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Transfer of Non-Commercial Personal Remittances to or from Iran per OFAC'S ITSR § 560.550

On October 22, 2012, the Department of Treasury's Office of Foreign Assets Control (OFAC) revised and renamed the Iranian Transactions Regulations (31 CFR Part 560), the main body of U.S. sanctions laws pertaining to Iran. The revised regulations, the Iranian Transactions and Sanctions Regulations (the "ITSR") now implement Executive Order 13599 of February 5, 2012 ("Blocking Property of the Government of Iran and Iranian Financial Institutions"), and subsections 1245 (c) and (d)(1)(B) of the National Defense Authorization Act for Fiscal Year 2012 ("NDAA").

Per § 560.550 (a) of the ITSR, the transfer of noncommercial personal remittance to or from Iran or for or on behalf of an individual ordinarily resident in Iran, other than whose property is blocked pursuant to § 560.211, is authorized by general license if:

- a) the transfer is processed by a United States depository institution or United States registered broker or dealer in securities;
- b) the transfer does not involve debiting or crediting an Iranian account; and
- c) the transfer is not by, to, or through the Government of Iran, as defined by §560.304

Per § 560.550 (c) of the ITSR, the transferring institutions identified in § 560.550 (a), may rely on the originator of a funds transfer with regard to compliance with § 560.550 (a), provided that the transferring institution does not know or have reason to know that the funds transfer is not in compliance with § 560.550 (a).

Per § 560.516 (a) of the ITSR, United States depository institutions are authorized to process transfers of funds to or from Iran, or for the direct or indirect benefit of persons in Iran or the Government of Iran, if the transfer arises from, and is ordinarily incident and necessary to give effect to, an underlying transaction that has been authorized by a specific or general license, such as §560.550, and does not involve debiting or crediting an Iranian account.

Furthermore, the transfer may not involve a person whose property and interests in property are blocked pursuant to § 560.211 of the ITSR, the Weapons of Mass Destruction Proliferators Sanctions Regulations, 31 C.F.R. part 544 ("WMDPSR"), or Global Terrorism Sanctions Regulations, 31 C.F.R part 594 ("GTSR") and does not involve property or an interest in property of the Government of Iran, of a Specially Designated Terrorist, of a Terrorism List Government, or of a Foreign Terrorist Organization as those terms are defined by the Office of Foreign Assets Control.

As long as the transfer of non-commercial personal funds falls within the scope of the above-referenced regulations, the transaction DOES NOT require additional authorization from OFAC.