



Financial Intelligence Agency

Guidance on submitting Suspicious Activity Reports (SARs) and Suspicious Transaction Reports (STRs)

This document is a product of the Financial Intelligence Agency (Bermuda), Bermuda's premier financial intelligence unit. It is tailored to the needs of all reporters of SARs/STRs and was produced in coherence with the FIA's commitment to analyzing and propagating information relating to suspected money laundering, terrorist financing and predicate offences involving Bermuda.

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Purpose

This document aims to provide all reporters with guidance on how to submit quality SARs and STRs to the FIA. It should be read in conjunction with published guidance found on websites of the reporters' own regulatory body and their own internal guidance.

Topics covered in this document include:

- Introduction to SARs/STRs
- How to File a SAR/STR
- Basic Structure of a SAR/STR
- Reporting via goAML Web Bermuda
- General Guidance
- Sample SARs/STRs
- Seeking Consent under POCA Section 44 (3) (b) (ii) & Section 45 (5) (b) (ii); as well as ATFA Section 12
- Contact Details of the FIA

By adhering to the guidance provided by the FIA, the respective supervisory body in addition to the Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing) Act 2008, the Financial Intelligence Act 2007 and the Anti-Terrorism (Financial and Other Measures) Act 2004, they will enable the FIA and Bermuda law enforcement agencies to gain a better perspective on the following:

- Persons and Entities involved in suspect activity
- Associates of the Persons and Entities involved in suspect activity
- The time frame of the suspect activity
- The reason for the suspect activity
- The location of the suspect activity
- How the suspect activity is/was being conducted
- The prioritization of SARs/STRs seeking consent

NOTE: When filing a Suspicious Activity Report (SAR)/Suspicious Transaction Report (STR) with the FIA, it is suggested that reporters also refer to the **FIA's goAML SAR/STR Reporting Manual** and the FIA website, <https://www.fia.bm>.

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Crime Reporting

Crimes and matters pertaining to the immediate risk of others should **not** be filed with the FIA. The SAR/STR regime is for reporting knowledge or suspicions of money laundering, terrorist financing and predicate offences.

There are instances, however, when in addition to a SAR/STR, you may have to report the matter via other routes to ensure the right information gets to the right organization. When a crime is reported alongside a SAR/STR, it is good practice to include the crime reference and the organization details in the SAR/STR.

If the suspected money laundering, terrorist financing or predicate offence involves the following, please contact the Bermuda Police Service:

- Vulnerable persons at risk of immediate harm
- A child at immediate risk of harm, including sexual exploitation and abuse
- Modern slavery/human trafficking/prostitution
- Fraud against the private sector
- Supply of firearms
- Organized immigration crime
- The supply of illegal drugs

Section 1: What is the difference between a SAR and an STR?

Suspicious Activity Reports (SARs) detail the identified suspect activity that **does not** contain any financial transactions (at that time). For example, declined business, dubious emails, strange phone calls and the suspect comportment or associations of a Subject/Entity can be detailed in a SAR.

Suspicious Transaction Reports (STRs) detail the identified suspect activity that involves a financial transaction. Financial transactions are to be input into goAML Web Bermuda to support the STR Narrative along with the relevant supporting documentation.

Section 2: How to file a SAR/STR

Using goAML Web Bermuda

goAML Web Bermuda is designed to allow SARs/STRs to be constructed and filed in a secure manner. In order to file a SAR/STR, the reporter must first register the reporting entity, the reporting person(s) and/or the reporting individual on the FIA website: <https://www.fia.bm>. The following documents are found on the FIA website to help you to register and use the online platform:

- goAML Quick Reference for Web Registrations
- goAML Web Registration & User Manual for Reporting Entities, Persons and Individuals

Please note that in order to register for goAML Web Bermuda, the following requisites must be met:

- An active and unique email account must be used
- It is recommended that at least two registering persons are responsible for Anti-Money Laundering (AML)/Anti-Terrorist Financing compliance within the organization e.g. the Money Laundering Reporting Officer [MLRO], a Nominated Officer or similar).
- Ensure that the reporter registers correctly i.e. aligned to the correct reporting sector

About goAML Web Bermuda

- It is a standard application (software system) developed by the United Nations Office on Drugs and Crime (UNODC) for Financial Intelligence Units worldwide to counter Terrorist Financing and Money Laundering.
- It negates the need for paper-based reporting.
- Once a report is submitted, an acknowledgement with a unique reference is sent via email to the reporter.

- Reports can be made 24/7, provided the reporter has an email account and internet access.
- Shared viewing/editing of SARs/STRs is available where appropriate.
- It is the prescribed method by which reporting entities must submit Suspicious Transaction Reports (STRs), Suspicious Activity Reports (SARs) and other reports.
- It allows for the rapid and secure exchange of information between the FIU, reporting entities, local law enforcement agencies, government departments and supervisory bodies authorities. The confidentiality of the data collected is ensured.

Section 3: Basic Structure of a SAR/STR

There are a number of fields to be completed in the goAML Web Bermuda SAR and STR templates. Please follow the below guidelines:

- Enter as much information as possible in the data fields.
- SARs/STRs should contain all available Customer Due Diligence (CDD) information.
- Dates of birth are a vital field for identifying individuals correctly. If the date of birth is unknown, use the following date of birth: 01-Jan-1900
- In addition to the 'Reason for Suspicion' field, fully populate all of the other information fields.

Completing fields of information in a SAR/STR assists in ensuring that:

- Any research or development of SARs is accurate
- Further Subject matching is accurate.
- Better analysis conducted by the FIA analysts
- The effectiveness of the SAR/STR is enhanced

The SAR/STR Narrative should:

- Be concisely & clearly communicated in simple English
- Provide a detailed description of the known or suspected criminal violation or suspicious activity
- Identify the essential elements of information (Who, What, When, Where, Why and How)
- Be chronological & complete
- Identify the date of any SARs/STRs previously filed on the subject and the purpose of those SARs/STRs
- Indicate any internal investigative numbers used by the filing institution to maintain records of the SAR/STR
- Avoid acronyms and jargon as they may not be understood by the FIA and are open to misinterpretation.
- Provide a brief synopsis in your SAR to aid the reader when describing a service provided or technical aspect of your work, please
- Not be written in capital letters as this makes it very difficult to read.
- Breakdown a large amount of information/text into more manageable and readable paragraphs as applicable
- Use punctuations.
- Clearly note the reasons for suspicion

Reason for Suspicion

Below are the six (6) essential elements of information to be addressed in the SAR/STR narrative as well as sample questions that the reporter should review in order to explicitly substantiate the reason for suspicion noted within the SAR/STR narrative. We call these essential elements of information the 5Ws (who, what, when, why, where) and 1H (how) test.

WHO

- Who is conducting the criminal or suspicious activity?
- Is the person a local or foreign Politically Exposed Person (PEP)?
- Is the person a local?
- Is the person a foreign national?
- Does the person reside outside of the country? Is this country considered a suspect jurisdiction?
- Is the client acting on behalf of a third party?

WHAT

- What is the source and ultimate use of the funds e.g. third party transactions, unknown source of funds, physical certificates, and unusual funding?
- What is the complexity of the transactions?
- Was the complexity unnecessary? Were there transfers between accounts? Were there frequent contributions and withdrawals from the Subject's accounts?
- What methods of payments and transfers were used e.g. electronic fund transfers, certified cheques?

WHEN

- When did the criminal or suspicious activity occur?
 - If a pattern of activity occurred over a span of time, state when the activity first initiated and then describe the activity during the duration.
 - If this was a one time occurrence, identify the date.
- When was the activity detected?
- When was a previous SAR/STR filed by the reporting institution on the Subject?
- When was the investment product due to mature?
- When did the Subject open his personal/business bank accounts from which funds are transferred to and from another account/the brokerage account?
- When did the investment/insurance policy of the subject change?

WHERE

- Where did the suspicious activity take place?
- Indicate if the suspect transactions involve other domestic or international financial institutions & identify these institutions, their locations, account numbers, etc.
- Where was/is the Subject employed?
- Where did/does the Subject reside?
- Where is the shell company registered?
- Where are the bank accounts of the Subject held? Are they held in various countries? Are they personal or business accounts?

WHY

- Why does the institution think the activity is suspicious?
Filing Reasons:
 - Identification of Subject's questionable/criminal history and associates via Enhanced Due Diligence (EDD)
 - The source of funds used to purchase the shares or how the client obtained them is unknown.
 - The Subject requested the transfer of sold shares to an account in a foreign jurisdiction linked to e.g. corruption
 - The Subject has been/is involved in a pump and dump scheme.
 - The sale of shares was structured.

HOW

- How did the suspicious activity occur?
 - Describe how the suspect transaction or pattern of transactions were completed.
 - For account activity, provide as completely as possible an explanation of the cycle of funds including the source of the funds in the account & application of those funds
- How long has the person been a client at your institution?
- How many times, if ever, did the Subject "attempt" to make a purchase/sale?
- How was the person's behavior when opening the account/policy/plan?
- How much was the incurred fee/penalty for early redemption?

NOTE: It is important that details are completed within the appropriate SAR/STR fields and are not solely placed within the 'Reason for Suspicion' field. Completion of the relevant fields allows for the goAML database to link the same Subjects/Entities filed by a variety of reporters.

Suggested Structure of the SAR/STR Narrative

There are three (3) parts to the narrative, the details of which are as follows:

1. THE INTRODUCTION

- Provide a brief statement of the SAR's/STR's purpose
- Generally describe the known or suspected violation
- Identify the date of any SARs previously filed on the subject & the purpose of that SAR
- Indicate any internal investigative numbers used by the filing institution to maintain records of the SAR/STR

2. THE BODY

- Provide the relevant facts about all parties facilitating the suspect activity or transactions
 - **Answers who?**

- Identify all involved accounts and transactions in chronological order by date and amount. In addition to the inputting of these details, reporters may insert tabular objects, tables, or pre-formatted spread sheets as supporting documentation.
 - **Answers what? where? and when?**

 - Describe the method of operation of the Subject:
 - Manner in which the activity and/or transactions were completed;
 - Any relationship to other transactions, accounts, conductors, etc.; and
 - Subsequent results of the activity
 - **Answers how?**

 - Explain in detail the reporter's position as to why the activity or transaction is illegal or suspicious
 - **Answers why?**
- 3. [THE CONCLUSION](#)**
- Summarize the report & include:
 - Any planned or completed follow-up actions by the institution/organization

Completion of Relevant SAR/STR Details in the Information Fields

Please refer to the **FIA's goAML SAR/STR Reporting Manual** for detailed instructions on how to complete the relevant information fields. It is important that the reporter completes as fully as possible all the information known from due diligence checks into the respective SAR/STR fields.

1. INDIVIDUALS

Include the following identifying information within the SAR/STR Narrative:

- Full name/s
- Date of birth
- Nationality
- Address – including postcode

If the reporter has the following information, include it in context with the suspicion and input it in the relevant fields with attachments if available:

- Identification document details (including relevant reference or document numbers) e.g. passport, driving licence, National Insurance number
- Car details (registration number)
- Telephone numbers
- Full details of bank accounts or other financial details
- Occupation.

By providing details about the occupations of the Subject, associates and/or victim to assist with:

- Identifying the origin of the funds
- Identifying whether the Subject is using professional knowledge to facilitate money laundering

2. BUSINESSES, TRUSTS AND OTHER ENTITIES (INCORPORATED AND UNINCORPORATED)

The amount of information the reporter has may depend on the relationship to the reported Subject/Associate/Victim/Entity.

2a. Incorporated Entities

Include all identifying information such as:

- Full legal name
- Designation e.g. Limited, LLP, SA, GmbH, SARL
- Trading name
- Registered number
- VAT and/or tax reference number
- Country of incorporation
- Details of beneficial ownership e.g. names and DOBs of beneficiaries, bank account details, common home addresses and telephone numbers.

If it is relevant to your suspicion, also provide details of:

- the individuals/entities that are the directors (or equivalent)
- the individuals who own/control/exercise control over the management of the entity.

2b. Unincorporated Entities

Include all identifying information such as:

- Full legal name
- Designation e.g. Limited, LLP, SA, GmbH, SARL
- Trading name
- Registered number
- VAT and/or tax reference number
- Country of incorporation

If it is relevant to your suspicion, also provide details of all partners/principals who own/control/exercise control over the management of the entity.

2c. Trusts

Include all identifying information such as:

- Full name of the trust
- Address
- Nature and type of the trust.

If it is relevant to your suspicion, also provide details of all trustees, settlors, protectors and known beneficiaries.

3. ADDRESSES

The provision of local and foreign addresses is a crucial element in analysis of patterns and trends, e.g. in identifying associates and hotspots of activity.

The postcode/zip code and full address of the Subjects should always be included where known. In all international address cases, whether it is the Subject, associates and/or a victim, always ensure that at least the country field is populated. Provide as much detailed information as possible.

4. FINANCIAL TRANSACTIONS

When the suspicion being reported relates to a financial transaction:

- Include the relevant details of the beneficiary/remitter of the funds
- Include, if known, the destination/originating bank details e.g. sort code, correspondent bank details. (This is very important as it could identify the offender)
- Accurately record the date on which the transaction has occurred/will occur
- Clarify the type of transaction e.g. online payment/receipt, debit or credit card, ATM withdrawal, cheque, electronic transfer (SWIFT/BACS/CHAPS), cash
- Explain why any transactions included are considered to be suspicious
- If relevant, include the Subject's financial details (account numbers) and details of associates
- Summarize cash amounts at the end of the report.

NOTES:

- If you are suspicious because the activity deviates from the normal activity for that customer/business sector, please explain how the activity differs.
- If the beneficiary/remitter of the transaction is believed to be complicit in the suspicious activity, then please input and mention these details.

- If the activity does not involve a financial transaction, please explain the suspicious activity that has occurred/will occur by filing a Suspicious Activity Report (SAR).
- goAML Web Bermuda has specific fields for inputting financial transactions. It is important that these fields are used if applicable and formatted correctly. Inconsistent recording and formatting of bank account/sort code numbers can cause database search problems for the FIA.

Attachments/Supporting Documentation

Always send attachments with your SAR/STR. The purpose of providing all relevant supporting documentation is to enrich and validate the SAR/STR Narrative, particularly the reasons for suspicion.

NOTE: If further guidance is required about the reporter's obligations to prevent money laundering and terrorist financing, it is suggested that the reporter consult the respective supervisory body or trade body. Please note that the FIA does provide complimentary training regarding the filing of SARs/STRs; the SAR/STR Narrative; Red Flags, Patterns and Trends as they pertain to each reporting sector, and the use of goAML Web Bermuda.

Quality of SARs/STRs

The FIA may refer poor quality SARs/STRs to the relevant supervisory body for its attention and appropriate action. Also, the FIA may contact the reporter and then, reject the filing of the SAR/STR so that the reporter can resubmit it within **five (5) calendar days**. If the resubmission is not received before the end of 5 calendar days, the report will be archived and the SAR/STR will need to be resubmitted to the FIA.

Remember that the FIA **cannot** interpret, assume or infer what suspected money laundering, terrorist financing and/or predicate offence that the reporter believes may have been committed.

Section 4: General Guidance

The Importance of Filing a SAR/STR

It is important to file a SAR in order to:

1. Identify potential & actual illegal activity such as:
 - Money laundering
 - Terrorist financing
 - Other financial fraud & abuse

2. Detect & prevent the flow of illicit funds
3. Establish emerging threats through analysis of patterns & trends
4. Meet the requirements of the law!

It is mandatory to report to the FIA any knowledge or suspicion that another person is engaged in money laundering or terrorist financing.

The information filed should be that which came to the reporter's attention in the normal course of their trade, profession, business, or employment.

The report shall not be treated as a breach of any restriction as to information disclosure and shall not give rise to any civil liability.

Recipient of SAR/STR Filings

Under POCA and AFTA, reporters are required to file SARs/STRs with the FIA, **NOT** the Bermuda Police Service, in order to meet reporting obligations.

SARs/STRs are then allocated by the FIA to Bermuda law enforcement agencies based on different parameters. Therefore, parallel sending of SARs/STRs to local law enforcement can result in duplication of effort outside the control of the FIA and can, in some instances, potentially undermine confidentiality of the SAR/STR, ultimately compromising law enforcement efforts.

If the reporter is engaged with law enforcement in advance of submitting a SAR, the reporter should note this in the SAR/STR.

NOTES:

- SARs/STRs should not be used as a communication channel e.g. as a means of obtaining advice from the FIA. SARs/STRs are only for reporting suspicious activity to the FIA. If the reporter needs general guidance about money laundering or the SARs/STRs regime in particular, contact the respective supervisory body.
- The FIA has no mandate to advise reporters on the approach or actions they should take to mitigate particular risks or to advise that property is or is not the suspected proceeds of crime or terrorist financing.
- Where information is known, every effort should be made to complete all relevant fields in the SAR/STR template of goAML Web Bermuda accurately.
- Ensuring the information the reporter submits is accurate will assist with the FIA's ability to action the SARs/STRs more efficiently. Check spellings of names and make sure the correct postcode, account details etc. are used.

Retention Period of SARs/STRs and Supporting Documentation

Financial institutions shall retain the following for **5 years** from the date of the filing:

1. A copy of any filed SAR; and
2. The original or business record of any supporting documentation; and
3. All supporting documentation for the benefit/use of the FIA and any appropriate local law enforcement agency or regulatory authorities.

Tipping Off

Bermuda Law requires that a financial institution, & its directors, officers, employees, and agents who, voluntarily or by means of a suspicious activity report/suspicious transaction report, report suspected or known criminal violations or suspicious activity **MAY NOT** notify any person involved in the transaction that the transaction has been reported.

Section 5: Sample SARs/STRs

Sample STR #1 Filed by the Investment Servicer Provider (ISP) Sector

Note the quality of the STR Narrative filed. Is there sufficient reasons for suspicion embedded in the narrative?

5W's and 1H Test

- **Who** - Jim Jade, UAE National
- **What/How** - Client wanted to break a large investment within 7 months of opening the account; client incurred fee for breakage
- **When** - 15th June 2013 to 30th December 2013
- **Where** - Brokerage account; Client's foreign bank account
- **Why** - Early settlement; to layer funds (hide them)

Brokerage account #32A-2543 was opened with our institution on 15th June 2013 for UAE National Jim Jade (24-May-1976) with a physical share certificate valued at \$450,000.00 USD. By 30th December 2013, the client was engaged in what appeared to be a structured sale of the shares, similar to the dump part of a pump and dump scheme. Once the shares were quickly sold, the client then requested an early redemption in the form of certified cheques. The client requested that the certified cheques be deposited into his foreign bank account, which was held at a financial institution that was not affiliated with the brokerage firm.

Opus Fund Services - May 2014

Additional information that could have been provided to the FIA in context with the aforementioned SAR/STR Reason for Suspicion is:

- In **whose** name was the physical share certificate?
- **Who** is the employer of the client?
- **Where** is the client's bank account held?
- **What** were the requested structured amounts of the share sales?
- **What** was the early settlement fee/penalty? And how much was the return? Is the request for an early settlement abnormal?
- **How** did the client make the request? e.g. over the phone, in person, via email?
- **How** do most clients request that their early settlement be presented? e.g. a certified cheque, a transfer to third party accounts etc.?

Reasons why the ISP Sector Filed the STR

Some of the reasons for filing the above STR that could have been included in the conclusion of the STR to make it of better quality are as follows:

The reasons for filing are:

- The client only sold securities in the account, while making no purchases
- The sale of shares was structured
- The funds were withdrawn quickly (within 7 months) from the brokerage account.
- The source of the physical share certificate is unknown.

Based on the above, the client is suspected of conducting money laundering by participating in a pump and dump scheme.

NOTE: It is appreciated that the reporter may not always have the full details concerning all of the entities involved, especially where the reporter is reporting on Subjects/Entities who are not usual clients/customers/suppliers.

Sample SAR #2 Filed by the Trust Sector

We received an email that was purportedly from our client, requesting a wire payment. The payment details did not match our record of his bank details.

Pertinent information that is missing from the above SAR filed is as follows:

- **Who** is the client? **Who** else is associated with the trust account and the associated bank account(s)?
- If this request was abnormal for the client, **what** is considered normal activity?
- **When** did this suspicious activity take place? When was the activity noticed by the filing institution?
- **Where** were the funds to be transferred? What is the account number and the country? Is the country deemed a high risk or sanctioned country?
- **Why** is this particular transaction considered suspicious?
- **How** much was to be transferred? How do other customers usually request wire payments?
- **Supporting Documentation including copy of email.**

A Revised SAR filed by the Trust Sector

Below is a revised SAR of good quality that was filed by the Trust Sector due to the initial SAR being rejected for missing pertinent information.

On 26th February 2014, an email was received from an individual purporting to be our client, Jack DOE (14-Apr-1975). The email, which has been confirmed to be from the email address of our client, requested that a wire payment of \$150,000.00 USD is made to account number 234x-9xxx-xx held at the Bank of Iran by Jack DOE. This account held at the Bank of Iran is not an authorized bank account on file for the receipt of funds for the client. Also, normal correspondence with the client is usually conducted over the phone and via official documents as Mr. DOE resides in Canada.

A phone call made to Mr. DOE on 27th February 2014 about this request confirmed that he was aware of this email request and was very anxious about the transfer being made quickly. Mr. DOE was unwilling to amend the list of authorized bank accounts to receive the funds and has continued to call us, demanding that the transaction is conducted. Of note, no other suspect activity has been noted on this account since account opening on 19th November 2005.

The reasons for filing are as follows:

- The high volume of funds that was requested to be transferred is unusual.
- The country, to which the funds were requested to be transferred, is sanctioned (as per US sanction <http://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx>)
- The email correspondence with the client was unusual.
- None of the associates of Mr. DOE that are on file are associated with Iran.
- The customer is anxious and irate about the delayed wire transfer.

Based on the above, the client is suspected of conducting money laundering.

Section 6: Seeking Consent to Conduct a Transaction

Effective January 1st 2016, POCA installed the specification of time limits within which the FIA must respond to an STR in circumstances where a consent decision is required.

Step 1:

The reporter files a clear and good quality STR seeking consent with supporting documentation.

Step 2:

The seven (7) day notice period commences on the day after a **Suspicious Transaction Report** (not a Suspicious Activity Report) is filed seeking consent as it relates to the receipt and/or return of suspect funds. The notice period consists of 7 working days and excludes public holidays and weekends.

The purpose of the 7 day notice period is to allow the FIA and its law enforcement partners time to assess, analyze, research and undertake further enquiries relating to the disclosed information in order to determine the best response to the request for consent.

The FIA has seven (7) **WORKING** days to respond with a “Consent” or a “Non Consent” letter- Day 1 of the time period will be the DAY AFTER the request is received. But, when consent is granted by the FIA, the filer is free to undertake the reported prohibited act(s) without committing a money laundering offence in relation to the act(s). Consent does not extend to any acts or criminal property not detailed in the initial disclosure or agreed with the FIA. If nothing is sent before the expiration of the 7 day period, then consent can be implied.

Step 3:

The Moratorium Period: Where the FIA gives notice that consent to an act is refused ie. Non Consent, a further 45 day period (the “moratorium”) commences on the day that notice is given. These additional 45 calendar days to include Saturdays, Sundays and public holidays. It is an offence to undertake the act during this period as the participant would not have the appropriate consent from the FIA.

If the moratorium period expires and no such action has been taken, the filer is free to proceed. In short, the non-consent will automatically fall away if no action is taken prior to the expiration of the 45 day period.

Required Information when Seeking Consent

When seeking consent it is important to identify within a Suspicious Transaction Report (STR) as clearly as possible:

- the suspected benefit from criminal conduct (the “criminal property”), including where possible the amount of benefit;
- the reason(s) for suspecting that property is criminal property;
- the proposed prohibited act(s) the reporter filer seeks to undertake involving the suspected criminal property;
- the other party or parties involved in dealing with the suspected criminal property including their dates of birth; and
- addresses (such information should be held routinely by reporters in the regulated sector in any event) to include source/origin of funds (bank details, account and address). Also to provide where funds are destined to be returned (incl bank details, account number and name, address).

Sample Suspected Terrorist Financing STR

A sample suspect terrorist financing STR seeking consent is shown below.

Our Client X (DOB: 17-12-1968) of 16 West Beach Road, Sacramento, California, USA 38901, who is an American and Moroccan citizen, wishes to transfer USD \$10,000.00 from his insurance policy held at Grace Insurance Company to Mister O-Bin Laden in Canada. This account was opened on January 4th, 2017 and is valued at USD \$2,000,000.00 as at October 1st, 2020. Regular monthly deposits were placed on the account by Client X from his personal investment products via a known bank account held in Bermuda.

Prior to conducting this transfer, due diligence checks were conducted by the Compliance Team, which identified that that Mister O-Bin Laden is a UN and US designated terrorist. Although Client X wants to execute this transfer today, we, however, **are seeking consent to terminate this relationship and return all funds in the insurance policy to the beneficiary account noted by Client X.**

Based on the details and the supporting documentation provided, we suspect that the funds held in the account of Client X and his association with Mister O-Bin LADEN are linked to the proceeds of terrorist financing.

The beneficiary bank account details are as follows:

Beneficiary Bank Name:	Bank of Canada
Intermediary Bank:	Cape Bank
Amount & Currency Involved:	USD \$2,000,000.00
IBAN / SWIFT Code:	IN7673
Account No. :	45672
Account Name:	O-Bin Laden
Bank Address:	Pinnacle Center, 70 Happy Valley, Surrey, Canada

Additional Information that must be provided for a Successful Consent Request Approval by the FIA

Further to the above consent request, the FIA requests the following:

- A “request for consent” framed similar to the above sample consent STR that clearly sets out the reporter’s pending action for which consent is desired
- Adequate supporting documentation is provided, including adverse media links or screenshots
- The ‘Consent’ report indicator is selected from the Report Indicator field within goAML Web Bermuda. (Please refer to the **FIA’s goAML Web SAR/STR Reporting Manual.**)

- When the consent request involves **suspected terrorist financing**, the FIA requests that the reporter contact the Head of Analysis at 294-3715 and/or at chollis@fia.bm before or upon filing the report due to the potential immediacy and coordination needed to deal with this matter by the FIA, overseas Financial Intelligence Units (FIUs), and local and overseas law enforcement agencies alike.
- The following bank account details for the beneficiary bank/institution are provided:
 - Beneficiary Bank Name
 - Beneficiary Bank Address
 - Beneficiary Account No.
 - Beneficiary Account Name
 - Amount and Currency Involved:
 - Intermediary Bank
 - IBAN / SWIFT Code
- Consent is to be sought using a **Suspicious Transaction Report (STR)** as this type of report pertains to the suspect financial activity in question.
- All consent requests should explicitly state what activity the reporter is carrying out, and for which the FIA is being asked to provide the reporter with consent as it pertains to the suspected money laundering offence, terrorist financing and/or predicate offences for that specified future activity.
- Best practice is followed, avoiding the use of terms such as “we wish consent to proceed” or “we wish consent to act for our clients”.
- The reporter is specific about the work being undertaken for the customer/client which is believed will require a consent e.g.
 - to buy/sell the property at (address) for (value amount)
 - to disburse the funds between the following people
 - to buy/sell the (named company)
 - to draw up contracts between party X and party Y, transfer the ownership of the (named company) to party Y, and transfer the (value of funds) to party X which is all part of the arrangement
 - to release the funds in account A to person B”.
- The consent request is for a specified financial activity (or specified series of financial activities)
- The consent request should not be open-ended (such as seeking consent in relation to “handling all business dealings” concerning the subject or account).

Bermuda Consent Regime references:

- FIA's consent powers under POCA Section 44 (3) (b) (ii) & Section 45 (5) (b) (ii); as well as ATFA Section 12.
- BMA Guidance Notes: Page 78, Sections 6.31 through 6.35 are the most relevant sections.

Please **NOTE** that the receipt of a Consent Letter from the FIA:

- does not imply FIA approval of the proposed act(s), persons, corporate entities or circumstances contained within the disclosure
- should not be taken as a statement that the property in question does or does not represent criminal property
- does not absolve the reporter of professional duties of conduct or regulatory requirements
- does not provide you the reporter a defence against other criminal offences relating to the proposed act
- does not oblige or mandate the reporter to undertake the proposed act
- does not override the private law rights of any person who may be entitled to the property specified in the disclosure.

Section 7: Financial Intelligence Agency (FIA) Contact Details

Financial Intelligence Agency (Bermuda)

For information or assistance with submitting SARs/STRs or goAML Web Bermuda enquiries, the FIA can be contacted as follows:

Tel: 4412943715 (Head of Analysis)
4412943714 (Senior Analyst)
4412943717, 441293716 (Analysts)

Email: analyst@fia.bm
fiainfo@fia.bm