

Sumitomo Mitsui Banking Corporation Malaysia Berhad

Notice Regarding Risk of Transactions with Sanctioned Countries, Regions, Persons or Entities

As you may be aware, various authorities including those in Malaysia and in the United States have imposed sanctions which may affect transactions, including remittances and trade financing transactions that banks are asked to undertake or accept. These sanctions may be country or region related (e.g., OFAC sanctions on Iran and North Korea, Cuba, Crimea or Donbas regions of Ukraine, Syria and other countries) or related to certain persons or entities. These sanctions on country, region, persons or entities may be updated from time to time with the addition or removal of names.

The United States continues to expand sanctions on Russia in response to its invasion of Ukraine and has expanded secondary sanctions targeting Russia. To this end, the Office of Foreign Assets Control (“OFAC”) has imposed secondary sanctions on any foreign financial institution that facilitates prohibited transactions. In light of the OFAC prohibitions on certain transactions related to Russia, specifically in certain critical goods^A and operating or having operated in certain sectors^B in Russia, please be informed that Sumitomo Mitsui Banking Corporation Malaysia Berhad (“the Bank”) will not be able to support, facilitate or process any transaction or banking service that relates directly or indirectly to transactions involving the critical goods^A and/or sectors^B in Russia (*please refer to Annex A and B*).

We draw your attention that where we are requested to undertake any financial transactions or banking services or we receive payments involving sanctioned persons or entities or the above-mentioned critical goods or sectors, there is a risk that these transactions and your funds relating to the transactions, may be blocked frozen, refused, cancelled, reversed or delayed and you may incur losses, liabilities, penalties, costs and expenses (“Liabilities”) as a result.

Please be informed that the Bank shall not be responsible or liable for any Liabilities should we be requested to undertake such transactions/services or should we receive such payments. Without prejudice to the generality of the foregoing, should funds credited to your account be connected to any sanctioned country, region, person or entity we may debit your account in the amount of those funds plus any charges relating thereto. In addition, should the Bank incur any Liabilities, we shall be indemnified by you.

We recommend that prior to entering into any transaction or service, you should ensure it is not prohibited by any such sanctions. We seek your co-operation in ensuring that your transactions with us are not connected, in any way whether directly or indirectly, with any sanctioned country, region, person or entity or critical goods or sectors, and in providing us with information we may request to satisfy our due diligence requirements. If at any time you think a transaction or service may have direct or indirect links to a sanctioned country, region, person or entity or critical goods or sectors, you should inform us immediately. Seek your co-operation in this process.

We thank you for your kind attention. With effect from the date of this letter, should you submit any request for a transaction to us (including requests made via the SMAR&TS system or other than on the Bank's application forms) or enter into any agreement with us or if we receive any payment on your behalf that is connected in any way with a sanctioned person or entity or critical goods or sectors, it will be deemed to be on the basis that the contents of this letter are agreed and form a part of your request/instructions to us.

Reference: <https://home.treasury.gov/news/press-releases/jy2404>

(This is a computer generated notice, signature is not required)

Date: 8 October 2024

Annex A

The Russia Critical Items Determination issued by U.S. Office of Foreign Assets Control, pursuant to subsection 11(a)(ii) of Executive Order 14024 identifies certain items that support Russia’s military-industrial base. Please note that the list is subject to periodic updates or additional determinations may be issued from time to time.

Annex to Determination Regarding Certain Items or Class of Items of December 22, 2023

	Items determined pursuant to E.O. 14024, Sec. 11 (a)(ii)
<i>Certain machine tools and manufacturing equipment</i>	Numerically controlled (CNC) machine tools
	Additive manufacturing (AM) machine tools
	Semiconductor manufacturing equipment
<i>Certain manufacturing materials for semiconductors and related electronics</i>	Silicon boules
	Silicon wafers
	Photoresist materials
	Bare printed circuit boards (PCBs)
	Printed circuit board (PCB) substrates
<i>Certain electronic test equipment</i>	Oscilloscopes
	Automated test equipment
	Data acquisition systems
	Signal generators
	Pulse generators
	Spectrum analyzers
<i>Certain propellants, chemical precursors for propellants and explosives</i>	Nitrocellulose
	Smokeless powder
	Research Department eXplosive (RDX, also known as Royal Demolition eXplosive, cyclonite, hexogen)
	High Melting eXplosive (HMX, also known as High-Molecular-Weight RDX, octogen, cyclotetramethylenetetranitramine)
<i>Certain lubricants and lubricant additives</i>	Turbine oil
	Turbine oil additives
<i>Certain bearings</i>	High-precision ball and roller bearings
	Angular contact (spindle) bearings
<i>Certain advanced optical systems</i>	Thermal sights
	Thermal imaging arrays
	Infrared focal plane arrays
	Image intensifier tubes (IITs)
<i>Certain navigation instruments</i>	Inertial navigation systems (INS)
	Inertial measurement units (IMUs)
	Fiber-optic gyroscopes (FOGs)

Annex B

Technology sector of the Russian Federation economy: The term technology sector of the Russian Federation economy includes activities such as the production, procurement, research, development, design, engineering, testing, servicing, financing, distribution, use, or transport involving the Russian Federation, of software, equipment, electronics, items, tools, materials, or devices, and any components, parts, or accessories of the foregoing, related to the fields of computing, engineering, applied mathematics, or applied sciences involving the Russian Federation and any related activities, including the provision or receipt of goods or services involving the technology sector of the Russian Federation economy.

Defense and related materiel sector of the Russian Federation economy: The term defense and related materiel sector of the Russian Federation economy includes military, armed forces, or security forces of or within the Russian Federation; the use of arms or related materiel by military, armed forces, or security forces of or within the Russian Federation; any person designing, developing, manufacturing, supplying, financing, procuring, or distributing goods, services, or technology to, from, or involving military, armed forces, or security forces of or within the Russian Federation; and any related activities, including the provision or receipt of goods, services, or technology involving the defense and related materiel sector of the Russian Federation economy. The term defense and related materiel sector of the Russian Federation economy also includes acquisition, possession, procurement, research, design, development, testing, evaluation, manufacture, maintenance, upgrade or refurbishment, shipping, supply, sale, transfer, or storage to, from, within, for, transiting, or on behalf of the Russian Federation of arms or related materiel of all types; enablers, aggregates, components, parts, as well as related documentation and instructions for any such arms or related materiel; or training for the use of included systems, provision of simulation equipment, documentation (including training manuals, maintenance orders, or technical bulletins), prototypes, software upgrades, and licensing and manufacturing agreements for such items.

Construction sector of the Russian Federation economy: The term construction sector of the Russian Federation economy includes activities such as the production, procurement, devising, framing, design, testing, financing, distribution, or transport involving the Russian Federation, of goods, services, or technology to fabricate, shape, alter, maintain, or form any buildings or structures, including the on-site development, assembly, or construction of residential, commercial, or institutional buildings, or of transportation infrastructure, in the Russian Federation; and any related activities, including the provision or receipt of goods, services, or technology to, from, or involving the construction sector of the Russian Federation economy.

Aerospace sector of the Russian Federation economy: The term aerospace sector of the Russian Federation economy includes activities such as the production, procurement, development, design, testing, servicing, financing, distribution, use, or transport involving the Russian Federation and its airspace, of aircraft or any other device used or intended to be used for flight or activities in the air or in space, missiles, unmanned aerial vehicles, space-based vehicles, satellites, high-altitude balloons, any other device that operates above the surface of the earth, and any items, components, parts, or accessories intended for the

foregoing; airports or any other area of land or water used or intended to be used for a purpose related to the aerospace sector of the Russian Federation; and any related activities, including the provision or receipt of goods, services, or technology involving the aerospace sector of the Russian Federation economy.

Manufacturing sector of the Russian Federation economy: The term manufacturing sector of the Russian Federation economy includes activities such as the creation, modification, repair, testing, or financing, of goods by manual labor or machinery involving the Russian Federation and any related activities, including the provision or receipt of goods, services, or technology to, from, or involving the manufacturing sector of the Russian Federation economy. Note that persons conducting or facilitating transactions that are exempt or authorized by OFAC—such as those related to the provision of agricultural commodities, food, medicine, or medical devices, or related to energy—will not be subject to sanctions under E.O. 14024.

Extracted from: [1126 | Office of Foreign Assets Control \(treasury.gov\)](#)