the prosecution of a person for an offence under any other written law in respect of an act or omission that also constitutes a contravention of these Regulations.

Administrative sanctions

24. If any reporting entity or any other entity under the AML Act fails to comply with the provisions of the Act or these Regulations, the supervisory authorities of the respective reporting entity or other entity may impose administrative sanctions provided under the AML Act.

(Inserted by S.I. 22 of 2021)

SCHEDULE 1

(Regulation 12(8)(a) and (b))

ADDRESSES FOR DE-LISTING REQUESTS

PART A

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

PART B

Focal Point for De-listing Security Council Subsidiary Organs Branch Room TB-08041B United Nations New York, N.Y. 10017 United States of America Tel. +1 917 367 9448 Fax: +1 212 963 1300/3778 E-mail: delisting@un.org

SCHEDULE 2

(Regulation 14(2)(b))

FORM FOR DISCLOSURE OF INFORMATION

PREVENTION OF TERRORISM ACT, 2004

(Act 7 of 2004)

PREVENTION OF TERRORISM (IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTIONS ON SUPPRESSION OF TERRORISM) REGULATIONS, 2015

DISCLOSURE OF INFORMATION CONCERNING TERRORIST PROPERTY

(Regulation 14(2)(b))

Part 1	**Disclosing party**

1. Name: ……………………………………………………………..……………………….
2. Designation and institution (if applicable):
   ……………………………………………………………………………………………….
3. Telephone number: ……………………………………………………….………….
4. Email address: ……………………………………………………………………………
4. Disclosure of: Possession or control of terrorist property: ☐
   Information regarding transaction in respect of terrorist property: ☐

Part 2	**Terrorist entity**

1. Is the entity: Individual ☐
   Corporate ☐
   Non-profit ☐
   Other ☐
2. Is the entity listed? United Nations list ☐
   Seychelles list ☐

Not listed ☐

3. If the entity is listed:

   (a) provide the list reference; and
   ………………………………………………..……………

   (b) explain how you have matched this entity with the list.
   ………………………………………………………………..

4. If the entity is not listed, explain in as much detail as possible why you suspect it to be a terrorist group. …………………………………………………………

   (Use a separate sheet if required.)

5. Identifying information

   List all your sources of information about the identity of this person/group, and attach as many documents as possible (e.g. copy of passport, ID, correspondence)

   ………………………………………………………

   ………………………………………………………

   ………………………………………………………

   ………………………………………………………

Part 3	Property

1. Is the property: Cash ☐
   Bank Account ☐
   Land ☐
   Vehicle/Boat ☐
   Other ☐

2. How is the property connected to the terrorist group? Owned ☐
   Controlled ☐
   Other ☐

3. Provide as much detail as possible about the property, including its nature, value, and current location and who has access to or control over it.

(Use a separate sheet if required, and attach relevant documents if possible.)

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4. Explain the connection between the property and the terrorist entity.

(Use a separate sheet if required, and attach relevant documents if possible.)

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Part 4	**Transaction or proposed transaction (if applicable)**

1. Date of transaction DD/MM/YYYY / /
2. Date of detection DD/MM/YYYY / /

3 Amount involved ……………………………………..……………

4. Parties to transaction ………………………………………………

………………………………………………

………………………………………………

5.	Type of transaction	Sale	☐
		Gift/transfer	☐
		Lease/rent	☐
		Loan	☐
		Other	☐
6.	Mode of payment	Cash	☐
		Swift Transfer	☐
		Cheque	☐

Card ☐

Other/N/A ☐

7. Full details and description of transaction or proposed transaction.

(Use a separate sheet if required, and attach relevant documents if possible.)

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When making this disclosure, please attach any additional material that you believe may be of assistance to the Financial Intelligence Unit, i.e. statements, correspondence, account opening and identification documents, etc.

…………………………………	…………………………………
Signature of disclosing party	Designation (if applicable)
Date: ……………………………..	Institution's stamp (if applicable)

Revised Edition as at 17 January 2025