

中華民國證券投資信託暨顧問商業同業公會 函

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受文者：

發文日期：中華民國108年5月29日

發文字號：中信顧字第1080051201號

速別：普通件

密等及解密條件或保密期限：

附件：如文

主旨：函轉金融監督管理委員會檢送有關美國總統川普於2019年5月8日發表聲明及行政命令，加強制裁伊朗鐵、鋼、鋁及銅等相關產業一案，如發現疑似洗錢或資恐交易，請向法務部調查局申報，並注意該等交易風險，請查照。

說明：依金融監督管理委員會108年5月24日金管證券字第10803182141號函辦理。

正本：本公會各投信會員公司、本公會各投顧會員公司

副本：

理事長 張錫

檔 號：

保存年限：

金融監督管理委員會 函

機關地址：新北市板橋區縣民大道二段7號
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受文者：中華民國證券投資信託暨顧問商業同業公會

發文日期：中華民國108年5月24日

發文字號：金管證券字第10803182141號

速別：普通件

密等及解密條件或保密期限：

附件：如說明二(第一件 A45020000DORGUNIT108052703182141A2B318214.PDF)

主旨：有關美國總統川普於2019年5月8日發表聲明及行政命令，加強制裁伊朗鐵、鋼、鋁及銅等相關產業一案，請轉知所屬會員，如發現疑似洗錢或資恐交易，請向法務部調查局申報，並注意該等交易風險，請查照。

說明：

- 一、依據經濟部國際貿易局108年5月13日貿管字第1087013705號函辦理。
- 二、檢附上函暨附件影本各一份供參。

正本：中華民國證券商業同業公會、中華民國期貨業商業同業公會、中華民國證券投資信託暨顧問商業同業公會、中華民國會計師公會全國聯合會（均含附件）

副本：臺灣證券交易所股份有限公司、財團法人中華民國證券櫃檯買賣中心、臺灣期貨交易所股份有限公司、臺灣集中保管結算所股份有限公司、金融監督管理委員會證券期貨局（證券發行組、投信投顧組、會計審計組、期貨管理組）

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授權單位主管決行並鈐印



檔 號：
保存年限：

經濟部國際貿易局 函



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承辦人：李昕
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受文者：金融監督管理委員會銀行局

發文日期：中華民國108年5月13日
發文字號：貿管字第1087013705號
速別：最速件
密等及解密條件或保密期限：
附件：如文(共10頁)(1087013705-1.tif、1087013705-2.pdf、1087013705-3.pdf)

主旨：函轉駐美國代表處經濟組函報美國川普總統發布行政命令，加強對伊朗制裁事，請查參。

說明：

- 一、依據駐美國代表處經濟組108年5月8日經美字第1080000518號函辦理。
- 二、川普總統於美東時間2019年5月8日發表聲明及行政命令，加強制裁伊朗鐵、鋼、鋁及銅等相關產業，重點略以：美財政部長與國務卿諮商後，得針對涉及下列活動之外國金融機構，禁止其於美國境內開設或維持代理帳戶(correspondent account)或過渡帳戶(payable-through account)：
 - (一)涉向伊朗出售、供應與鐵、鋼、鋁及銅等事業關聯之貨品與服務；
 - (二)涉向伊朗採購、收購、銷售鐵及鐵製品、鋼及鋼製品、鋁及鋁製品，以及銅與銅製品者；
- 三、檢送本案原函如附件，併請查參。

正本：金融監督管理委員會銀行局

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副本： 

局 長 楊珍妮 公出

副局長 李冠志 代行

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STATEMENTS & RELEASES

Statement from President Donald J. Trump Regarding Imposing Sanctions with Respect to the Iron, Steel, Aluminum, and Copper Sectors of Iran

— FOREIGN POLICY

Issued on: May 8, 2019



One year ago, I dramatically strengthened our national security by ceasing America's participation in the horrible, one-sided Iran nuclear deal. Today, I am signing an executive order to impose sanctions with respect to Iran's iron, steel, aluminum, and copper sectors, the regime's largest non-petroleum-related sources of export revenue.

Under the Iran nuclear deal, Iran was free to engage in and sponsor terrorist networks, develop its missile force, foment regional conflicts, unjustly detain United States citizens, and brutalize its own people, all while maintaining a robust nuclear infrastructure—not to mention, as we now know, its extensive nuclear weapons archive.

A lot can change in a year when we make bold decisions to defend America's national security. Because of our action, the Iranian regime is struggling to fund its campaign of violent terror, as its economy heads into an unprecedented depression, government revenue dries up, and inflation spirals out of control. We are successfully imposing the most powerful maximum pressure campaign ever witnessed, which today's action will further strengthen.


Over the last month, the United States has taken several steps to increase the effectiveness of our campaign. We designated the Islamic Revolutionary Guard Corps as a Foreign Terrorist Organization and increased the pressure on Iran ten-fold through full application of United States

sanctions on Iranian oil exports. Today's action targets Iran's revenue from the export of industrial metals—10 percent of its export economy—and puts other nations on notice that allowing Iranian steel and other metals into your ports will no longer be tolerated.

Tehran can expect further actions unless it fundamentally alters its conduct. Since our exit from the Iran deal, which is broken beyond repair, the United States has put forward 12 conditions that offer the basis of a comprehensive agreement with Iran. I look forward to someday meeting with the leaders of Iran in order to work out an agreement and, very importantly, taking steps to give Iran the future it deserves.



EXECUTIVE ORDER

IMPOSING SANCTIONS WITH RESPECT TO THE IRON,
STEEL, ALUMINUM, AND COPPER SECTORS OF IRAN

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 et seq.), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code, I, DONALD J. TRUMP, President of the United States of America, find that:

It remains the policy of the United States to deny Iran all paths to both a nuclear weapon and intercontinental ballistic missiles, and to counter the totality of Iran's malign influence in the Middle East. It is also the policy of the United States to deny the Iranian government revenue, including revenue derived from the export of products from Iran's iron, steel, aluminum, and copper sectors, that may be used to provide funding and support for the proliferation of weapons of mass destruction, terrorist groups and networks, campaigns of regional aggression, and military expansion.

In light of these findings and in order to take further steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995, and to supplement the authorities provided in the Iran Freedom and Counter-Proliferation Act of 2012 (subtitle D of title XII of Public Law 112-239), I hereby order:

Section 1. (a) All property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in: any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

(i) to be operating in the iron, steel, aluminum, or copper sector of Iran, or to be a person that owns, controls, or operates an entity that is part of the iron, steel, aluminum, or copper sector of Iran;

(ii) to have knowingly engaged, on or after the date of this order, in a significant transaction for the sale, supply, or transfer to Iran of significant goods or services used in connection with the iron, steel, aluminum, or copper sectors of Iran;

(iii) to have knowingly engaged, on or after the date of this order, in a significant transaction for the purchase, acquisition, sale, transport, or marketing of iron, iron products, aluminum, aluminum products, steel, steel products, copper, or copper products from Iran;

(iv) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of any person whose property and interests in property are blocked pursuant to this section; or

(v) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this section.

(b) The prohibitions in this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted before the date of this order.

Sec. 2. (a) The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to impose on a foreign financial institution the sanctions described in subsection (b) of this section upon determining that the foreign financial institution has, on or after the date of this order, knowingly conducted or facilitated any significant financial transaction:

(i) for the sale, supply, or transfer to Iran of significant goods or services used in connection with the iron, steel, aluminum, or copper sectors of Iran;

(ii) for the purchase, acquisition, sale, transport, or marketing of iron, iron products, aluminum, aluminum products, steel, steel products, copper, or copper products from Iran; or

(iii) for or on behalf of any person whose property and

interests in property are blocked pursuant to this order.

(b) With respect to any foreign financial institution determined by the Secretary of the Treasury in accordance with this section to meet any of the criteria set forth in subsection (a)(i) through (a)(iii) of this section, the Secretary of the Treasury may prohibit the opening, and prohibit or impose strict conditions on maintaining, in the United States of a correspondent account or payable-through account by such foreign financial institution.

(c) The prohibitions in subsection (b) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted before the date of this order.

Sec. 3. I hereby determine that the making of donations of the types of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order would seriously impair my ability to deal with the national emergency declared in Executive Order 12957, and I hereby prohibit such donations as provided by this section.

Sec. 4. The prohibitions in section 1 of this order include:

(a) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to subsection (a) of that section; and

(b) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 5. The unrestricted immigrant and nonimmigrant entry into the United States of aliens determined to meet one or more of the criteria in subsection 1(a) of this order would be detrimental to the interests of the United States, and the entry of such persons into the United States, as immigrants or nonimmigrants, is therefore hereby suspended. Such persons shall be treated as persons covered by section 1 of Proclamation 8693 of July 24, 2011 (Suspension of Entry of Aliens Subject to United Nations Security Council Travel Bans and International Emergency Economic Powers Act Sanctions).

Sec. 6. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 7. Nothing in this order shall apply to transactions for the conduct of the official business of the Federal Government or the United Nations (including its specialized agencies, programmes, funds, and related organizations) by employees, grantees, or contractors thereof.

Sec. 8. For the purposes of this order:

(a) the term "entity" means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(b) the term "foreign financial institution" means any foreign entity that is engaged in the business of accepting deposits, making, granting, transferring, holding, or brokering loans or credits, or purchasing or selling foreign exchange, securities, commodity futures or options, or procuring purchasers and sellers thereof, as principal or agent. It includes, but is not limited to, depository institutions, banks, savings banks, money service businesses, trust companies, securities brokers and dealers, commodity futures and options brokers and dealers, forward contract and foreign exchange merchants, securities and commodities exchanges, clearing corporations, investment companies, employee benefit plans, dealers in precious metals, stones, or jewels, and holding companies, affiliates, or subsidiaries of any of the foregoing. The term does not include the international financial institutions identified in 22 U.S.C. 262r(c)(2), the International Fund for Agricultural Development, the North American Development Bank, or any other international financial institution so notified by the Secretary of the Treasury;

(c) the term "Government of Iran" includes the Government of Iran, any political subdivision, agency, or instrumentality thereof, including the Central Bank of Iran, and any person owned or controlled by, or acting for or on behalf of, the Government of Iran;

(d) the term "Iran" means the Government of Iran and the territory of Iran and any other territory or marine area, including the exclusive economic zone and continental shelf, over which the Government of Iran claims sovereignty, sovereign rights, or jurisdiction, provided that the Government of Iran exercises partial or total de facto control over the area or derives a benefit from economic activity in the area pursuant to international arrangements;

(e) the term "knowingly," with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result;

(f) the term "person" means an individual or entity; and

(g) the term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States.

Sec. 9. For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 12957, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

Sec. 10. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including adopting rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to implement this order. The Secretary of the Treasury may, consistent with applicable law, redelegate any of these functions within the Department of the Treasury. All agencies shall take all appropriate measures within their authority to implement this order.

Sec. 11. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 12. The measures taken pursuant to this order are in response to actions of the Government of Iran occurring after the conclusion of the 1981 Algiers Accords, and are intended solely as a response to those later actions.

DONALD J. TRUMP

THE WHITE HOUSE,
May 8, 2019.

