

S

## 1. Introduction

<<The Organisation>> provides services to tenants and is registered at HM Revenue and Customs (HMRC) for anti-money laundering supervision.

<<outline further details>> and is registered at HMRC for anti-money laundering supervision.

<<The Organisation>> is required to comply with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 to put in place appropriate policies, controls and procedures to prevent any of our services being used or potentially abused for money laundering activity, as well as any of our staff being exposed to money laundering or terrorist financing.

<<outline further details>> and is required to comply with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 to put in place appropriate policies, controls and procedures to prevent any of our services being used or potentially abused for money laundering activity, as well as any of our staff being exposed to money laundering or terrorist financing.

## 2. What is Money Laundering?

Money laundering can be defined as the process of moving illegally acquired cash through financial systems or other means to make it appear from a legitimate source. In the property sector this may include a landlord or tenant paying rent using the property with criminal funds, or a landlord and tenant may be part of the same criminal group and the rent payments are laundered under the veil of legitimate business transactions.

What is Money Laundering?

Money laundering can be defined as the process of moving illegally acquired cash through financial systems or other means to make it appear from a legitimate source. In the property sector this may include a landlord or tenant paying rent using the property with criminal funds, or a landlord and tenant may be part of the same criminal group and the rent payments are laundered under the veil of legitimate business transactions.

Terrorist financing is provided to a person or organisation (legitimate or not) to be used to carry out an act of terrorism.

Terrorist financing is provided to a person or organisation (legitimate or not) to be used to carry out an act of terrorism.

## 3. Money Laundering and Terrorist Financing Legislation

The principal pieces of UK legislation relating to money laundering and counter-terrorist financing are:

Money Laundering and Terrorist Financing Legislation

The principal pieces of UK legislation relating to money laundering and counter-terrorist financing are:

- Terrorism Act 2000
- Proceeds of Crime Act 2002
- Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017, as amended by the Money Laundering Regulations 2019.

The principal pieces of UK legislation relating to money laundering and counter-terrorist financing are:

### 3.1 Proceeds of Crime Act 2002

The Proceeds of Crime Act 2002 (POCA) consolidates, updates and reforms criminal law with regard to the proceeds of crime.

The Proceeds of Crime Act 2002 (POCA) consolidates, updates and reforms criminal law with regard to the proceeds of crime.

The Proceeds of Crime Act 2002 (POCA) defines money laundering as:

The Proceeds of Crime Act 2002 (POCA) defines money laundering as:

1. concealing, disguising or converting criminal property or removing it from the UK (Section 327)

The Proceeds of Crime Act 2002 (POCA) defines money laundering as:

A

M

P

L

E

2. entering into or being a party to an arrangement which you know or suspect facilitates the use or control of criminal property by or on behalf of another person (Section 328 POCA);
3. and acquiring, using or disposing of criminal property (Section 329 POCA).

The primary offences carry a maximum of 14 years' imprisonment, unlimited fines or both.

#### The **secondary offences**

1. failing to disclose knowledge or suspicion of money laundering to the Money Laundering Reporting Officer (MLRO) (Section 330 POCA);
2. failure by the MLRO to report knowledge or suspicion of money laundering to the National Crime Agency (NCA) (Section 331 POCA);
3. 'tipping off' whereby a person or persons who are, or who are suspected of being, involved in money laundering, in such a way as to prejudice or are likely to prejudice an investigation. Tipping off includes disclosing information after a SAR (including an internal SAR to the MLRO) (Section 333A POCA); and
4. prejudicing the investigation by disclosing material (Section 333B POCA).

The secondary offences carry a maximum of five years' imprisonment, a fine or both.

You will only be guilty of a tipping off offence if you know that an investigation is being conducted.

### 3.2 **The Terrorism Act 2000**

The Terrorism Act 2000 sets out a range of offences to those contained in the POCA:

#### **Primary offences**

- Fundraising for the purposes of terrorism;
- Using or possessing articles in connection with terrorism;
- Involvement in fund-raising for terrorism;
- Money laundering in connection with terrorism or control of money that is destined for, or is the proceeds of, terrorism.

#### **Secondary offences**

- Failure to disclose offences in connection with terrorism;
- Tipping-off offences.

All offences carry heavy consequences. A member of staff could potentially be caught by the money laundering provisions if they know or suspect money laundering and/or

arrangement which you know or suspect facilitates the use or control of criminal property (Section 328 POCA);

14 years' imprisonment, unlimited

ing are:

of money laundering to the Money Laundering Reporting Officer (MLRO) (Section 330 POCA);

or suspicion of money laundering to the National Crime Agency (NCA) (Section 331 POCA);

person or persons who are, or who are suspected of being, involved in money laundering, in such a way as to prejudice or are likely to prejudice an investigation. Tipping off includes disclosing information after a SAR (including an internal SAR to the MLRO) (Section 333A POCA); and

person interferes with relevant

ive years' imprisonment, a fine or

e that an SAR has been made or disclosed.

of offences to those contained in

s of terrorism;

on or control of money that is

ember of staff could potentially be caught by the money laundering provisions if they know or suspect money laundering and/or

terrorist financing and either do something about it.

### 3.3 Money Laundering Regulations

The Money Laundering Regulations 2017 and Terrorist Financing (Amendment) Regulations 2019 set out what letting agency businesses must do to prevent money laundering and terrorist financing by implementing

<<The Organisation>> is required to:

- Carry out a risk assessment of the risks of money laundering and terrorist financing when conducting customer due diligence;
- Adopt a procedure for identifying and assessing the risks of money laundering and terrorist financing;
- Maintain adequate records of the money laundering risks and the measures taken to mitigate them;
- Ensure that all employees are aware of their duties under the Regulations.

### 4. Scope of the Policy

The broad definition of money laundering in the Regulations is that potentially anyone could commit a money laundering offence, whether as a customer, employees of <<The Organisation>> and temporary staff.

Lettings agency businesses handle large sums of money, including fees, deposits and rents. Letting agents are often involved in transactions where there are any intermediaries involved. It is therefore important for <<The Organisation>> to identify any potential risks at the outset to identify any potential risks.

This policy aims to ensure that all employees understand and comply with the Regulations and legislation. All employees must be aware of the risks of money laundering and the measures set out below which have been developed by <<The Organisation>> to mitigate and effectively manage the risks of money laundering.

Any breach of this policy is a disciplinary offence, which may result in disciplinary action, and could result in criminal prosecution. Substantial financial loss or damage to an employee or <<The Organisation>> could result in disciplinary action, and could result in criminal prosecution.

### 5. Money Laundering Reporting

<<The Organisation>> will ensure that all employees are aware of the risks of money laundering and the measures set out below which have been developed by <<The Organisation>> to mitigate and effectively manage the risks of money laundering.

<<The Organisation>> will ensure that all employees are aware of the risks of money laundering and the measures set out below which have been developed by <<The Organisation>> to mitigate and effectively manage the risks of money laundering.

it in some way, and/or do nothing about it.

ended by The Money Laundering Regulations 2017 and Terrorist Financing (Amendment) Regulations 2019 set out what letting agency businesses must do to prevent money laundering and terrorist financing by implementing

ards anti-money laundering and terrorist financing. The Regulations require <<The Organisation>> to identify and assess the risks of money laundering and terrorist financing; maintain adequate records of the money laundering risks and the measures taken to mitigate them; and ensure that all employees are aware of their duties under the Regulations.

is that potentially anyone could commit a money laundering offence, whether as a customer, employees of <<The Organisation>> and temporary staff.

s money, including fees, deposits and rents. Letting agents are often involved in transactions where there are any intermediaries involved. It is therefore has an important role to play in identifying any potential risks at the outset to identify any potential risks.

isation>> and all its employees must be aware of the risks of money laundering and the measures set out below which have been developed by <<The Organisation>> to mitigate and effectively manage the risks of money laundering.

, which may result in disciplinary action, and could result in criminal prosecution. Substantial financial loss or damage to an employee or <<The Organisation>> could result in disciplinary action, and could result in criminal prosecution.

be responsible for anti-money laundering reporting. The officer nominated to do this is <<The Organisation>>.

RO who will be responsible in the absence of the nominated officer is <<The Organisation>>.

S

A

M

P

L

E

The MLRO will ensure that

1. appropriate training <<employees/temporary staff>> and updated as required;
2. they keep up to date with relevant legislation and guidance from relevant bodies, such as the FCA;
3. appropriate anti-money laundering policies and procedures <<The Organisation>> are carried out, and <<The Organisation's>> policies shall be updated when required;
4. internal audits and reviews shall be carried out and investigated further if the MLRO or deputy MLRO reasonably suspect that money laundering has taken place;
5. disclosures shall be provided to the relevant authorities and/or deputy MLRO if money laundering has taken place;
6. [<<Other>>].

## 6. Suspicions of Money Laundering

There are a number of factors which may cause you to suspect that money laundering is taking place. Below is an inexhaustive list of scenarios/points to consider:

1. [The customer is reluctant to provide information about their identity and source of funds;
2. The customer is reluctant to provide information about their identity and source of funds;
3. One party to the transaction is from a high-risk third country;
4. There is no apparent reason why the customer has chosen <<The Organisation>> over another company which would have been better placed to provide the service;
5. Complex company structure which make it difficult to identify the true owner;
6. One or more individuals involved in the transaction are from locations which carry a higher exposure to corruption;
7. Monies have been paid to the customer from a source which does not appear to be connected with the customer;
8. Funds are being sent to a destination which is unusual and/or to an unconnected third party;
9. There are late changes to the transaction;
10. Customer asks to hold the funds in an account for no apparent reason;
11. The customer requests payment in cash or cleared funds up front;
12. The transaction is unusual and/or does not appear to be connected with what the parties are hoping to achieve;
13. Funds are paid in part by cash or cleared funds;
14. Multiple payments are made to the same account;
15. There are unusual circumstances, such as the use of complex loans, mortgages from an unknown source;
16. <<Other>>]

provided to new and existing customers and that this is reviewed annually.

relevant legislation and guidance from relevant bodies, such as the FCA; and processes are incorporated by the MLRO.

are carried out, and <<The Organisation's>> policies shall be updated when required; and investigated further if the MLRO or deputy MLRO reasonably suspect that money laundering has taken place;

ate, or which may cause you to suspect that money laundering is taking place. Below is an inexhaustive list of scenarios/points to consider:

their identity and source of funds; high-risk third country'; the customer has chosen <<The Organisation>> over another company which would have been better placed to provide the service;

ch make it difficult to identify the true owner; One or more individuals involved in the transaction are from locations which carry a higher exposure to corruption;

does not appear to be connected with the customer;

usual destination and/or to an unconnected third party; There are late changes to the transaction;

anisation's>>our account for no apparent reason; The customer requests payment in cash or cleared funds up front;

what the parties are hoping to achieve;

ency; Multiple payments are made to the same account; For example, use of complex loans, mortgages from an unknown source;

S

All <<employees/temporary staff/contractors>> must report any knowledge of, or (suspect) suspicious activity in the prescribed form as set out in this policy document. Failure to do so could result in five years imprisonment.

Once the matter has been referred to the MLRO, the <<employee/temporary staff/contractors>> must follow the instructions of the MLRO and must NOT make any further enquiry into the matter until you have consent from the MLRO.

The <<employee/temporary staff/contractors>> must NOT voice any suspicions to the person(s) whom they are dealing with, as this may result in the commission of the offence. They must NOT discuss the matter with others or note on the file. If the MLRO is made to the MLRO in case this results in the suspect becoming a money launderer.

## 7. Consideration of the Disclosure

Once the MLRO has received the report, they must evaluate it in a <<prompt/timely>> manner in order to determine if there is any suspicion of money laundering.

- There is actual or suspected money laundering taking place; or
- There are reasonable grounds to suspect that this is the case; and
- Whether the MLRO must file a Suspicious Activity Report (SAR) with the National Crime Agency (NCA).

Where the MLRO concludes there are reasonable grounds to suspect money laundering then consent will be given for the transaction to proceed.

Where consent is required for a transaction to proceed, then the MLRO must give specific consent, or withhold consent, within the relevant time limits without delay.

All reports referred to the MLRO must be retained by the MLRO in a confidential file for a minimum of <<5>> years from the date on which the transaction is completed or the business relationship with the customer ends. No confidential information referred to the MLRO, or any other confidential information, should be placed on a customer file as the customer has the right to access their file.

[The MLRO must also consider any other relevant enforcement action.]

## 8. Firm Wide Risk Assessment

A

M

P

L

E

must <<immediately/promptly>> report any knowledge of, or (suspect) suspicious activity in the prescribed form as set out in this policy document. Failure to do so could result in five years imprisonment.

Once the matter has been referred to the MLRO, the <<employee/temporary staff/contractors>> must follow the instructions of the MLRO and must NOT make any further enquiry into the matter until you have consent from the MLRO.

The <<employee/temporary staff/contractors>> must NOT voice any suspicions to the person(s) whom they are dealing with, as this may result in the commission of the offence. They must NOT discuss the matter with others or note on the file. If the MLRO is made to the MLRO in case this results in the suspect becoming a money launderer.

Once the MLRO has received the report, they must evaluate it in a <<prompt/timely>> manner in order to determine if there is any suspicion of money laundering.

- There is actual or suspected money laundering taking place; or
- There are reasonable grounds to suspect that this is the case; and
- Whether the MLRO must file a Suspicious Activity Report (SAR) with the National Crime Agency (NCA).

Where the MLRO concludes there are reasonable grounds to suspect money laundering then consent will be given for the transaction to proceed.

Where consent is required for a transaction to proceed, then the MLRO must give specific consent, or withhold consent, within the relevant time limits without delay.

All reports referred to the MLRO must be retained by the MLRO in a confidential file for a minimum of <<5>> years from the date on which the transaction is completed or the business relationship with the customer ends. No confidential information referred to the MLRO, or any other confidential information, should be placed on a customer file as the customer has the right to access their file.

[The MLRO must also consider any other relevant enforcement action.]

<<The Organisation>> has its exposure to money laundering and terrorist financing.<<The Organisation>> Firm Wide Risk Assessment is available separately.

<<The Organisation>> will conduct a Firm Wide Risk Assessment under regular review and any changes will be implemented.

The procedures set out in the Firm Wide Risk Assessment will be used to manage and mitigate the risk of money laundering and terrorist financing. If there is a higher risk of being exposed to money laundering, enhanced due diligence will be carried out.

*[If there are certain customers that <<The Organisation>> is not willing to act for, or if there are certain identification requirements that are not allowed then these should be listed here].*

## 9. Customer Identity Check Form

All <<employees/temporary staff/contractors>> must assess the money laundering risk for each transaction and complete a Customer Identity Check and Risk Assessment Form at the start of each transaction and before the transaction completes. This will enable the appropriate level of customer due diligence to be carried out. The details of the transaction recorded on the form will be updated if the details of the transaction change.

*[Specify here if only the director/owner can deal with this with direct access to the company bank account]*

## 10. Due Diligence

The identity of all customers, contractors, and the contracting party and any beneficial owners must be identified and verified, along with the terms of any agreement is concluded for a period of more than 12 months or of a month or more, and at a minimum equivalent to, a monthly rent of 10,000 euros or more).All <<employees/temporary staff/contractors>> should keep a clear written record of all transactions and the identity of the customers and any beneficial owners. The Customer Identity Check Form will be regularly reviewed and must be kept up to date.

As well as identifying and verifying the identity of the contracting party and any beneficial owners, it is important that <<employees/temporary staff/contractors>> also understand the circumstances and the intended purpose of the transaction and the ongoing obligation and should be monitored and reviewed throughout the transaction.

Listed below are the <<The Organisation>> diligence requirements in order to identify and verify individuals, listed companies, limited companies, offshore companies, personal representatives

# S

# A

M

- P

L

## E

The identity of a landlord must be provided in the contract of tenancy which is to be a 'written contract'. The landlord must provide the following information:

- Full name;
- Date of Birth; and
- Residential Address;

This information must be  
and one from List B  
Organisation e.g. service p

### List A – Identity Document

- [Currentpassport
- Current photo card

<sup>1</sup>You could add links to the relevant sites

- National Identity card
- Firearms certificate
- Identity card issued by the Government of the Republic of Ireland or Northern Ireland
- <<Other>>]

#### **List B – Proof of Address**

*These documents must be dated within the last 12 months*

- [Current photo card (if used as the identity document)]
- Current year's council tax bill
- Benefits Entitlement Statement
- Most recent mortgage statement
- Bank or building society statement
- Utility bill (not mobile phone bill)
- <<Other>>]

[We also require one document from List A]

#### **List C – Proof of Ownership**

- Most recent mortgage statement
- Tenancy Agreement
- Solicitor's letter confirming ownership (e.g. title deeds/land registration/tenancy agreement)

### 10.2 **Individual Tenants**

Tenants must also be identified before a business relationship is established. You must write to ask them either to bring in their identification documents (document from List B) or a photocopy which has the original certificate signed by the person (a solicitor, chartered accountant, a bank or a notary public) who is independent from the tenant. They must certify that the documents are genuine and that the customer is who they say are.

<<List other procedures used by the Organisation e.g. service providers which carry out identification checks>>.

### 10.3 **Beneficial Owners**

Due diligence must also be carried out on beneficial owners who must be verified and identified. A beneficial owner is a person who is listed as a customer, or a landlord, or a person acting on their behalf. If the latter, you must have evidence that the individual has the authority to act for them and that they are carrying out customer due diligence on behalf of the Organisation.



S

A

M

P

L

E

In terms of corporate bodies must also be identified.*[You should refer to the MLRO who must understand the control structure of any such legal arrangement and must verify the identity of the ultimate beneficial owners].*

Once the structure of the company has been identified, the MLRO must be satisfied that the owner has been identified, List A and one from List B.

10.4 If the customer is a listed company or a financial institution that is a member of a recognised market, a public authority or a Financial Conduct Authority then these are deemed to be 'low risk' and no further investigation is required if there are no other reasons to suspect money laundering. In this instance where all that is required is to verify the entry in the FCA register or copy of the dated page of the company's website, or evidence of the existence of the authority for the company's website. You should record the evidence on the customer file.

10.5 If the customer is a limited company, the following documents must be obtained:

- Name, registered number and principal place of business.
- Certificate of incorporation
- Articles of Association
- Memorandum of Association
- Names of all directors
- Verify the membership of the company, or if none, its equivalent and the name of the secretary for the company.
- Individual identity of the directors and beneficial owners who own 25% of the shares or voting rights in the company or have control over the management of the company (this may be exercised through the company's constitution).

If the customer is a holding company, you must repeat the above identification and verification process for each subsidiary company. This applies for both limited companies and unincorporated bodies.

You must look through the company's website to establish the ultimate beneficial owners.

*[For complex company structures, you should refer to the MLRO].*

*[In addition to the above, you should also check the Companies House, company website, and enquiries of the company's directors and beneficial owners].*

10.6 If the customer is an offshore company, the following documents must be obtained:

- Name, registered number and principal place of business.
- Names of the members of the company, or if none, its equivalent and the name of the secretary for the company.

- The memorandum
- Names of all directors
- Verify the membership of the company, or if none, its equivalent and the name of the secretary or the company.
- Certificate of Incorporation
- Nominee director documents
- Individual identity of beneficial owners of the company or otherwise controls the corporation

If the documents required are not in English, these should be translated and certified by a lawyer, barrister or GP whose identity can be checked by reference to a

10.7 If the customer is acting as a trustee, the following documents must be obtained:

- Trust deed.
- List of trustees.
- List of beneficiaries
- Name of the settlor
- Individual identity of the customer(s) (who may be the settlor, beneficiary or trustee)<sup>2</sup>.

10.8 If the customer is acting as a personal representative, we will require the following documents:

- Grant of probate (if applicable)
- Letter of administration
- Individual identity of the personal representative

A copy of the identification documents should be kept on the customer file.

The original document must be given a photocopy which has the original certification from a solicitor, chartered accountant, a barrister or an individual whose identity has been verified. The photocopy must certify that the document is a true copy, and that the information they say are.

<sup>2</sup> You should identify and verify the identity of the beneficial owners on a risk-sensitive basis, and in accordance with your Customer Identity Policy.

10.9 <<[Other entities or organisations]  
[Organisation]].>>

## 11. Politically Exposed Persons

If an individual is a person or abroad, they are likely to be a politically exposed person (PEP). This is not an exhaustive list) holders of parliament, members of supreme courts. Enhanced due diligence must be carried out on the PEP.

You should make brief enquiries. You can make these enquiries on internet/government and parliament websites<<Other>>]

If you suspect they may be a PEP, check if:

- they have been a PEP in the last 12 months;
- they are immediate family members of a PEP;
- they are known close associates of a PEP.

You must get approval from the board to accept a PEP as a customer. If we agree to act for such a customer, we must establish the source of wealth and conduct enhanced due diligence on the business relationship.

## 12. Enhanced Due Diligence

Enhanced due diligence is required where there appears to be a greater risk of money laundering, and the transaction appears to be 'high-risk' (which may include the following):

- No face-to-face meeting with the customer;
- Instructions from a third party, particularly a high-risk third country;
- the transaction appears unusual for the customer;
- the transaction relates to high-value assets (usually within the top 5% of local market values);
- the transaction is complex;
- if the customer is a politically exposed person (PEP), an immediate family member or a known close associate of a PEP;

information required relevant to The

ent public function held in the UK and Person 'PEP'. This includes (but is not limited to) government, ministers, members of parliament, members of political parties and members of the judiciary (explained further below) will need to be carried out on the PEP and known close associates.

customer is or may be a PEP. [You should make brief enquiries on internet/government and parliament websites<<Other>>]

check if:

- they have been a PEP in the last 12 months;
- they are immediate family members of a PEP;
- they are known close associates of a PEP.

accepting a PEP as a customer. If we agree to act for such a customer, we must establish the source of wealth and conduct enhanced due diligence on the business relationship.

out where there appears to be a greater risk of money laundering, and the transaction appears to be 'high-risk' (which may include the following):

- No face-to-face meeting with the customer;
- Instructions from a third party, particularly a high-risk third country;
- the transaction appears unusual for the customer;
- the transaction relates to high-value assets (usually within the top 5% of local market values);
- the transaction is complex;
- if the customer is a politically exposed person (PEP), an immediate family member or a known close associate of a PEP;

- Instructions from a sanctioned country;
- <<Other>>].

If you suspect the transaction is suspicious, you should speak to the MLRO before continuing to act for the customer. If the business relationship is to be carried out, the MLRO must:

- [Obtain additional information on the customer and on the customer's intended nature of the business relationship;
- Obtain additional information on the customer and of the transaction;
- Obtain information on the customer's source of wealth of the customer;
- Conduct enhanced due diligence on the business relationship;
- Other].

This may include but is not limited to:

- [Checking the organisation's business address and attending the customer's business address;
- Obtaining additional information on the customer's landlord, tenant or business partner;
- In the case of a company, establishing the source of funds;
- Ensure that the first name of the customer is certified by a lawyer, bank manager, accountant or professional director;
- <<Other>>].

### 13. Training

It is a requirement of the MLRO that regular training for staff on anti-money laundering is undertaken and that a written record of the training is maintained.

Training is compulsory for all staff (including relevant existing staff will be trained at regular [two year] intervals (or more frequently if a change happens). The training will cover <<The Organisation's policy on how to identify and report their suspicions to the MLRO.

beneficial owner who is established in a sanctioned country; and individual;

should speak to the MLRO before continuing to act for the customer. If the business relationship is to be carried out, the MLRO must:

customer and on the customer's intended nature of the business relationship;

Obtain additional information on the customer and of the transaction;

Obtain information on the customer's source of wealth of the customer;

Conduct enhanced due diligence on the business relationship;

ing:

confirm the identity of personnel, its business address;

to establish the identity of the customer's landlord, tenant or business partner;

of the senior management and funds;

a bank account in the customer's name;

are certified by a lawyer, bank manager, accountant or professional director;

we can check by reference to a professional director;

the customer's identity;

tions 2017 that regular training for staff on anti-money laundering is undertaken and that a written record of the training is maintained.

relevant] existing staff will be trained at regular [two year] intervals (or more frequently if a change happens). The training will cover <<The Organisation's policy on how to identify and report their suspicions to the MLRO.

Arrangements for training <<The Organisation>> will be done and how this will be done)].

<<The Organisation>> will ensure that all members of staff have received the necessary training. Updated training schedules must also be kept.

#### 14. Ongoing Monitoring

All <<employees/temporary staff>> must review the transaction at regular intervals to ensure that the information is not only accurate and up to date but also that the transaction is consistent with the customer's business. All transactions will be reviewed and audited by the MLRO also.

Further customer due diligence will be carried out if new people become involved in the transaction or if the customer is inadequate, a Customer Identity Check will be carried out. The form must also be updated if there are any changes to the transaction or any changes to the risk rating.

Any suspicious activity must be reported to the MLRO. Information that a suspicious activity is suspected and a suspicious activity report should never be placed on a customer file.

#### 15. Record Keeping

The customer identification information for the relevant transaction(s) for that customer must be retained for a period of 5 years from the end of our business relationship with that customer or the date when that transaction was completed.

The MLRO will keep any documents associated with the transaction in a confidential file for a minimum of 5 years.

<<The Organisation>> will maintain a record of the:

- Firm Wide Risk Assessment
- Policies, Controls and Procedures
- Internal Audits; and
- Written record of the training and awareness of money laundering and terrorist financing legislation.

#### 16. Data Protection

Customer details must be processed in accordance with the Data Protection Act 2018 and the UK GDPR (General Data Protection Regulations). This data can be "processed" as defined under the Data Protection Act 2018 to prevent money laundering and terrorist financing. The use of the data is allowed by other legislation or after getting the subject's consent.

training undertaken, how often it will be done and how this will be done)].

<<The Organisation>> will ensure that all members of staff have received the necessary training. Updated training schedules must also be kept.

All <<employees/temporary staff>> must review the transaction at regular intervals to ensure that the information is not only accurate and up to date but also that the transaction is consistent with the customer's business. All transactions will be reviewed and audited by the MLRO also.

Further customer due diligence will be carried out if new people become involved in the transaction or if the customer is inadequate, a Customer Identity Check will be carried out. The form must also be updated if there are any changes to the transaction or any changes to the risk rating.

Any suspicious activity must be reported to the MLRO. Information that a suspicious activity is suspected and a suspicious activity report should never be placed on a customer file.

The customer identification information for the relevant transaction(s) for that customer must be retained for a period of 5 years from the end of our business relationship with that customer or the date when that transaction was completed.

The MLRO will keep any documents associated with the transaction in a confidential file for a minimum of 5 years.

<<The Organisation>> will maintain a record of the:

Written record of the training and awareness of money laundering and terrorist financing legislation.

Customer details must be processed in accordance with the Data Protection Act 2018 and the UK GDPR (General Data Protection Regulations). This data can be "processed" as defined under the Data Protection Act 2018 to prevent money laundering and terrorist financing. The use of the data is allowed by other legislation or after getting the subject's consent.

S

A

M

P

L

E

**CONFIDENTIAL - Report to the Money Laundering Reporting Officer**

To: **Money Laundering Reporting Officer**

From: \_\_\_\_\_

[Insert name of employee]

Title: \_\_\_\_\_

[Insert Title]

Tel No: \_\_\_\_\_

URGENT YES/NO

Date by which response needed: \_\_\_\_\_

S  
A  
M  
P  
L  
E

**Details of suspected offence:**

**Name(s) and address(s) of person(s):**

[If a company, please include details of directors and shareholders]

**Nature, value and timing of activity:**

[Please include full details e.g. value, date, location, etc. Continue on a separate sheet if necessary]

**Nature of suspicions regarding source of funds:**

[Please continue on a separate sheet if necessary]

[Please attach any supporting documents if relevant]

**Has any investigation been undertaken (by you or your agent/aware)?**

Yes / No

**If yes, please include details below**  
[Delete as appropriate]

**Have you discussed your suspicions with the relevant authorities?**

**If yes, please specify below, explaining why discussion was necessary:**

YES/NO [Delete as appropriate]

S

A

M

P

L

E



S

Please set out below any other information relevant:

A

M

P

Signed: \_\_\_\_\_

Please do not discuss the case with anyone you believe to be involved in the suspected money laundering activity described. To do so may constitute a 'tipping off' offence with a maximum penalty of 5 years' imprisonment.

L

E

THE FOLLOWING PART OF THIS

ETED BY THE MLRO

Date report received:

Date receipt of from acknowledg

CONSIDERATION OF DISCLOSU

Action plan:

OUTCOME OF CONSIDERATION

Are there reasonable grounds fo

undering activity?

If there are reasonable grounds

ortbe made to the NCA?

Yes/No[Delete as appropriate]

If yes, please confirm date of rep

mplete the box below.

Details of liaison with the NCA r

Notice Period: from: to:

Moratorium Period: from: to:

Is consent required from the M  
would otherwise beprohibited a

r imminent transactions, which

Yes/No

[Delete as appropriate]

If yes, please confirm full details

S

Date consent received from the

A

Date consent given by you to

If there are reasonable grounds  
to report the matter to the  
disclosure:

understanding, but you do not intend  
below the reason(s) for non-

[Please set out any reasonable grounds]

M

P

Date consent given by you to  
to proceed:

omitted act transactions

Other relevant information:

L

E

S

A

M

P

L

E

Signed: \_\_\_\_\_

THIS REPORT TO BE RETAINED \_\_\_\_\_ YEARS

The above document was given \_\_\_\_\_ use him/herself with its contents  
and the actions required by him \_\_\_\_\_ should the need arise.

He/She has understood and been \_\_\_\_\_ ts of the company's anti money  
laundering policy document \_\_\_\_\_ gh understanding of his/her  
responsibilities with regard to th \_\_\_\_\_

Signed..... Director

Signed ..... Employee

Date .....