

Group Sanctions Policy

1. Purpose

This Policy provides instruction with regards to the treatment of, and compliance with, sanctions or restrictive measures imposed on countries, territories, entities, or specific persons and bodies by the UN and the EU, by the governments of the countries that the Group operates in, as well as by the US Department of Treasury's Office of Foreign Assets Control ("OFAC").

It also covers important restrictive measures imposed by other US authorities such as the Department of State and Department of Commerce, where a US nexus is established.

Compliance with sanctions, or restrictive measures, is important for:

- The avoidance of criminal, civil or regulatory action and/or penalties that may be taken against the Bank by regulatory or other authorities,
- The protection of the Group's reputation, and
- Cypriot national security and rule of law; the safety and security of other EU Members and countries around the world; the effort to combat terrorist financing and proliferation; and respect for civil society and human rights.

Financial institutions play an important role and are held to high standards.

Additionally, the Bank of Cyprus ensures the following:

- a) The Sanctions Policy outlines the legal and regulatory requirements/principles emanated from the provisions set out in (a) the Law for the Implementation of the Provisions of the United Nations Security Council Resolutions (Sanctions) and the Decisions and Regulations of the Council of the European Union Law 58(I) of 2016, and (b) the Central Bank of Cyprus Directive for Compliance with the Provisions of United Nations Security Council Resolutions and the Decisions/Regulations of the Council of the European Union.
- b) The Bank and its subsidiaries meet the requirements set out in the Group Sanctions Policy and therefore the requirements of the Sanctions and Terrorism Laws
- c) The Bank, through the Annual Sanctions Risk Assessment Exercise, identifies sanctions risks and sets out appropriate mitigation measures.

2. Sectors Affected

The Policy applies to all Group Entities.

3. Policy

3.1. General Principles

- Complete abstinence from business relationships or transactions which violate or facilitate the violation of sanctions as defined in this Group Policy.
- Adherence to directives and guidance from regulatory and other authorities relevant to sanctions.

3.2. Implementation Procedures

All Group Entities must, as a minimum, meet the requirements of this Policy. In any country where the requirements of applicable law(s), directives or practices establish a higher standard, Group Entities must meet those standards.

3.3. Implementation Guidance Notes

Sanctions can be:

- a) Specific, i.e. relate to specific lists of named individuals, legal entities, organizations, vessels etc. (the US Department of Treasury refers to some of these entities as Specially Designated Nationals),
- b) General, i.e. cover all transactions with certain countries or jurisdictions; certain transactions with countries or jurisdictions such as exports, imports or new investment, or all transactions within a certain area of activity/products (e.g. arms sales to a particular country).
- c) Sectoral, i.e. cover certain parties in specific sectors (OFAC designates parties on a Sectoral Sanctions Identification List or “SSI List”) but only restrict certain transactions of these designated parties.
- d) Focused prohibitions on the export of commercial and dual-use goods, software and technology subject to U.S. jurisdiction under the Export Administration Regulations (“EAR”)

3.3.1. Specific Sanctions:

With respect to sanctions against specific lists of named individuals, legal entities, organisations, vessels or other U.S Specially Designated Nationals or EU asset freeze targets:

- New business relationship must not be established: Group policy is to deny authorisation for new business relations with parties subject to specific EU, U.S. and U.N sanctions. For parties that were previously subject to above sanctions, a new business relationship is not allowed within one year after the lifting of the sanctions. New business relationship can be considered one year after the lifting of sanctions, provided that the client is categorised as high risk and the MLCO provides her consent.
- The opening or the maintenance of accounts or the execution of transactions related to close family members or close associates or related entities ((irrespective of %age of ownership (directly or indirectly)) of parties subject to specific EU, U.S. and U.N sanctions, is strictly prohibited.
- The execution of transactions with any of parties subject to specific EU, U.S. and U.N sanctions and related entities with ownership (directly or indirectly) equal or over 50%, is strictly prohibited. In the cases where a general licence exists, the execution of transactions may be allowed, provided that the transactions are thoroughly scrutinised and the MLCO provides her consent.
- The execution of transactions with related entities with ownership (directly or indirectly) under 50% by the party subject to specific EU, U.S. and U.N sanctions, can be considered, provided that all necessary supporting documents are obtained, examined and found satisfactory

Note: The Bank could consider maintaining the relationship with a legal entity related to an SDN, only if the legal entity is listed on a stock exchange in an EU country, UK or USA and also provided that the ownership held by the SDN (including related parties) is under 50%.

- Existing business relationships which subsequently are subject to specific sanctions (or whose accounts are beneficially owned/controlled by persons subject to specific sanctions) should be treated as follows:
 - Comply with any instructions or requirements provided by the Cyprus, U.N. or EU authorities with direct jurisdiction over any Group Entity. Usually, assets of these persons are frozen and the relationship is reported to the appropriate local and/or international authorities via the Compliance Division.

3.3.1.1. Freezing and Unfreezing Accounts Subject to Sanctions

- Where required by applicable law, Group Entities will freeze assets in accounts of parties subject to specific sanctions or where the freezing is otherwise indicated. The Sanctions Policy also requires freezing of accounts pending review to determine if an asset freeze is required or a violation of law has occurred.
- Group Entities must freeze accounts of parties subject to specific sanctions as follows:
 - All Group Entities must freeze accounts of parties where required under Cyprus and E.U. law;
 - Each Group Entity must freeze accounts where required under the law of the jurisdiction where they operate.
 - All Group Entities must freeze accounts for parties sanctioned under U.S. law where U.S. jurisdiction applies. (see description in Section 4)
- Frozen accounts may be unfrozen only by (a) authorization from the jurisdiction which required the freezing, or (b) an official removal of the specific sanctions leading to the asset freeze or blocking.
- Where specific sanctions are applied by Cyprus/EU and U.S. measures, and the U.S. sanctions are removed, then the account must remain frozen under Cyprus/EU law. Where Cyprus/EU sanctions measures are removed but U.S. sanctions measure remain for a party, the account must remain frozen only where U.S. jurisdiction applies.
- For parties who become subject to U.S.¹ specific sanctions but not Cyprus (or any other country the Group operates in), UN or EU sanctions, their accounts must be initially frozen and each case is handled on a case by case basis.
- Group Entities should not participate in transactions involving parties who are subject to specific sanctions implemented by EU, UN and “OFAC”, unless these transactions are allowed under the relevant sanctions, as confirmed in advance by the Compliance

¹ Under OFAC’s ‘50 percent rule’, any entity that is owned 50 percent or more by one or more blocked persons or entities is also blocked, even if the entity itself is not on the SDN (Specially Designated Nationals) List.

Division (which may need to review licenses or provide prior notification to and/or obtain approval from the relevant local and/or international authorities).

3.3.2. General Sanctions:

- Instructions issued by the Compliance Division for the handling of sanctions on specific countries must be followed strictly.

Appendix 1

- Enhanced due diligence must be applied for transactions to / from countries listed in Appendix 1. Such transactions include Inwards, Outwards, Bills of Collection and Letters of Credit.

Appendix 2

- The establishment of a new business relationship with persons who are residents² in sanctioned countries (as per Appendix 2) is prohibited. Existing clients who are residents in sanctioned countries, are considered high risk until their final closure and the below enhanced due diligence measures apply to them as well.
- The establishment of a new business relationship with persons with a passport³ from sanctioned countries (as per Appendix 2) is allowed, provided they are not resident of these countries. In such a case, the below enhanced due diligence must be applied, to ensure that no sanctions are violated:
 - The opening of accounts in US Dollars is strictly prohibited.
 - Transactions in US Dollars (including transactions with funds converted to US Dollars from non-Dollar accounts) that involve the same countries, or persons connected⁴ with these countries, are strictly prohibited.
 - The use of a US correspondent bank for any transactions (in any currency) in such cases is strictly prohibited.
 - The processing of wire transfers in any currency from / to Banks established in these countries is prohibited.

Appendix 3

- The establishment of a new business relationship with persons connected with the countries mentioned in Appendix 3 is strictly prohibited, with the exception of individuals with an Iranian passport having their permanent residence in an EEA or a Third Equivalent country. In such a case, the establishment of a new business relationship is considered as high risk. Additionally, existing clients who are residents in the countries mentioned in Appendix 3, are considered high risk until their final closure and the below enhanced due diligence measures apply to them as well.
- For all the above customers, the below enhance due diligence must be applied, to ensure that no sanctions are violated:

² Refer to Paragraph 4. Definitions: Persons who are resident in a sanctioned country.

³ Refer to Paragraph 4. Definitions: Persons with a passport from a sanctioned country.

⁴ Refer to Paragraph 4. Definitions: Persons connected with a sanctioned country.

- The opening of accounts in US Dollars and outward payments (wire transfers) in any currency are strictly prohibited.
- The processing of transactions to / from Banks established in these countries is prohibited.

General notes for all Appendices

- Enhanced due diligence must be applied on all customers who are connected with countries that have sanctions imposed on them. Their activities must be comprehended fully to enable the correct assessment and treatment of their transactions.
- Enhanced due diligence must be applied on all transactions of customers connected with sanctioned countries as per Appendix 2, to ensure that no sanctions are violated.
- The processing of wire transfers relating to significant investment in a Special Russian crude oil project⁵, on behalf of a Russian company engaged in the energy sector under Sectoral Sanctions, is not allowed.
- Any natural or legal person, entity or body is prohibited from acting on behalf of or dealing/trading with any sanctioned person or in any sanctioned activity.

3.3.3. Sectoral Sanctions:

Sectoral Sanctions are a type of sanctions for specific entities and transactions, for example restricting new debt and in some cases equity to parties subject to Sectoral Sanctions, as well as controls on the export of goods, services or technologies to specified energy sector parties for use on certain oil-producing projects (deep water, Arctic offshore and shale oil). The EU and OFAC imposed for the first time on Russia and Venezuela (Appendix 1) on the Financial, Oil, Gas and Defense sectors.

Instructions issued by the Compliance Division for the handling of Sectoral Sanctions must be followed strictly. Specifically:

3.3.3.1 Entities subject to sectoral sanctions which are BOC customers

- No transactions involving these affected entities in the specific sectors are allowed.
- Under OFAC's '50 percent rule', any entity that is owned 50 percent or more by one or more parties under Sectoral Sanctions, must be treated as though it itself is under Sectoral Sanctions.
- The processing of wire transfers relating to intra-group loans between entities which are included in the Sectoral Sanctions List (SSI List) in any currency, are strictly prohibited.
- The affected entities must be flagged as High-Risk Customers for close monitoring of their transactions.

⁵ The term "special Russian crude oil project" means a project intended to extract crude oil from— (A) the exclusive economic zone of the Russian Federation in waters more than 500 feet deep; (B) Russian Arctic offshore locations; or (C) shale formations located in the Russian Federation.

3.3.3.2 Transactions with counterparties subject to sectoral sanctions

Customers which are not subject to sectoral sanctions may be allowed to execute transactions with counterparties subject to sectoral sanctions, **provided that supporting documents are obtained, examined and found satisfactory, ensuring that there is no violation of sectoral sanctions.**

3.3.4. Focused prohibitions on the export of commercial and dual-use goods, software and technology subject to U.S. jurisdiction under the Export Administration Regulations (“EAR”)

The EAR Regulations are issued by the US Department of Commerce, through its Bureau of Industry and Security (“BIS”), and aim to regulate export, reexport and transfer of commercial and “dual use” items outside the USA.

EAR controls apply to items:

- (i) within the USA (including in a US Foreign Trade Zone or moving in transit through the USA from one foreign country to another)
- (ii) which are of US origin, wherever located in the world
- (iii) which are foreign manufactured but with more than de minimis levels of US controlled content – 25% as a general rule
- (iv) which are a direct product of US origin technology or software
- (v) certain goods produced by any plant or major component of a plant located outside the USA that is a direct product of US origin technology or software

US jurisdiction applies to goods, software and technology that are subject to the EAR anywhere in the world they may be located. The jurisdiction attaches to the items, and not the persons involved in the transactions, their nationality, or the currency involved. Non-US persons acting outside the USA but engaged in the export, reexport or transfer of goods, software or technology subject to the EAR jurisdiction can violate US law.

The EAR maintains three primary end user control designations:

- The **Entity List** prohibits the export, reexport or transfer of goods, software or technology subject to the EAR.
- The **Denied Persons List** reflects current persons subject to individual denial orders by the BIS. This can include prohibitions similar to the Entity List or have broader prohibitions on services and financial transactions supporting prohibited exports.



- The **Unverified List** identifies parties red flagged by BIS as not having verifiable bona fides or reliability. Export to these parties are prohibited unless the exporter obtains a written statement from the party with certain information and compliance commitments.

The above three “denied party lists” prohibit the export, reexport, or in-country transfer of items subject to the EAR to the persons on the three lists. A license is required from BIS to engage in the otherwise prohibited activity. The three “denied party lists” apply only to the designated companies on the lists; they do not apply to subsidiaries or other affiliates of designated companies, even if the designated company owner has a 50% or more interest in the subsidiary. However, companies are asked to consider red flags that an unlisted affiliate will divert goods, software or technology to the designated party.

The Bank’s policy with respect to focused prohibitions on the export of commercial and dual use goods, software and technology subject to U.S. jurisdiction under the EAR is the following:

- The on-boarding or maintenance of a business relationship with US denied parties is prohibited.
- The on-boarding or maintenance of a business relationship with non- listed affiliates is permitted. Such business relationships should be categorized as High Risk and should be monitored automatically. In such cases the processing of trade transactions is allowed, subject to enhanced due diligence as described below.
- Transactions with counterparties who are US denied parties or non-listed affiliates are permitted, subject to enhanced due diligence as described below.
- Specialized enhanced due diligence will apply in all the permitted scenarios described above, where one of the counterparties to a transaction is a US denied party or a non-listed affiliate the Bank. This will include:
 - o Requesting information on any goods, software or technology that will be exported, reexported, transferred or released. This can include purchase orders, invoices and shipping documents.
 - o Identifying who is providing and who is receiving the items.
- In cases the denied party (or a non-listed affiliate) is the purchasing / receiving party, then an attestation needs to be obtained from the Bank’s client confirming that US export prohibitions are not violated.
- In cases the denied party (or a non-listed affiliate) is not the purchasing / receiving party, no further due diligence is necessary in this respect. In exceptional cases, where this is requested by the correspondent bank, an attestation should also be obtained.

4. **Definitions**

Group

The Bank of Cyprus Group (including its overseas entities) and its subsidiary companies.

Group Entity

Any company of the Bank of Cyprus Group in Cyprus or overseas.

High Risk Customer

Customer that may pose a particular risk to the reputation of the Group and who should normally be treated as high risk and be subject to enhanced due diligence measures (see Customer Acceptance Policy).

Office of Foreign Assets Control (OFAC)

Office in the US Department of Treasury that administers and enforces economic and trade sanctions based on US foreign policy and national security goals against targeted foreign countries and regimes, terrorists, international narcotics traffickers, those engaged in activities related to the proliferation of weapons of mass destruction, and other threats to the national security, foreign policy or economy of the United States.

Persons connected with a sanctioned country

Persons connected with a sanctioned country are considered those who fall within the definition of:

- a) Persons who are residents in a sanctioned country, and
- b) Persons with a passport from a sanctioned country

a) Persons who are residents in a sanctioned country

The following are considered as persons who are residents in a sanctioned country:

- The government/state of a sanctioned country or any public authority thereof
- Any natural person residing in the sanctioned country
- Any legal person, entity or body registered in the sanctioned country
- Any legal person, entity or body, registered in or out the sanctioned country, owned or controlled, directly or indirectly, by one or more of the above-mentioned persons or bodies
- Any natural or legal person, entity or body operating in a sanctioned country

b) Persons with a passport from a sanctioned country

- Any natural person with a passport from a sanctioned country
- Any legal person, entity or body, registered outside the sanctioned country, owned or controlled, directly or indirectly, by one or more of the above-mentioned natural persons.

Sanctions

Instruments of a diplomatic or economic nature which seek to bring about a change in activities or policies such as violations of international law or human rights, or policies that do not respect the rule of law or democratic principles. Sanctions (or restrictive measures) may target governments, non-state entities and/or individuals (such as terrorist groups and terrorists). They may include arms embargoes, other specific or general trade restrictions (e.g. import and export bans), financial restrictions, restrictions on admissions (e.g. visa and travel bans), or other measures, as appropriate.

Specially Designated Nationals (SDN)

The United States blocks assets and imposes restrictions on dealings with specified individuals, companies and entities. These can be individuals, companies, or entities owned or controlled by, or acting on behalf of a sanctioned country. They can also be individuals, groups, or entities, such as terrorists and narcotics traffickers, designated under OFAC programs that are not country specific. OFAC maintains a list of these Specially Designated Nationals



Subject to Financial Sanctions (EU)

The European Union maintains asset freezes and bans on investment for parties subject to sanctions. These can include individuals, companies, or entities owned or controlled by, or acting on behalf of a sanctioned country. They can also be individuals, groups, or entities, such as terrorists and narcotics traffickers, designated under EU measures in force that are not country specific. The European Union's External Action Service maintains a list of parties subject to EU financial sanctions.

U.S. Jurisdiction

U.S. sanctions rules apply to U.S. persons anywhere located and U.S. or foreign persons acting in the United States. U.S. persons would include foreign branches of U.S. banks and other U.S.-incorporated entities, as well as U.S. personnel even if working abroad at a non-U.S. company. Sanctions administered by OFAC also apply to property subject to U.S. jurisdiction, which includes property in the possession of a U.S. person, physically in the United States or in some cases where subject to U.S. export controls.

Secondary Sanctions

The United States imposes sanctions measures which authorize penalties against non-U.S. banks for specified activities even where there is no U.S. jurisdiction. These are referred to as "Secondary Sanctions." The penalties must be affirmatively imposed by U.S. policy makers and are not automatic. However, the penalties are serious and include sanctions designations against the non-U.S. bank, prohibiting correspondent and other accounts with U.S. banks, and various other measures which would be of significant concern to Bank of Cyprus. Group Entities must not engage in any business relationships or transactions relating to parties subject to U.S. Secondary Sanctions or activity which can expose the Group or any of its Entities to U.S. Secondary Sanctions. The Compliance Division will provide periodic updates on U.S. Secondary Sanctions, where deemed necessary.

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Current list of countries which are subject to General Sanctions on specific products / services, or Sectoral Sanctions on specific industries and specific types of transactions by OFAC, EU and UN

Treatment of sanctioned entities or transactions subject to sanctions relating to the following countries must be in accordance with specific instructions issued by the relevant Regulation.

Countries with List-Based Sanctions Programs

Iraq
Libya
Russia
Somalia
Venezuela

Notes:

Please refer to Paragraph 3.3.2 for the treatment of transactions to / from countries included in Appendix 1.

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Current list of countries which are subject to **strict** sanctions (on an extended list of products / services and on the government) by OFAC, EU and UN. For Sudan, even though sanctions were lifted, remains on this list due to restrictions imposed by Correspondent Banks.

Countries

Cuba

Syria

Sudan (* North, not including South Sudan)

Note:

Please refer to Paragraph 3.3.2. for the treatment of customers connected with countries included in Appendix 2 as well as transactions to / from these countries.

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Appendix 3

Current list of countries which are subject to stricter sanctions (on a comprehensive list of products / services and on the government) by OFAC, UN and EU.

Countries:

- Iran
- Democratic People's Republic of Korea (North Korea)

Territories:

- Crimea/Sevastopol

Note:

Please refer to Paragraph 3.3.2. for the treatment of customers connected with countries included in Appendix 3 as well as transactions to / from these countries.

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