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நிதியியல் உளவறிதல் பிரிவு

FINANCIAL INTELLIGENCE UNIT

# IMPORTANT NOTICE TO CASINOS, REAL ESTATE AGENTS, DEALERS IN PRECIOUS METALS AND PRECIOUS STONES, LAWYERS, NOTARIES, ACCOUNTANTS, AUDITORS AND COMPANY SECRETARIES

## (Obligations of Conducting Customer Due Diligence & Reporting Suspicious Transactions to the Financial Intelligence Unit of Sri Lanka)

The following Designated Non-Finance Businesses (DNFBs) are required to hereby carry out their obligation of implementing proper policies and procedures to prevent money laundering and terrorist financing attempts using such businesses and professions as provided for under the "Designated Non-Finance Business (Customer Due Diligence) Rules, No. 1 of 2018" (Rules) and the Extraordinary Gazette Notification No. 2015/56 dated April 21, 2017 on "Suspicious Transactions (Format) Regulations of 2017", in terms of the Financial Transactions Reporting Act, No. 6 of 2006 (FTRA).

- Casinos, gambling houses and/or conducting of a lottery, including a person who carries on such a business through the internet when their customers engage in financial transactions equal to or above the prescribed threshold;
- Real estate agents, when they are involved in transactions for their clients in relation to the buying and selling of real estate;
- Dealers in precious metals and dealers in precious and semi-precious stones, including but not limited to, metals and stones covered by the National Gem and Jewellery Authority Act, No. 50 of 1993 when they engage in cash transactions with a customer, equal to or above the prescribed threshold;
- Lawyers, notaries, other independent legal professionals and accountants as defined in Section 33 of the FTRA;
- Trust or company service providers as defined in Section 33 of the FTRA;

Accordingly, DNFBs should, inter alia, take following measures to comply with the requirement of the FTRA with respect to Anti-Money Laundering/Countering the Financing of Terrorism (AML/CFT) regime in Sri Lanka.

### ■ A Compliance Officer should be Appointed:

- The Compliance Officer is responsible for ensuring the DNFB's compliance with AML/CFT requirements in terms of the FTRA and the said Rules.
- It is required to appoint a responsible officer from the senior management level of the DNFBs as the compliance officer.
- The relevant registration form for appointing the compliance officer can be downloaded from the Financial Intelligence Unit (FIU) website; [www.fiusrilanka.gov.lk](http://www.fiusrilanka.gov.lk) The instructions on completing the form and submission the same to the FIU are also available on the website.

### ■ Customer Identification is Essential in Conducting of Businesses:

- DNFBs need to follow the Rules issued by the FIU which is named as the "Designated Non-Finance Business (Customer Due Diligence) Rules, No. 1 of 2018" which is available for reference of above businesses and professions in the FIU website; [www.fiusrilanka.gov.lk](http://www.fiusrilanka.gov.lk)
- DNFBs should identify the customer and verify that customer's identity using a reliable source at the point of entering into a business relationship with the customer.

### ■ Need of Submitting Suspicious Transaction Reports (STRs):

- When a DNFB has reasonable grounds to suspect that any transaction may be related to the commission of any unlawful activity under the FTRA, it should submit an STR to the FIU.
- Schedule V of the Extraordinary Gazette Notification No. 2015/56 dated April 21, 2017 is to be used for this purpose and is downloadable from the website of the FIU [www.fiusrilanka.gov.lk](http://www.fiusrilanka.gov.lk)

### ■ Records should be Maintained and Retained as follows:

- Records of transactions and of correspondence relating to transactions and records of all reports furnish to the FIU, which is the authority to monitor AML/CFT compliance in Sri Lanka should be retained for a period of six years from the date of transaction, correspondence and the furnishing of the report.
- Records of identity obtained should be retained for six years from the date of closure of the business relationship.
- Where any record is subject to an on-going investigation, such records should be retained until such time where the institution is informed by the relevant authority.

FOR FURTHER INFORMATION OF RELEVANT OTHER REQUIREMENTS, PLEASE CONTACT:

Director, Financial Intelligence Unit of Sri Lanka

Central Bank of Sri Lanka, No. 30, Janadhpathi Mawatha, Colombo 01, Sri Lanka.

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