



GOVERNMENT OF BERMUDA

## Ministry of Justice

Licence No. 2025/01GL

### **The Russia (Sanctions) (Overseas Territories) Order 2020 and The Republic of Belarus (Sanctions) (Overseas Territories) Order 2020 General Licence (Financial) – Russia Sanctions – Legal Fees**

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IT IS THE RESPONSIBILITY OF ANY PERSON OR PERSONS USING THIS LICENCE TO ENSURE THAT THE ACTIVITIES UNDERTAKEN FALL WITHIN THE TERMS OF THIS LICENCE, AND THAT THE PARTIES COMPLY WITH THE CONDITIONS OF THIS LICENCE IN FULL. IN THE EVENT THAT THE CONDITIONS OF THIS LICENCE ARE NOT COMPLIED WITH IN FULL, IT WILL NOT APPLY TO PERMIT ACTIVITIES TAKEN IN BREACH OF RELEVANT SANCTIONS AND A CRIMINAL OR MONETARY PENALTY MAY BE IMPOSED.

1. The Acting Minister of Justice, the Honourable Kim N. Wilson JP, MP (“the Minister”), with the consent of the Secretary of State, in exercise of powers conferred by Regulation 64 of the Russia (Sanctions) (EU Exit) Regulations 2019<sup>1</sup> (“the Russia Regulations”) and regulation 32 of the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019<sup>2</sup> (“the Belarus Regulations”), hereby grants the following General Licence:
2. This authorisation is in exercise of the powers conferred by regulation 64 of the Russia (Sanctions) (EU Exit) Regulations 2019, (as amended) with the modifications in Schedule 2 of the Russia (Sanctions) (Overseas Territories) Order 2020<sup>3</sup> (“Russia Order”) and regulation 32 of the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019, (as amended) with the modifications in Schedule 2 of the Republic of Belarus (Sanctions) (Overseas Territories) Order 2020<sup>4</sup> (“Belarus Order”). The International Sanctions Regulations 2013 bring these powers into force in Bermuda and the Minister’s authorisation is in exercise of the powers conferred by the International Sanctions (Delegation of Governor’s Functions) Notice 2018.
3. The prohibitions in regulations 11-15 and 17A of the Russia Regulations and regulations 11-15 of the Belarus Regulations do not apply to any act necessary to give effect to this licence.

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<sup>1</sup> S.I. 2019 No 855

<sup>2</sup> S.I. 2019 No 600

<sup>3</sup> S.I. 2020 No 1571

<sup>4</sup> S.I. 2020 No 1271

4. In this licence (including Parts A and B):

<p><b>“Counsel”</b></p>	<p>means a Barrister and Attorney who is regulated by the Bermuda Bar Association pursuant to section 10(5) of the Bermuda Bar Act 1974 and who is providing advice in relation to the Legal Services.</p>
<p><b>“DP”</b></p>	<p>means any individual or body of persons (corporate or unincorporate) designated under regulation 5 of the Russia Regulations or the Belarus Regulations and/or any individual or body of persons (corporate or unincorporate) owned or controlled by that designated person as determined under the criteria set out in the Russia Regulations or the Belarus Regulations (in particular regulation 7 of and Schedule 1 to each of those Regulations).</p>
<p><b>“Economic Resources”</b></p>	<p>means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but can be used to obtain funds, goods or services.</p>
<p><b>“Expenses”</b></p>	<p>means any fees or expenses associated with the provision of the Legal Services including (but not limited to):</p> <ul style="list-style-type: none"> <li>• fees for expert witnesses;</li> <li>• translation fees;</li> <li>• printing;</li> <li>• travel expenses;</li> <li>• subsistence expenses;</li> <li>• courier expenses;</li> <li>• legal searches;</li> <li>• court transcripts;</li> <li>• administrative fees necessary to provide legal services (i.e. Government fees); and</li> <li>• bank transaction fees, but excluding Counsel’s fees.</li> </ul>
<p><b>“Funds”</b></p>	<p>means financial assets and benefits of every kind, including (but not limited to)—</p> <p>(a) cash, cheques, claims on money, drafts, money orders and other payment instruments;</p> <p>(b) deposits, balances on accounts, debts and debt obligations;</p>

	<p>(c) publicly and privately traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivative products;</p> <p>(d) interest, dividends and other income on or value accruing from or generated by assets;</p> <p>(e) credit, rights of set-off, guarantees, performance bonds and other financial commitments;</p> <p>(f) letters of credit, bills of lading and bills of sale;</p> <p>(g) documents providing evidence of an interest in funds or financial resources;</p> <p>(h) any other instrument of export financing.</p>
<b>“Law Firm”</b>	<p>means a Person providing legal advice in relation to the Legal Services to a DP. Where one or more Legal Advisers and/or Counsel are employees of a DP, and provide Legal Services to that DP, they shall collectively be deemed to be one “Law Firm”, instructed by that DP, solely for the purposes of the provisions of this licence which express a financial limit to apply ‘per Law Firm’.</p>
<b>“Legal Adviser”</b>	<p>means a person who is professionally qualified or is undertaking a professional legal qualification and is providing legal advice in relation to the Legal Services to a DP including (but not limited to):</p> <ul style="list-style-type: none"> <li>• solicitors;</li> <li>• CILEX practitioners or chartered legal executives;</li> <li>• pupils;</li> <li>• paralegals; and</li> <li>• legal executives.</li> </ul>
<b>“Legal Services”</b>	<p>means legal services provided to a DP, including legal advice and/or representation in court, whether provided within Bermuda or another jurisdiction, in relation to any matter except a claim for defamation or malicious falsehood.</p>
<b>The “Territory”</b>	<p>Bermuda</p>

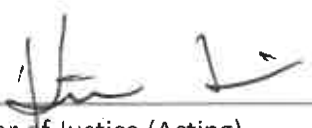
<b>“Non-Territory Bank Account”</b>	means an account at a bank or similar institution, which is a Person subject to supervision by a public authority, in: a) the United Kingdom; b) Canada; c) any Member State of the European Union; d) any Member State of the European Free Trade Association; or e) the United States.
<b>“Person”</b>	includes a body of persons corporate or unincorporate, but does not include a DP.
<b>“Professional legal fees”</b>	means fees charged by a Legal Adviser or a Law Firm for the provision of the Legal Services.
<b>“Relevant Institution”</b>	means a Person domiciled in the Territory (of Bermuda) who would satisfy the threshold conditions for permission under Part 4A of the Financial Services and Markets Act 2000(4) if it had its registered office (or if it does not have one, its head office) in the United Kingdom; a person that is a licensed institution pursuant to section 14 of the Banks and Deposit Companies Act 1999; a person that is licensed to carry out money services business pursuant to section 11 of the Money Service Business Act 2016; or a person that is a licensed credit union pursuant to section 9 of the Credit Unions Act 2010.
<b>“the Belarus Regulations”</b>	means the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019 (2019/600) with the modifications in Schedule 2 of the Republic of Belarus (Sanctions) (Overseas Territories) Order 2020.
<b>“the Russia Regulations”</b>	means the Russia (Sanctions) (EU Exit) Regulations 2019 (2019/855) with the modifications in Schedule 2 of the Russia (Sanctions) (Overseas Territories) Order 2020.

5. Subject to paragraph 7, provided that one (or both) of the sets of conditions in Part A and/or Part B of this licence are complied with in full any Person, Relevant Institution or provider of a Non-Territory Bank Account may:

- 5.1 receive payments from or on behalf of a DP;
  - 5.2 make payments (directly or indirectly) for or on behalf of a DP;
  - 5.3 make payments for the benefit of a DP;
  - 5.4 process payments which relate to a DP; and
  - 5.5 carry out any other act which is reasonably necessary to give effect to 5.1 – 5.4 above.
6. Subject to paragraph 7, provided that one (or both) of the sets of conditions in Part A and/or Part B of this licence are complied with in full, a DP may pay professional legal fees, Counsel's fees, and/or Expenses to a Law Firm, a Legal Adviser, Counsel or a provider of Expenses for Legal Services which have been provided to that DP.
  7. The permissions in this licence do not authorise any act which results in Funds or Economic Resources being made available (directly or indirectly) to any DP.
  8. Both Part A and Part B of this licence can be used in conjunction by a Person or DP if the provision of Legal Services commenced before the DP was designated and continued after designation provided that:
    - i. where both Part A and Part B of this licence are used with regard to the Legal Services, any professional legal fees and any Counsel's fees, paid under both Parts in relation to any DP do not exceed £4,000,000 (or the Bermuda equivalent) per Law Firm (or per Counsel, if engaged under a direct instruction) instructed in total for the duration of this licence;
    - ii. where both Part A and Part B of this licence are used with regard to the payment of professional legal fees and/or Counsel's fees, the Expenses paid under both Parts in relation to any DP do not exceed (in total) either:
      - 10% of the amount payable for professional legal fees and Counsel's fees;
      - or
      - £400,000.00whichever is lower, for all of the Expenses per Law Firm (or per Counsel, if engaged under a direct instruction) instructed for the duration of this licence;
    - iii. where a Law Firm, Legal Adviser or Counsel has not received professional legal fees and/or Counsel's fees from or on behalf of a DP under this licence, Expenses paid under both Parts in relation to any DP do not exceed (in total) £100,000 per Law Firm (or per Counsel, if engaged under a direct instruction) instructed for the duration of this licence;
    - iv. Part A is only used to pay for individual matters within the Legal Services which were commenced before the DP was designated; and

- v. With regard to the provision of Legal Services under Part B, the hourly rates do not exceed those set out in paragraphs 8 and 14 of Part B.
9. The permissions in this licence do not authorise any act which results in a breach of the Russia Regulations, the Belarus Regulations or any other regulations made under the Sanctions and Anti-Money Laundering Act 2018 save as specifically permitted under this licence.
10. Any Person, Relevant Institution or DP acting under the authority of, or otherwise using this licence should note that the conditions set out in Parts A and B of this licence are not capable of being interchanged: the conditions in one Part must be complied with in full for the activities to fall within the terms of this licence.
11. Information provided to The Minister in connection with this licence shall be disclosed to third parties only in compliance with the Public Access to Information Act 2010.
12. This Licence takes effect from **12<sup>th</sup> June 2025 to 28 October 2025**. Licence 2024/09GL expired on 28<sup>th</sup> April 2025.
13. The Minister may vary, revoke or suspend this licence at any time.
14. The Minister will publicise any variations, suspensions or revocations of this licence online at <https://www.gov.bm/bermuda-general-licences>.

SIGNED

  
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Minister of Justice (Acting)  
The Hon. Kim N. Wilson JP, MP

DATE

  
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12 June 2025

## **PART A - LEGAL SERVICES BASED ON A PRIOR OBLIGATION**

### **CONDITIONS FOR USE OF THIS PART OF THE LICENCE- NOTE THAT ALL OF THE BELOW CONDITIONS MUST BE SATISFIED/ COMPLIED WITH.**

1. A payment of:
  - 1.1. professional legal fees; and/ or
  - 1.2. Counsel's fees; and/ or
  - 1.3. Expenses,must be owed by a DP to a Law Firm, a Legal Adviser, Counsel or a provider of Expenses.
2. The payment must be in relation to Legal Services which have been provided, or which are being provided to a DP by a Law Firm, Legal Adviser or Counsel, or to Expenses.
3. The payment must be owed in accordance with an obligation which was entered into by the DP prior to the date of that DP's designation, or in the case of DPs which are owned and controlled, the owner/ controller of that DP's designation, either under the Russia Regulations, the Belarus Regulations, Council Regulation (EU) No 269/2014 or Council Regulation (EC) No 765/2006 (whichever was earlier).
4. Any professional legal fees and any Counsel's fees paid under this Part in relation to any DP must not exceed £2,000,000.00 (or the Bermuda equivalent) per Law Firm (or per Counsel, if engaged under a direct instruction) instructed in total for the duration of this licence.
5. The Expenses paid under this Part in relation to any DP must not exceed (in total) either:
  - 5.1. 10% of the amount payable for professional legal fees and Counsel's fees; or
  - 5.2. £200,000.00;whichever is lower, for all of the Expenses per Law Firm (or per Counsel, if engaged under a direct instruction) instructed under this Part for the duration of this licence.
6. Where a Law Firm, Legal Adviser or Counsel has not received professional legal fees and/or Counsel fees from or on behalf of a DP under this licence, Expenses of up to £50,000 may be paid in relation to any DP per Law Firm (or per Counsel, if engaged under direct instruction) instructed under this Part for the duration of this licence.
7. If at any point the limits for the professional legal fees, Counsel's fees or Expenses set out above are in fact exceeded, Part A of this licence will not apply to any payment of any nature above those limits nor to any other act in relation to the provision of the Legal Services.

8. Any payments made under this Part must:
  - 8.1. be paid directly to an account held in the Territory with a Relevant Institution by a Law Firm, Legal Adviser, Counsel or a provider of Expenses;
  - 8.2. be paid directly to a Non-Territory Bank Account held by a branch, of a Law Firm regulated by the Bermuda Bar Association, which provides Legal Services outside the Territory;
  - 8.3. be paid directly to a Non-Territory Bank Account held by Counsel;
  - 8.4. be paid on behalf of a DP to a provider of Expenses by a Law Firm, Legal Adviser or Counsel, to an account held in the Territory with a Relevant Institution by a provider of Expenses, either before or after payment from, for or on behalf of the DP is received.

#### **Reporting**

9. Within 14 days of receiving payment under this licence any Person who has used the licence must send to The Minister, by email to [fsiu@gov.bm](mailto:fsiu@gov.bm):
  - 9.1. The relevant unredacted letter of engagement between the DP and the Legal Adviser, Law Firm or Counsel;
  - 9.2. Any other document, communication or other record which sets out the obligation pursuant to which payment is made;
  - 9.3. The relevant invoice(s) which are being paid; and
  - 9.4. A completed "FSIU Prior-Obligation Legal Fees GL form".

#### **Record-keeping Requirements**

10. A DP or Person must keep accurate, complete and readable records, on paper or electronically, of any activity purporting to have been permitted under this licence for a minimum of 6 years.



**PART B - LEGAL SERVICES NOT BASED ON A PRIOR OBLIGATION**

**CONDITIONS FOR USE OF THIS PART OF THIS LICENCE- NOTE THAT ALL OF THE BELOW CONDITIONS MUST BE SATISFIED/ COMPLIED WITH.**

1. A payment of:
  - 1.1. professional legal fees; and/ or
  - 1.2. Counsel's fees; and/ or
  - 1.3. Expenses,must be owed by a DP to a Law Firm, a Legal Adviser, Counsel or a provider of Expenses.
2. The payment must be in relation to Legal Services which have been provided, or are being provided by the Law Firm, Legal Adviser or Counsel to a DP, or to Expenses.
3. Any professional legal fees and any Counsel's fees paid under this Part in relation to any DP must not exceed £2,000,000.00 (or the Bermuda equivalent) per Law Firm (or per Counsel, if engaged under a direct instruction) instructed in total for the duration of this licence.
4. The Expenses paid under this Part in relation to any DP must not exceed (in total) either:
  - 4.1. 10% of the amount payable for professional legal fees and Counsel's fees; or
  - 4.2. £200,000.00 (or the Bermuda equivalent),whichever is lower, for all of the Expenses per Law Firm (or per Counsel, if engaged under a direct instruction) instructed under this Part for the duration of this licence.
5. Where a Law Firm, Legal Adviser or Counsel has not received professional legal fees and/or Counsel fees from or on behalf of a DP under this licence, Expenses of up to £50,000 may be paid in relation to any DP per Law Firm (or per Counsel, if engaged under direct instruction) under this Part for the duration of this licence.
6. If at any point the limits for professional legal fees, Counsel's fees or Expenses set out above are in fact exceeded, Part B of this licence will not apply to any payment of any nature above those limits nor to any other act in relation to the provision of the Legal Services.
7. The hourly rates for provision of the professional legal fees by a Legal Adviser must not exceed those rates listed in paragraph 14 of this Part of the licence in any individual case.
8. The hourly rates to be charged by Counsel must not exceed the rate of £1,500 (or the Bermuda equivalent) per hour.
9. Paragraph 8 does not apply to brief fees or refresher fees in the event that these are fixed fees and not subject to hourly rates.

10. If at any point any one hourly rate, for either a Legal Adviser or Counsel exceeds the hourly rates set out in this licence, Part B of this licence will not apply to any payment of any nature applying those hourly rates which exceed the rates set out in this licence nor to any other act in relation to the provision of the Legal Services.
11. Any payments made under this Part must either:
  - 11.1 be paid directly to an account held in the Territory with a Relevant Institution by a Law Firm, Legal Adviser, Counsel or a provider of Expenses;
  - 11.2 be paid directly to a Non-Territory Bank Account held by a branch, of a Law Firm regulated by the Bermuda Bar Association, which provides Legal Services outside the Territory;
  - 11.3 be paid directly to a Non-Territory Bank Account held by Counsel; or
  - 11.4 be paid on behalf of a DP to a provider of Expenses, by a Law Firm, Legal Adviser or Counsel to an account held in the Territory with a Relevant Institution by a provider of Expenses, either before or after payment from, for or on behalf of the DP is received.

#### **Reporting**

12. Within 14 days of receiving payment under this licence any Person who has used this licence must send to The Minister, by email to [fsiu@gov.bm](mailto:fsiu@gov.bm):
  - 12.1. The relevant unredacted letter of engagement between the DP and the Legal Adviser, Law Firm or Counsel;
  - 12.2. Details of the name, employment, experience and the years of post-qualification experience of any Legal Adviser;
  - 12.3. Details of the name, employment, experience and the years of call of any Counsel;
  - 12.4. The relevant invoice(s) which are being paid; and
  - 12.5. A completed "FSIU Post-Designation Legal Fees GL form".

#### **Record-keeping Requirements**

13. A DP or Person must keep accurate, complete and readable records, on paper or electronically, of any activity purporting to have been permitted under this licence for a minimum of 6 years.

**Hourly rates**

1. LEGAL ADVISERS

<b>Grade</b>	<b>Fee Earner</b>	<b>Rate</b>
A	Solicitors and legal executives with over 8 years' experience	£896
B	Solicitors and legal executives with over 4 years' experience	£609
C	Other solicitors and legal executives and fee earners of equivalent experience	£473
D	Pupils, paralegals and other fee earners	£326