

AML/CFT¹ Regime for Regulated Dealers

INDUCTION BRIEFING

AML/CFT Division
Ministry of Law

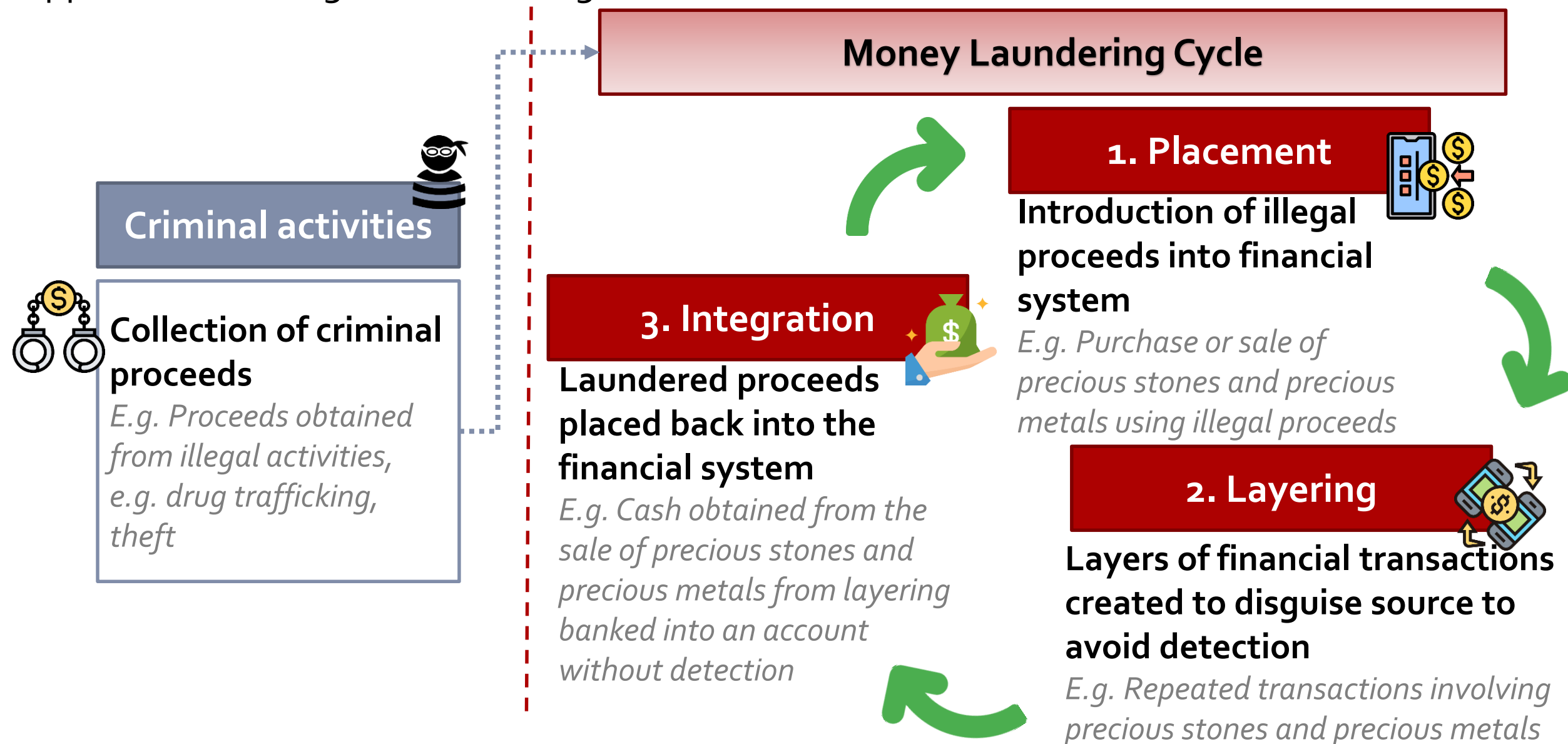
09 September 2019

¹*AML/CFT: Anti-Money Laundering/Countering the Financing of Terrorism*

PSPM ACT

Precious Stones and Precious Metals Dealers (“**PSMD**”) Sector

Money laundering (“ML”) is the process of concealing the proceeds of a crime so that they appear to have originated from legitimate sources.



≡ THE STRAITS TIMES

SINGAPORE > Courts & Crime Education Ho

4. Rogue lawyer David Rasif absconded with \$11.3m of his clients' money

Took place in 2006:

"In 2010, the Commercial Affairs Department (CAD) here was able to recover **\$6.4 million in cash and gold** both here and abroad.

CAD had also been able to seize **40 of the 47 gold bars** that Rasif had bought for **\$1.65 million** in June 2006."

≡ THE STRAITSTIMES

SINGAPORE > Courts & Crime Education H

SkillsFuture fraud: \$6.7m cash, 11kg gold kept in Sengkang flat

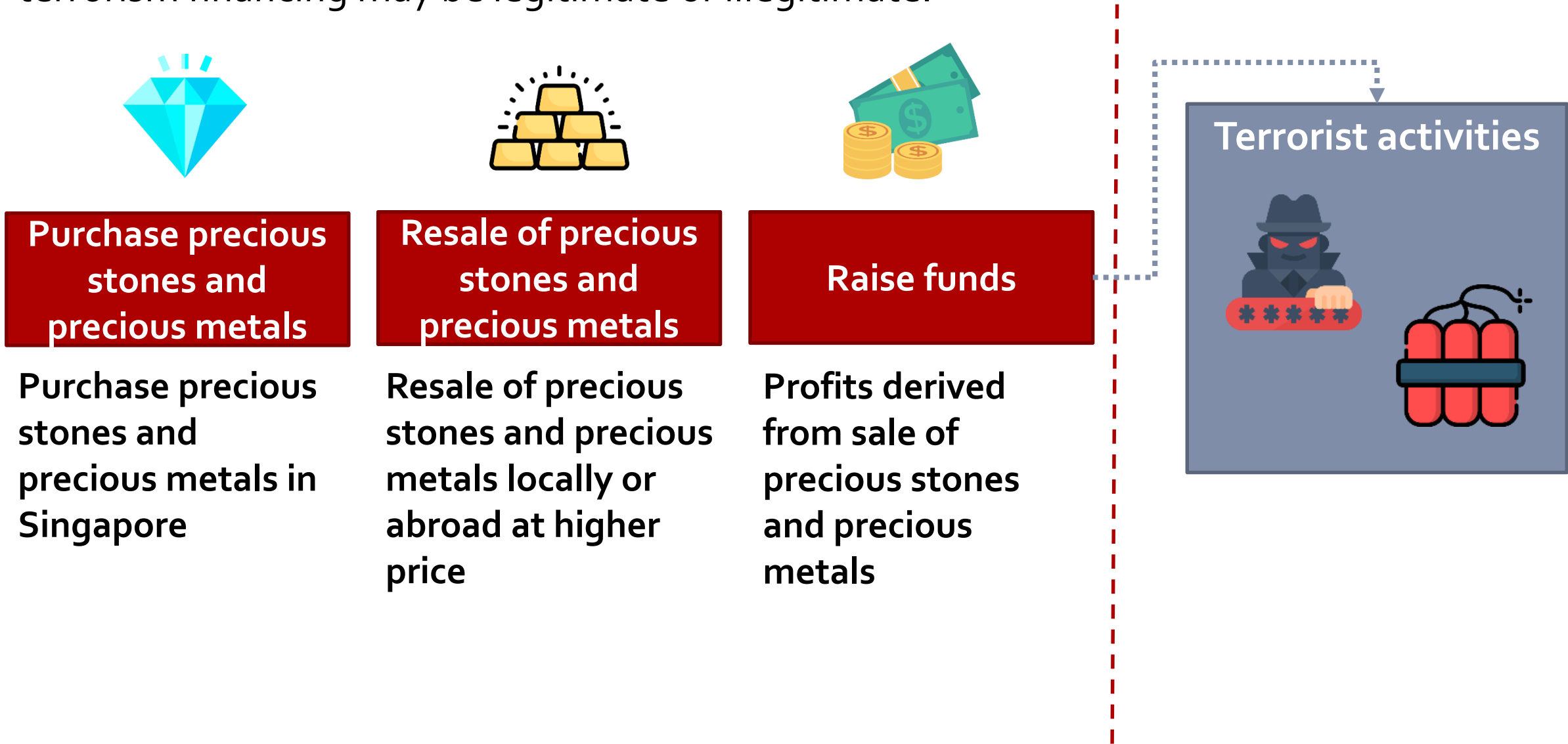
Took place in 2018:

"...was sentenced to **five years and eight months in jail for money laundering**.

On Oct 30 and 31 last year, she bought **6kg of gold bars worth \$344,000** from two **jewellery shops...**

...collect another **five 1kg gold bars worth \$282,500**. By Nov 1, there were **\$6.7 million in cash and 11kg of gold** in the safe."

Terrorism financing (“TF”) is the funding of terrorism or terrorist groups. Sources of terrorism financing may be legitimate or illegitimate.





Singapore

4 radicalised Bangladeshi men jailed for 2-5 years for financing terrorism

Took place in 2016:

“Four Bangladeshi nationals... **conviction under the Terrorism (Suppression of Financing) Act.**

They formed ‘lone-wolf **pro-ISIS terrorist** group’.

He had **donated \$300 to the cause. Documents on weapons and bomb making...**

Four men **detained under Internal Security Act.**”

THE STRAITS TIMES

SINGAPORE



Courts & Crime

Education

Home

Singaporean man, 35, charged with providing money to support ISIS propaganda efforts

Took place in 2019:

“...**provided \$450** to an individual in Turkey on Oct 31, 2014, **for the publication of ISIS propaganda.**

“This **act of providing money in support of terrorist purposes is a serious offence, regardless of the amount,** under the Terrorism (Suppression of Financing) Act”, said MHA.”

Characteristics of precious stones, precious metals and precious products (“PSPM”) expose the PSMD sector to ML/TF risks.

Good stores of value

- PSPMs are used to launder criminal proceeds with low risk of value loss

Portable

- PSPMs are easy to transport and conceal

Easily convertible to cash

- PSPMs are used to support or finance illicit activities as it is difficult to trace original ownership or true value

*An Act to regulate persons who **carry on a business of regulated dealing** or as an **intermediary for regulated dealing**, so as to **prevent money laundering and terrorism financing**.*

New law implemented on 10 April 2019

PSPM Act

Precious Stones and Precious Metals (Prevention of Money Laundering and Terrorism Financing) Act 2019 ("**PSPM Act**")

PMLTF Regulations

Precious Stones and Precious Metals (Prevention of Money Laundering and Terrorism Financing) Regulations 2019 ("**PMLTF Regulations**")

Guidelines

Guidelines for Regulated Dealers ("**Guidelines**")



Download the **Guidelines** at <https://acd.mlaw.gov.sg/guidance-materials/>

Register with the Registrar of Regulated Dealers

Entity-based requirements

Conduct **ML/TF risk assessment** with measures to address the risks

Develop internal policies, procedures and controls ("**IPPC**"), including:

- **train** your employees
- conduct independent **audit** for regulated dealers which **conduct cash transactions exceeding S\$20,000**

Transaction-based requirements

Conduct Customer Due Diligence ("**CDD**")

Conduct Enhanced Customer Due Diligence ("**ECDD**")

File Cash Transaction Reports ("**CTR**")

File Suspicious Transaction Reports ("**STR**")

Keep records for 5 years



Refer to the **Guidelines** on "**Annex A – Example of AML/CFT Flowchart for Regulated Dealers**"

TRANSACTION-BASED REQUIREMENTS



Download the **Guidelines** at <https://acd.mlaw.gov.sg/guidance-materials/>

CTR

- **File a CTR within 15 business days** after any designated transaction.
- The CTR could be filed electronically via Suspicious Transaction Reporting Office Online Notices and Reporting Platform (**SONAR**) at <https://www.police.gov.sg/sonar>.
- A copy of the CTR need to be kept for a period of 5 years from the date of transaction.
- It is an **offence** not to lodge CTR.

STR

- **File a STR immediately** or at the earliest opportunity when:
 1. CDD could not be performed/ completed.
 2. Any suspicion of money laundering and/or terrorist-related activity.
- The STR could be filed electronically via **SONAR** at <https://www.police.gov.sg/sonar>.
- The STR has to be kept for 5 years from the date of transaction and remain **confidential to protect the identity of the informer**.
- It is an **offence** not to lodge STR.



Refer to the **Guidelines on "Disclosure of Information"**

ML
riskTF
risk

How to submit CTR and STR, for example:

1

Register for SONAR
user account at
<https://www.police.gov.sg/sonar>.



2

Submit **CTR** Form NP
784 within **15 business
days**, and/or
submit **STR**
immediately
via **SONAR**.

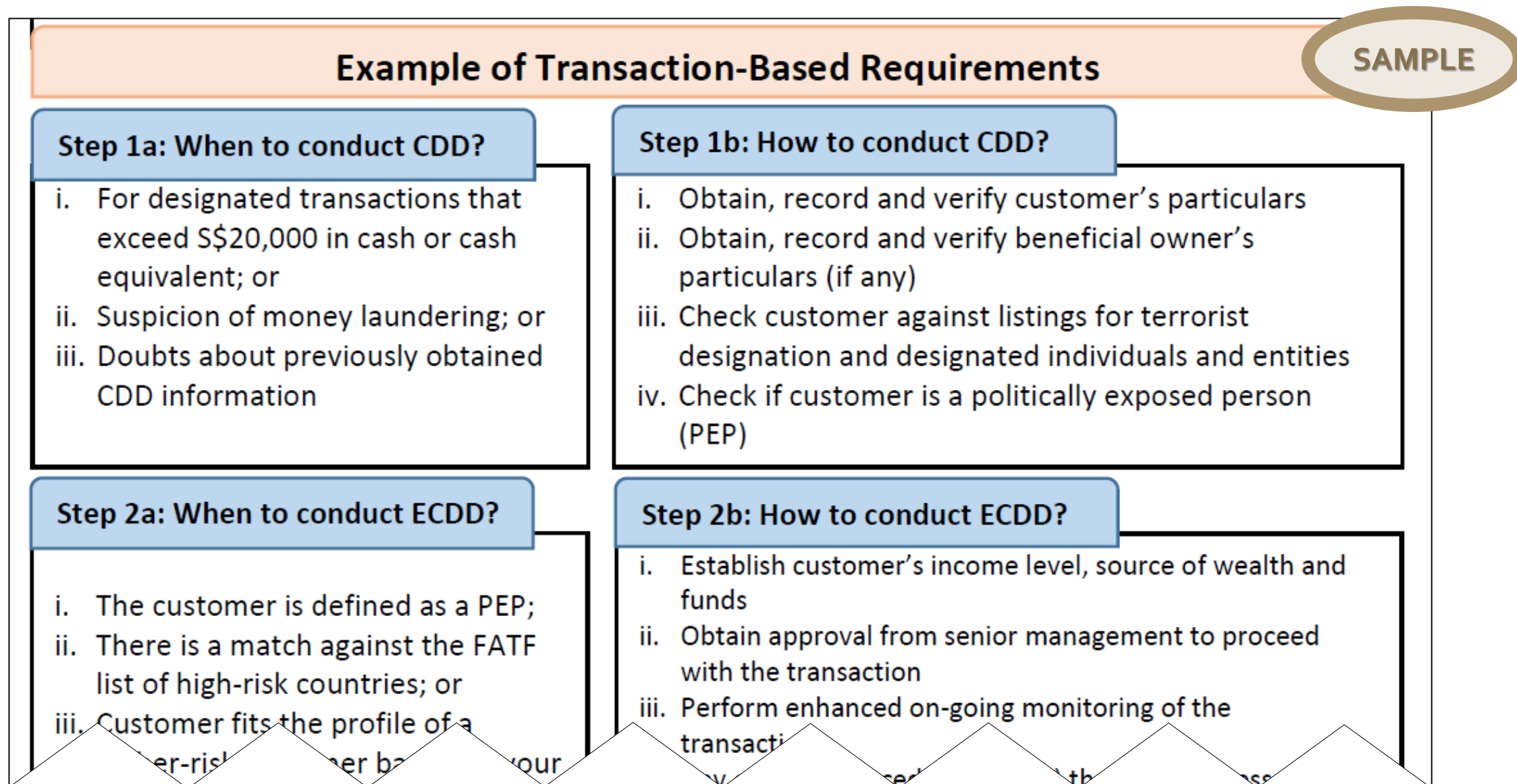


3

Keep a copy of the
CTR/STR for 5 years.



Refer to the **Guidelines on "Disclosure of Information"**



Refer to the **Guidelines** on "**Annex A – Example of AML/CFT Flowchart for Regulated Dealers**"

ML
riskTF
risk

Transaction-Based Requirements

1

Conduct customer due diligence ("**CDD**") under certain circumstances, file **CTR** for cash transactions above S\$20,000.



2

Conduct enhanced customer due diligence ("**ECDD**") to assess if the customer is of higher-risk.

If found to be suspicious, terminate the transaction and file a **STR**.



3

Keep records of designated transactions and related documents for 5 years.



Refer to the **Guidelines on "Customer Due Diligence", "Enhanced Customer Due Diligence" and "Record Keeping"**

When to conduct CDD?



Designated
Transaction
> **S\$20,000 cash or
cash equivalent.**



File **CTR**



Suspicion of money
laundering ("**ML**") or
terrorism financing ("**TF**").



File **STR**



Doubts on the
veracity or adequacy
of information from
earlier CDD
(e.g. for existing
customers).



Refer to the **Guidelines on "Customer Due Diligence" and "Annex D – Red Flag Indicators for Regulated Dealers"**

ML
riskTF
risk

How to conduct CDD, for example:

1

Obtain, record and verify customer's **identifying information**.



2

Screen customer against terrorists designations and lists of designated individuals and entities, and **assess ML/TF risk**.



3

Any **positive hits** from screening?

If **yes** – stop transaction & report to police.

If **no** – proceed with transaction.



Refer to the **Guidelines on "Customer Due Diligence"**

Annex E Sample CDD Form

Customer Due Diligence (CDD)

FORM A – Customer’s Particulars

SAMPLE

Name of regulated dealer:	Date:
Name of employee:	Signature of employee:

A1. Customer’s Particulars (For Individuals)		
1.	Transaction number:	
2.	Date/Time of transaction:	
3.	Transaction value:	
4.	Description of PSPM:	
5.	Full name (including any alias):	
6.	Date of birth:	
7.	Residential address:	
8.	Contact No:	



Refer to the **Guidelines** on "**Annex E – Sample CDD Form – Form A**"

SAMPLE

Customer Due Diligence (CDD)**FORM B – Check customer's name against lists on:**

- Terrorist designation
- Sanctions lists on designated individuals and entities
- FATF public list of high-risk and other monitored jurisdictions

***Note: This form should not be shown to the customer.**

Name of regulated dealer:

Date:

Name of employee:

Signature of employee:

B1. Check Against Lists on Terrorist Designation and Designated Individuals and Entities

1.

Ministry of Home Affairs ("MHA")'s website on the Inter-Ministry Committee on Terrorist Designation ("IMC-TD") on terrorist designation (persons and entities designated as terror

Any match?☐ Yes/ ☐ No

Refer to the **Guidelines** on "**Annex E – Sample CDD Form – Form B**"

When to conduct ECDD?



Politically-exposed person (“**PEP**”), relatives or close associates of PEP.



Higher risk country
or **jurisdiction.**

(Current examples:
North Korea, Iran,
refer at:

www.fatf-gafi.org/countries/#high-risk)



Person with **high**
money laundering/
terrorism financing
risks.



Refer to the **Guidelines on “Enhanced Customer Due Diligence”**

ML
riskTF
risk

How to conduct ECDD, for example:

1

Establish customer's **source of wealth** and **source of funds**.



2

Obtain approval from senior management **before** entering or continuing transaction. File **STR** if necessary.



3

Conduct **enhanced ongoing monitoring** of the transaction.



Refer to the **Guidelines on "Enhanced Customer Due Diligence"**

SAMPLE

Annex D Red Flag Indicators for Regulated Dealers

The list is not exhaustive and may be updated due to changing circumstances and new methods of laundering money or financing terrorism. Regulated dealers are to refer to STRO's website for the latest list of red flags.

Red Flag Indicators: Customers

Transaction Patterns

- i) Transactions that are not consistent with the usual profile of a customer:
 - (a) Transactions that appear to be beyond the means of the customer based on his/her stated or known occupation or income; or
 - (b) Transactions that appear to be more than the usual amount for a typical customer of business



Refer to the **Guidelines** on "**Annex D – Red Flag Indicators for Regulated Dealers**"

Annex F Sample ECDD Form

SAMPLE

Enhanced Customer Due Diligence (ECDD)

*Note: This form should not be shown to the customer.

Where ECDD is conducted, to attach completed (1) CDD Form A, (2) CDD Form B and (3) ECDD Form, together with copies of all supporting documents.

Name of regulated dealer:	Date:
Name of employee:	Signature of employee:

A.	Income Level, Source of Wealth and Source of Funds	
1.	Establish the following (by reasonable means e.g. internet scanning and careful enquiries with the customer):	Income level:
		Source of wealth:
	a. income level;	Source of funds:
	b. source of wealth / source of	



Refer to the **Guidelines** on "**Annex F – Sample ECDD Form**"

When to stop a transaction?



To stop the transaction and consider filing a STR when:

You are unable to perform or complete any CDD; or
when you have reason to suspect that the transaction or customer(s) involved may be connected with ML/TF.

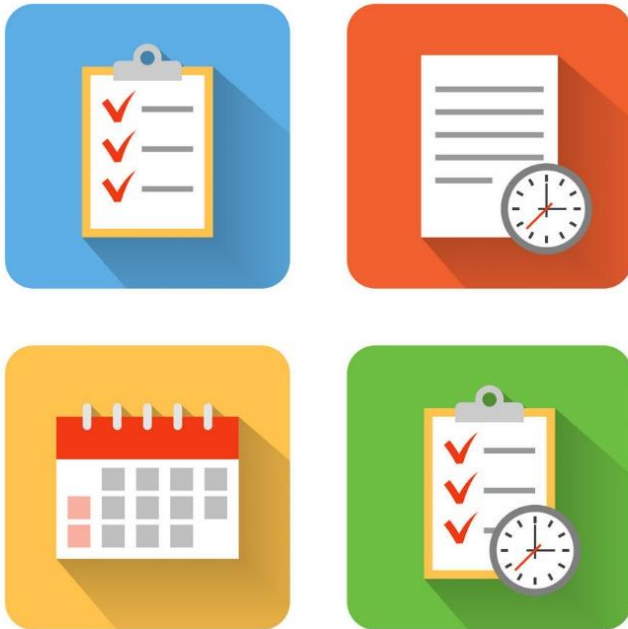
To stop the transaction and report to the police when:

You suspect that the customer is in the listings for terrorist designation and designated individuals and entities.



Refer to the **Guidelines** on "**Annex A** – Example of AML/CFT Flowchart for Regulated Dealers"

ENTITY-BASED REQUIREMENTS



Download the **Guidelines** at <https://acd.mlaw.gov.sg/guidance-materials/>

Annex A Example of AML/CFT Flowchart for Regulated Dealers

SAMPLE

Example of Entity-Based Requirements

Step 1: Do your risk assessment

- i. State the following:
 - Background of your customers
 - Countries that your customers are from
 - Products, services, transactions and delivery channels
- ii. Conduct a risk assessment of the above, e.g. low, medium or high risk
- iii. Come up with measure to address the risks

Step 2: Develop your internal policies, procedures and controls (IPPC)

- i. IPPCs should include the following:
 - Assessment of risks faced by your business
 - Appointment of compliance officer and his/her responsibilities
 - Checks to conduct when hiring employees
 - Procedures to conduct customer due diligence (CDD)



Refer to the **Guidelines** on "**Annex A – Example of AML/CFT Flowchart for Regulated Dealers**"

ML
risk

TF
risk

Conduct Risk Assessment, for example:

1

Customer risk.



2

Country risk.



3

**Product and
Services risks.**



Refer to the **Guidelines on "Risk Assessment"** and **"Annex B – Sample Risk Assessment Form"**

SAMPLE

Annex B Sample Risk Assessment Form

Name of regulated dealer:

Date of risk assessment:

A. Background of customers in the previous year

Background	Number of transactions	% of total transactions ²⁰	Low risk	Medium risk	High risk	Measures to address risk ²¹
E.g. Foreign	E.g. 10	E.g. 10/50 X 100 (total no. of transactions) = 20%	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E.g. Local	E.g. 40	E.g. 80%	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Etc.	Etc.	Etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



Refer to the **Guidelines** on "**Annex B – Sample Risk Assessment Form**"

ML
risk

TF
risk

Develop IPPC, for example:

1

Appoint **Compliance Officer**.



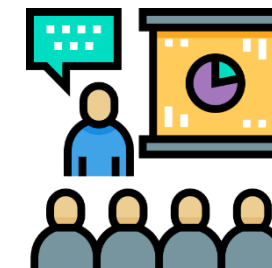
2

Conduct **employee checks** when hiring.



3

Train your staff in internal policies, procedures and controls ("**IPPC**").



Refer to the ***Guidelines on "Programmes and Measures to Prevent Money Laundering and Terrorism Financing"***



Annex C Sample IPPC Document

Note: Regulated Dealers need to develop and document a set of IPPC which must cover the requirements stated in the Guidelines. Regulated dealers may refer to this sample to customise IPPCs that are appropriate for their business.

Cover Page

Document title: Internal Policies, Procedures and Controls

Name of regulated dealer:

Version Control Record

Version	Release Date	Key Changes	Author	Approved by Senior Management
	6/2019	Release	XX	



Refer to the **Guidelines** on "**Annex C – Sample IPPC Document**"



Break Time

OTHER REGULATORY REQUIREMENTS



Download the **Guidelines** at <https://acd.mlaw.gov.sg/guidance-materials/>

ML
risk

TF
risk

Other Measures:

1

Ongoing **monitoring** of transactions.



2

Record keeping for 5 years.



3

Assess if customer is terrorist or designated person under the United Nations Act.

Subscribe to MAS website for alert updates.

Regulation Focus Areas

✓ Anti-Money Laundering ✓ Enforcement



Refer to the ***Guidelines on "Ongoing monitoring of Transactions", "Record Keeping" and "Additional Measures Relating to Targeted Financial Sanctions"***

Duty to notify change in place of business:

- Carrying out any regulated activity not specified in application
- Ceasing to carry out regulated activity

Duty to notify Registrar of change in particulars and circumstances:

- Change in business name or registered office
- Change in address
- Change in telephone, email, fax
- Change in key personnel
- Application for bankruptcy
- Winding up
- Investigation or criminal proceedings



Refer to the **PMLTF Regulations on Regulations 20 and 21**

Collect Customer Information

- As part of the CDD processes, regulated dealers must **obtain, record and verify** customer's identifying information through independent and credible sources.
- This can be done by verifying the customer's identity card, passport or other **government issued-identity document**, which should bear the **photograph** of the customer.



Laws Requiring Collection of NRIC Number by Organisations

- PSPM Act** is listed in the Personal Data Protection Council ("PDPC") website requiring regulated dealers to collect individual's NRIC or other national identification number under the law.

PAYROLL TAX ACT

+

PRECIOUS STONES AND PRECIOUS METALS (PREVENTION OF MONEY LAUNDERING AND TERRORISM FINANCING) ACT

+

PRIVATE EDUCATION ACT

+



Refer to the **PDPC website** at <https://www.pdpc.gov.sg/NRIC-Extracts>

Regulated dealers who **fail to comply with or contravene** any provision in the PSPM Act shall be guilty of an offence, and shall be liable on conviction to a:



or



or



For example:

Section 18(5) Keeping of records

- *Fine not exceeding \$100,000*

Section 27 – Providing false information to Registrar or authorized officer

- *Fine not exceeding \$50,000 or to imprisonment for a term not exceeding 2 years or to both*



*Refer to the **PSPM Act***

I should read:



- Guidelines for regulated dealers ("**Guidelines**")

On how to comply with regulatory requirements

These include:

- Example of AML/CFT flowchart for regulated dealers
- Sample risk assessment form
- Sample IPPC document
- Sample CDD form
- Sample ECDD form
- Red flag indicators

(<https://acd.mlaw.gov.sg/guidance-materials/>)

I must also refer to:



- Inter-Ministry Committee-Terrorist Designation ("**IMC-TD**")

On terrorist designation and legislation for countering the financing of terrorism

([https://www.mha.gov.sg/inter-ministry-committee-terrorist-designation-\(imc-td\)](https://www.mha.gov.sg/inter-ministry-committee-terrorist-designation-(imc-td)))

- Information on targeted financial sanctions and lists of designated individuals and entities

On targeted financial sanctions and lists of designated individuals and entities under the United Nations Regulations

(<https://www.mas.gov.sg/regulation/anti-money-laundering/targeted-financial-sanctions/lists-of-designated-individuals-and-entities>)

I would find it useful to read:



- Financial Action Task Force (“**FATF**”)
FATF Recommendations and sector specific risk typologies
(<http://www.fatf-gafi.org/publications/fatfrecommendations/documents/fatf-recommendations.html>)
- FATF reports relevant to PSMD sector
 - ML/TF risks associated with gold
(<http://www.fatf-gafi.org/media/fatf/documents/reports/ML-TF-risks-vulnerabilities-associated-with-gold.pdf>)
 - ML/TF through trade in diamonds
(<http://www.fatf-gafi.org/media/fatf/documents/reports/ML-TF-through-trade-in-diamonds.pdf>)
- Singapore National Risk Assessment Report
ML/TF risk assessment for Singapore
(<https://www.mas.gov.sg/publications/monographs-or-information-paper/2014/national-risk-assessment>)

For enquiries, I may contact:



CorpPass

On CorpPass related matters

Tel: 6643 0577

Mon – Fri: 8am – 8pm

Sat: 8am – 2pm

Email: support@corppass.gov.sg

Website: <https://www.corppass.gov.sg>

LicenceOne

On LicenceOne related matters

Tel: 6774 1430

Mon – Fri: 8am – 8pm

Sat: 8am – 2pm

Email: licences-helpdesk@crimsonlogic.com

Website: <https://licence1.business.gov.sg>

Suspicious Transaction Reporting Office ("STRO")

On SONAR related matters

Queries relating to CTR/STR report filing/reporting regime:

Email: STRO@spf.gov.sg

Queries relating to SONAR accounts/IT issues:

Email: SPF_STRO_IT_Team@spf.gov.sg

Personal Data Protection Commission ("PDPC")

On personal data related matters

Tel: 6377 3131

Mon – Thu: 8.30am – 6.00pm

Fri: 8.30am – 5.30pm

Online feedback form:

<https://apps.pdpc.gov.sg/feedback/feedback-form>

Ministry of Law Services Centre

On PSPM Act related matters

Counter Operating Hours:

Mon – Fri: 8.30am – 5.00pm

(Closed on Weekends & Public Holidays)

Enquiry Line Operating Hours:

Tel: 1800-CALL-LAW

(1800 2255 529)

Mon – Fri: 8.30am – 5.30pm

(Closed on Weekends & Public Holidays)

Online Enquiry Form:

www.mlaw.gov.sg/eservices/enquiry



1

Subscribe to MAS website

- Subscribe to alerts for updates to the lists here: <https://www.mas.gov.sg/subscription-services>

2

Create your SONAR user account

- Sign up for your SONAR user account here: <https://www.police.gov.sg/sonar>

3

Perform risk assessment and develop IPPC

- Document the ML/TF risk assessment, and develop IPPC
- Onboarding Workshop designed for your Compliance Officer

4

Check the ACD website and your emails regularly

- Updates to guidance materials and events are at the ACD website: <https://acd.mlaw.gov.sg>
- Notifications are sent to you via email



Subscribe to MAS website

- Subscribe to alerts for updates to the lists here:
<https://www.mas.gov.sg/subscription-services>

Step 1

Subscriber Services

Get notified whenever news and updates are posted on this website.

* refer to mandatory field.

*First Name

Last Name

*Email

*Organisation



Step 2

Regulation Focus Areas

☒ Anti-Money Laundering

Step 3

Security

✓ I'm not a robot



SUBMIT



Create your SONAR user account

- Sign up for your SONAR user account here:
<https://www.police.gov.sg/sonar>

Step 1

WHAT YOU NEED

[Information](#) on registration for SONAR Account, instruction guides and forms.

Step 2

TO PROCEED

Login via CorpPass

(For Businesses and employees of businesses submitting reports to STRO)

Step 3

Log in with CorpPass

UEN/ENTITY ID
CORPPASS ID
Password
☐ Remember Entity ID
Forgot [Entity / CorpPass ID](#) or [Password](#)

Cancel

Login ▶



Perform risk assessment and develop IPPC

- Document the ML/TF risk assessment, and develop IPPC
- Onboarding Workshop designed for your Compliance Officer

Step 1

- **Compliance Officer** may refer to **Annex B** available in the Guidelines
- **Perform ML/TF risk assessment** of your business and **document it**

Annex B Sample Risk Assessment Form

Name of regulated dealer:

A. Background of customers in the pre

Background	Number of transactions	% of total transactions ²⁰
E.g. Foreign	E.g. 10	E.g.

Step 2

- **Compliance Officer** may refer to **Annex C** available in the Guidelines
- **Develop the IPPC** and **document it**
- **Train your staff** in IPPC

Annex C Sample IPPC Document

Note: Regulated Dealers need to develop a requirements stated in the Guidelines. Regulate that are appropriate for their business.

Cover Page

Document title: Internal Policies, Procedures and

Step 3

- Your Compliance Officer may attend the **Onboarding Workshop** if further guidance is preferred
- Look out for our invitation email



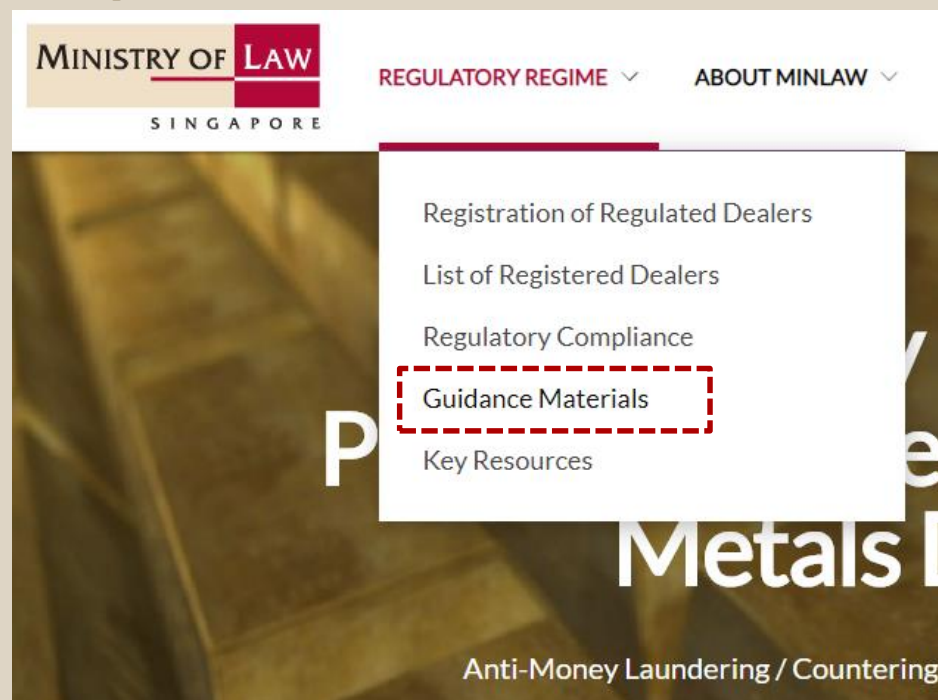
Download the **Guidelines** at <https://acd.mlaw.gov.sg/guidance-materials/>




Check the **ACD website** and your emails regularly


- Updates to guidance materials and events are at the ACD website:
<https://acd.mlaw.gov.sg>
- Notifications are sent to you via email.

Step 1



Step 2

 [2. Guidelines for Regulated Dealers in the Precious Stones and Precious Metals Dealers Sector on Anti-Money Laundering/Countering the Financing of Terrorism \(“Guidelines”\)](#)

The  [Guidelines](#) are meant to help regulated dealers understand the regulatory requirements under the Precious Stones and Precious Metals (Prevention of Money

Step 3

The sample forms and checklists in the Annexes of the Guidelines are also available in [MS Word format](#) for ease of editing.



Question 1:

Where can I find more information about the regulatory regime?

Answer:

You can find more information on the Anti-Money Laundering/Countering the Financing of Terrorism Division's website at <https://acd.mlaw.gov.sg/>.

Question 2:

How do I inform ACD if there is a change to my Outlet Manager?

Answer:

You must notify the Registrar at least 14 days before any change. You will need to submit an online request at <https://www.mlaw.gov.sg/eservices/enquiry/> before amending your profile via LicenceOne portal (<https://licence1.business.gov.sg>).

Question 3:

When do I need to conduct Customer Due Diligence ("CDD")?

Answer:

When there is:

- 1) Designated transaction > S\$20,000 cash or cash equivalent
- 2) Suspicion of money laundering or terrorism financing
- 3) Doubts on the veracity or adequacy of information from earlier CDD.

Question 4:

How do I file Cash Transaction Report ("CTR") and/or Suspicious Transaction Report ("STR")?

Answer:

You need to register for the SONAR user account at <https://www.police.gov.sg/sonar> to file the CTR/STR online. Submit the CTR within 15 business days, and STR immediately.

Question 5:

Can I use my own Customer Due Diligence (“CDD”) form?

Answer:

The sample CDD and various forms in the Guidelines are provided as a guide. You may develop or customize the form for your use.

Question 6 :

What are my responsibilities as a regulated dealer?

Answer:

You may refer to the Guidelines on the regulatory requirements and how to comply with the requirements.

FEEDBACK FORM

Please provide your feedback on the Induction Briefing at:

<https://go.gov.sg/formfeedback>

or scan the QR code:



If you have more questions, you may submit an online enquiry form at:

www.mlaw.gov.sg/eservices/enquiry