PROCEDURE FOR REQUESTING AUTHORIZATION FOR FUND TRANSFERS OR THE UNFREEZING OF FROZEN OR BLOCKED FUNDS

APPLICABLE REGULATIONS.

In cases where the applicable sanctions regulations provide for the possibility of authorizing or releasing frozen or blocked funds, or of making transfers subject to prior authorization by the Competent National Authority, the provisions of the following regulations shall be taken into account:

I. INTERNATIONAL REGULATIONS.

- **United Nations Security Council resolution** approving the imposition of the sanction.

- **Regulation (EU)** governing the imposition of specific restrictive measures.

II. NATIONAL REGULATIONS.

- Articles **47 and 49 of Royal Decree 304/2014, of May 5**, approving the Regulations of Law 10/2010, of April 28, on the prevention of money laundering and terrorist financing,

- General procedural rules set forth in **Law 39/2015**, **of October 1**, on the Common Administrative Procedure of Public Administrations.

P° del Prado, 6
Madrid 28014

APPLICATION PROCEDURE.

1. STANDING TO APPLY.

The following parties are authorized to apply for authorizations:

- **Authorization of transfers** (Article 47 of Royal Decree 304/2014, of May 5): The application shall be filed by the financial institution that issues or receives the transfer of funds to be authorized.

- **Authorization of requests to unfreeze or unblock funds** (Article 49 of Royal Decree 304/2014, of May 5): The request shall be made, at the request of the owner of the frozen or blocked funds or economic resources, by the entity holding them, which shall submit it in writing to the competent authority.

2. REQUEST.

In accordance with Articles 47 and 49 of Royal Decree 304/2014, of May 5, the request must identify the requesting entity itself and the owner of the funds, as well as **include all details of the underlying transaction**. Specifically, it must clearly and explicitly state the details of the payer and the payee, the type of transaction, the purpose of the payment, and **the** applicable **article of the European Regulation or** relevant **legislation under which** authorization is being requested.

Furthermore, the application must be accompanied by all **documents** that the entity deems relevant to the granting of authorization. If prior authorization has been obtained–where required–from another Competent National Authority, that authorization must also be attached.

In accordance with Article 14.2 of Law 39/2015, of October 1, legal entities are **required to interact with public administrations via electronic means** when carrying out any administrative procedure, as are other parties.

For online applications, the application and supporting documentation may be submitted electronically through the **General Registry of the State Administration** (REG - General Electronic Registry).

In the "Application Details" section, you must select the following as the recipient agency:

P° del Prado, 6
Madrid 28014

"**General Secretariat for Inspection and Control of Capital** Movements" (**DIR3: EA0043022)**

and in the "Subject" section, you must indicate ***"authorization request – financial penalties."***

Notifications via electronic means will be made, in accordance with Article 43 of Law 39/2015 of October 1, through the General Administration Access Point in the "Mi Capeta" section (https://carpetaciudadana.gob.es/carpeta/mcc/clave). This is also accessible via the Electronic Portal of the General Secretariat of the Treasury and Financial Policy (https://www.tesoropublico.gob.es/).

The entity may provide an email address to receive notifications when documents are made available, as established in Article 41 of said Law.

For more information about "Mi Carpeta" or the General Registry of the State Administration, please call 060.

3. PROCESSING OF THE APPLICATION.

Once the application is received by the **Subdirectorate General for Inspection and Control of Capital Movements,** it will be processed.

In cases where any of the requirements set forth in Articles 47 and 49 of Royal Decree 304/2014, of May 5, or Article 66 of Law 39/2015, of October 1, as well as others provided for in the specific regulations, are found to be missing, the applicant will be required to **correct** the deficiency or submit the required documents within ten days, with the understanding that failure to do so will be deemed a withdrawal of the application.

During the processing of the application, the Subdirectorate may request additional information deemed necessary to decide on the application, which must be submitted within a maximum of 10 days.

P° del Prado, 6
Madrid 28014

4. DECISION.

The authority to decide on applications for authorization rests with the head of the **General Subdirectorate for Inspection and Control of Capital Movements**, in accordance with Articles 47 and 49 of Royal Decree 304/2014, of May 5.

The maximum time limit for a decision shall be **six months,** without prejudice to the possibility of suspending the calculation of time limits in the cases specified in Article 22 of Law 39/2025, of October 1, on the Common Administrative Procedure of Public Administrations, and to any extension that may be applicable under the provisions of Article 23 of the same law.

Appeals may be filed against these decisions–which do not exhaust the administrative remedies–with the head of the **General Directorate of the Treasury and Financial Policy** within one month, counting from the day following notification, in accordance with the provisions of Articles 121 and 122 of Law 39/2015, of October 1, on the Common Administrative Procedure of Public Administrations.

P° del Prado, 6
Madrid 28014