

UNIVERSITY OF SUSSEX SANCTIONS POLICY

1 OVERVIEW AND PURPOSE

- 1.1 The purpose of this policy is to ensure that the University complies with sanctions law.
- 1.2 This policy sets out areas of responsibility for University staff and the sources used in assessment of University activities.
- 1.3 Sanctions are imposed by the UK and other governments to uphold international peace and security. Sanctions prohibit or restrict the transfer of certain items, services and economic resources to designated individuals, organisations and countries. In addition to UK law, the University may also have to comply with certain US sanctions, which apply more broadly than UK measures and include some persons in the UK.
- 1.4 This policy aims to clarify which activities are within the scope of sanctions law and which are not. It outlines and how the University will assess activities so that it can make informed decisions about which to pursue, and which not.

2 SCOPE

- 2.1 This policy is relevant to all University staff who propose to conduct any activity with individuals or entities ('person') in, from or with links to sanctioned countries. No substantive contacts with such persons may proceed without prior written approval from the Director of Finance or a member of their delegated staff.
- 2.2 A list of sanctioned countries is available at Appendix A. These are divided into two categories: Broadly and Narrowly Restricted Countries (BRCs and NRCs).

A Narrowly Restricted Country (NRC) is subject to closely cast sanctions targets, the majority of which are focused on the prohibition of activities related to the trading of weapons. For all proposed activities with persons in, from or linked to NRCs, an assessment must be completed using a standard template which is attached to this policy. This assessment screens countries against the UK, EU and US sanctions lists. Any decision to continue to work with a NRC must be approved by the Director of Finance or a member of their delegated staff.

A Broadly Restricted Country (BRC) is subject to a wide range of sanctions measures with a significant list of individuals who are subject to sanctions. For all proposed activities with persons in, from or linked to BRCs an assessment must be completed using a standard template which is attached to this policy. This assessment screens countries against the UK, EU and US sanctions lists. Any decision to continue to work with a BRC must be approved by the Deputy Director of Finance before receiving final approval from the Director of Finance. The finance team will conduct enhanced checks on the proposed organisation or individual. If the proposal is approved,

then assessments will be routinely repeated in case they become newly subject to sanctions. If work with a sanctioned person is approved, then enhanced compliance measures will be followed.

Cuba, Iran, Crimea, Syria and North Korea. All proposals for collaboration with any individual or organisation from or based in these countries must be referred to the Export Control Manager, who shall consult the Export Control Director. No contacts with such prospective partners, including initial contacts, shall proceed without prior written approval from the Export Control Director.

3 RESPONSIBILITIES

- 3.1 The University is legally required to comply with sanctions as determined by UK and, in certain cases, US law. Non-compliance could lead to fines, withdrawal of funding, and reputational damage.
- 3.2 All University staff are responsible for understanding this policy and for arranging a sanctions assessment where necessary to determine whether a person is subject to sanctions and, if so, whether the proposed activity may proceed and under what conditions.
- 3.3 Assessments are completed by the relevant Professional Service (PS) team, as outlined below. PS teams complete assessments using a standard template and record the results on a shared sanctions register stored in Box.

Assessment type	Responsibility
Donations	Development Alumni and Relations (DARO)
Research grants and agreements	Research and Enterprise (R&E)
Procuring goods and services	Procurement
New suppliers	Procurement
Approval of contracts	General Counsel, Governance, and Compliance (GCGC)
Income	Finance
Annual sanctions report	Finance

4 POLICY

4.1 Completing assessments

4.1.1 A sanctions check must be performed where a transaction is proposed with any individual who is a national of or is based in a broadly or narrowly restricted country or any organisation operating from a base within or registered in a broadly or narrowly restricted country. A transaction in this case refers to contracting with a third party which may give rise to a payment or a receipt of money. In every instance the University must conduct a check on the third party payer/recipient or rely upon a check performed by another organisation such as a financial service provider.

4.1.2 Assessments are completed by Reviewer/s from the responsible team.

4.1.3 Instructions on completing assessments are available on the assessment form template which is available in Box: <https://sussex.box.com/s/f3sbu3eo96ble9qvqt8ji5wip088m1ux>

4.2 **Approving assessments**

4.2.1 Assessments are approved by Approver/s from the responsible team. This cannot be the same person as the Reviewer and must be at or above Grade 9 Head of Service or Associate Director or one of their delegated staff members.

4.2.2 Teams may approve their own assessments for persons based in or working with NRCs. Teams will need secondary approval from the Director of Finance where the person is based in or working with a BRC or if teams have any doubts about their own assessments. Secondary approval can be given by a delegated member of staff if the request relates to a NRC. If work with a sanctioned person is approved, the Director of Finance will if appropriate agree with the team on enhanced compliance measures to be followed in all dealings with the sanctioned person.

4.2.3 If dealings with a person based in or working with a BRC are approved, Finance shall routinely conduct an assessment of such a person (more or less frequently, depending on the level of risk) in case they become newly subject to sanctions.

4.3 **Storing assessments**

4.3.1 Reviewers will update the central sanctions register with details of the assessment.

4.3.2 Reviewers will attach copies of the completed attachment forms within the central sanctions register (as unique Excel tabs).

4.3.3 Reviewers will upload other supporting documents - such as contracts, approval emails, and TORs – to Box (“approvals and supporting info” folder).

4.4 **In the event of a breach**

4.4.1 In the event of a suspected breach of applicable sanctions laws, whoever uncovered it will report this immediately to both:

4.4.1.1 Their relevant Approver/s

4.4.1.2 The Finance Director

4.4.2 The Finance team will subsequently report the breach, if it is confirmed as such, to:

4.4.2.1 In respect of financial sanctions: the Office of Financial Sanctions Implementation (OFSI) following OFSI guidelines:

<https://www.gov.uk/guidance/suspected-breach-of-financial-sanctions-what-to-do>;

4.4.2.2 In respect of trade sanctions: HM Revenue and Customs following HMRC guidelines:

<https://www.gov.uk/guidance/export-controls-dual-use-items-software-and-technology-goods-for-torture-and-radioactive-sources#breaches-of-export-control-legislation>;

4.4.2.3 Relevant external stakeholders e.g. Barclays bank;

4.4.2.4 The school or division which holds the arrangement; and

4.4.2.5 The party which is being investigated.

4.5 Sources

4.5.1 Sanctions assessments must be made by checking details against the three following sources:

Source	Link
UK financial sanctions list (asset freeze targets)	https://www.gov.uk/government/publications/financial-sanctions-consolidated-list-of-targets/consolidated-list-of-targets
UK trade sanctions	https://www.gov.uk/guidance/current-arms-embargoes-and-other-restrictions
US Consolidated Screening List	https://www.trade.gov/data-visualization/csl-search

5 LEGISLATION AND GOOD PRACTICE

Area	Name	Link
UK	UK Sanctions Act	https://www.legislation.gov.uk/ukpga/2018/13/contents/enacted
UK	UK Gov financial sanctions guide	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/961516/General_Guidance_-_UK_Financial_Sanctions.pdf
UK	UK sanctions by regime -	https://www.gov.uk/government/collections/uk-sanctions-regimes-under-the-sanctions-act
UK	UK proscribed organisations	https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2
UK	UK Dept of Trade Goods Checker -	https://www.ecochecker.trade.gov.uk/spirefox5live/fox/spire/
USA	Department of Commerce Lists of Parties of Concern	https://www.bis.doc.gov/index.php/policy-guidance/lists-of-parties-of-concern
USA	Office of Foreign Assets Control - Sanctions Programs and Information	https://www.treasury.gov/resource-center/sanctions/

Assessment template

Sanctions review approval form	
Prepared by	
Requested by (name and school/ department)	
Division/Department identifier (if available)	
Full name and address of person/entity being assessed	
Project Summary	
Supporting documents (if applicable)	
Strategic context	
Governance	Contracts and other agreements are governed by UK and international sanctions law, international financial regulations and University policy.
Level 1 - recommendation	<p>I confirm that the checks performed do/ do not reveal any sanctions restrictions relating to this person/entity [delete as appropriate]</p> <p>Further comments (if any):</p> <p>Signature:</p> <p>[name of Prepared by...] [Role of Prepared by...]</p>
Level 2 - approval	<p>I approve/ do not approve/ pass for further review [delete as appropriate]</p> <p>Further comments (if any):</p> <p>Signature:</p> <p>[name of Prepared by...] [Role of Prepared by...]</p>
Level 3 - special approval	<p>I approve/ do not approve engaging with this person/entity [delete as appropriate]</p> <p>Further comments (if any):</p> <p>Signature:</p> <p>[name of Prepared by...] [Role of Prepared by...]</p>
Sanctions review detailed assessment	
Sanctions register ref number	
Person/Entity full name	

APPENDIX A

COUNTRY LIST

Please note this list was updated on 3rd February 2023.

Please refer to the UK Sanctions List to ensure the most recent guidance is followed:
<https://www.gov.uk/government/publications/the-uk-sanctions-list>

BROADLY RESTRICTED COUNTRIES (BRCs)

Cuba
China (including Hong Kong)
Crimea, Donetsk, Luhansk, Kherson, Zaporizhzhia (Ukraine)
Iran
Myanmar (Burma)
North Korea
Russia
Belarus
South Sudan
Syria
Venezuela

NARROWLY RESTRICTED COUNTRIES (NRCs)

Afghanistan
Argentina
Armenia
Azerbaijan
Bosnia-Herzegovina
Burundi
Central African Republic
Democratic Republic of the Congo
Guinea
Guinea Bissau
Ethiopia
Haiti
Iraq
Lebanon
Libya
Mali
Nicaragua
Somalia
Sudan
Yemen
Zimbabwe

Review / Contacts / References	
Policy title:	Sanctions policy
Date approved:	
Approving body:	
Last review date:	03/02/2023
Revision history:	v1.2: restricted countries list updated
Next review date:	
Related internal policies, procedures, guidance:	Sensitive Technology Transfers, Export Controls and Sanctions Policy
Policy owner:	Director of Finance
Lead contact / author:	General Council and Director of Governance and Compliance