

Republic of the Philippines
Department of Finance
SECURITIES AND EXCHANGE COMMISSION
 SEC Building EDSA, Greenhills,
 Mandaluyong City

ANTI-MONEY LAUNDERING COMPLIANCE FORM

NAME OF COMPANY

PRACTICES AND ACTS REQUIRED UNDER AMLA, ITS IRR, AND OPERATING MANUAL			COMPLIANCE AREA
	YES	NO	EXPLANATION/REASON FOR NON-COMPLIANCE

ADOPTION OF THE MANUAL:

AML Operating Manual			
1. Do you have an Anti-Money Laundering (AML) Operating Manual?			
2. Did you submit your AML Operating Manual to the Commission?			
3. Is your AML Operating Manual being followed by yours personnel in your day to day operations?			

I. Customer Due Diligence or Know-your-customer rule

A. QUESTIONS APPLYING TO ALL COVERED INSTITUTIONS REGULATED BY THE COMMISSION			
4. Do you obtain the following information from your client or customer? 4.1 Complete name or names used? 4.2 Present address or residence, in the Philippines, or abroad, if customer is a non-resident? 4.3 Residence telephone numbers? 4.4 Permanent address, for both resident and non-resident? 4.5 Mailing address, if different from 4.2 and 4.4? 4.6 Birth date and birth place? 4.7 Nationality? 4.8 Nature of work or occupation of the customer e.g. attorney, cashier, physician (do not use nondescript terms such as businessman, employee, merchant, store owner (unless name of store is provided)? 4.9 Name of employer, if employed, and the complete address and telephone numbers of the employer?			

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<p>4.10 Nature of self-employment or business, or name of the single proprietorship and its complete address and telephone numbers?</p> <p>4.11 Customer's Tax Identification number?</p> <p>4.12 Customer's Social Security Numbers or Government Service and Social Security Numbers?</p> <p>4.13 Sources of funds?</p> <p>4.14 Complete name, address and contact information of beneficial owner?</p> <p>4.15 For broker dealers, whether the customer is an institutional customer?</p> <p>4.16 For broker dealers, the customer's investment objective?</p>			
<p>5. In addition to No. 4, do you require the following information in cases where the applicants are acting in a representative capacity?</p> <p>5.1 Legal capacity of the customer?</p> <p>5.2 Identity of the principal owner or beneficiary, including information from 4.1 to 4.14?</p> <p>5.3 If customer is a legal entity such as a corporation, the identity of the person authorized, including information from 4.1 to 4.9?</p>			
<p>5. Is there a designated officer or staff authorized to obtain from the customers the abovementioned information or documents relevant thereto? If yes, specify below the rank, office or designation</p> <p>_____.</p>			
B. QUESTIONS ON DOCUMENTATIONS			
B.1 INDIVIDUALS AS CLIENTS			
<p>6. For purposes of No. 4, do you require from the customer the original copy of any of the following identification documents before opening of an account?</p> <p>6.1 Philippine passport or passport issued by a foreign government?</p> <p>6.2 Driver's license?</p> <p>6.3 Any official original identity card issued by the National Government of the Republic of the Philippines, its political subdivisions or</p>			

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instrumentalities, or government owned or controlled corporations?			
<p>7. Do you obtain from the customer prior to the opening of an account the following:</p> <p>7.1 Notarized special authorizations, for the representatives?</p> <p>7.2 Trust agreement, if acting as a trustee?</p> <p>7.3 Other pertinent and reasonable documents deemed necessary under the circumstances? Specify below the documents, if applicable.</p> <p>_____</p> <p>_____</p> <p>_____</p>			
B.2 CORPORATE/PARTNERSHIP/SINGLE PROPRIETORS AS CLIENTS			
<p>8. Do you obtain from your client copies of the following documents:</p> <p>8.1 Certificate of registration issued by the SEC, for corporation or partnership, or by the Department of Trade and Industry, for single proprietorship, including the articles of incorporation or partnership?</p> <p>8.2 Latest General Information Sheet and other documents such as clearance from the SEC that the company is active and compliant with reportorial requirements?</p> <p>8.3 Appropriate board resolution?</p> <p>8.4 For clients or customers who are non-residents, do you require that the documents under No. 7 be duly authenticated by our Philippine Embassy or Consulate where said companies are located?</p>			
C. QUESTIONS ON PROHIBITED ACCOUNTS			
9. Do you maintain accounts only in the names of the account holders?			
<p>10. Do you allow the opening, keeping or maintaining any of the following accounts:</p> <p>10.1 Anonymous accounts?</p> <p>10.2 Fictitious names accounts?</p> <p>10.3 Incorrect name accounts?</p>			

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10.4 Accounts similar to the foregoing?			
11. Have you refused opening of accounts under any of the following circumstances: 11.1 Those covered under No. 10 hereof? 11.2 If client fails to provide the requested evidence of identity? 11.3 If contrary to the established policies and procedures of the covered institution? Specify below said policy or procedure, if applicable. _____ _____ _____			
12. Have you closed prohibited accounts after the adoption of the AMLA, as amended, and its Implementing Rules and Regulations?			
13. How many prohibited accounts have you closed?			
D. QUESTIONS ON ACCOUNTS WITHOUT FACE-TO-FACE CONTACTS			
14. Are your prospective clients interviewed personally?			
15. Do you allow the opening of accounts thru any of the following circumstances: 15.1 Internet? 15.2 Post? 15.3 Telephone? 15.4 Other instances such as: _____ _____			
16. Do you have policies and procedures specifying reliance on an intermediary or third party for your know your customer or customer due diligence requirements?			
17. Is the intermediary or third party referred to in No. 16 a covered institution under the AMLA, as amended, or as defined and identified by foreign jurisdiction in so far as covered institutions in their respective jurisdictions are concerned?			

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<p>18. Where reliance is permitted, do you undertake the following:</p> <p>18.1 Immediately take adequate steps to satisfy yourself that copies of identification data and other relevant documentation relating to the customer due diligence requirements are available from the intermediaries or third parties upon request without delay?</p> <p>18.2 Satisfy yourself that the intermediaries or third parties are regulated and supervised, and have measures in place to comply with customer due diligence requirements?</p> <p>18.3 Ensure that the customer identification program of the intermediaries or third party is similar to or equivalent to your customer identification program?</p> <p>18.4 That the ultimate responsibility for customer and/or beneficial owner identification and verification remains with you?</p>			
E. QUESTIONS ON NEW TECHNOLOGIES			
19. Do you pay special attention to any money laundering threats that may arise from new or developing technologies that might favor anonymity?			
20. Do you take measures to prevent money laundering schemes?			
F. POLICY NOT TO TRANSACT			
21. Do you inform your clients of your explicit policy that business transactions will not be conducted if they fail to provide sufficient evidence of their identity?			
G. RENEWAL OF IDENTIFICATION			
<p>22. Do you regularly update or renew identification of your clients particularly under any of the following situations:</p> <p>22.1 Changes of the applicable information required under Nos. 4 to 8, except No. 6?</p> <p>22.2 When there is doubt as to the identity of your client, beneficial owner, or the principal it purports to represent?</p> <p>22.3 Whenever necessary pursuant to your established policies and procedure?</p>			

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E. OLD ACCOUNTS			
23. Have you taken actions to clean out old accounts?			
24. What actions have you taken to clean out old accounts? _____			
F. SIMPLIFIED OR REDUCED CDD			
25. Do you apply simplified or reduced customer due diligence to the following customers: 25.1 Financial institutions where they are subject to requirements to combat money laundering and the financing of terrorism consistent with the Recommendations of the Financial Action Task Force and are supervised for compliance with those controls? 25.2 Public companies that are subject to regulatory disclosure requirements? 25.3 Government institutions and its instrumentalities?			
G. VERIFICATION:			
G.1. ACCOUNTS WITHOUT FACE-TO-FACE CONTACTS			
26. Do you ensure that the customer identification procedures for non-face-to-face verification be as stringent as those for face-to-face verification?			
27. Do you have the following as risk mitigating measures: 27.1 Certification by appropriate authorities and professionals of the documents provided? 27.2 Requisition of additional documents to complement those which are required for face-to-face customers? 27.3 Independent contact with the customer? 27.4 Third party introduction, e.g. by an intermediary? 27.5 Requiring the first payment to be carried out through an account in the customer's name with a bank subject to similar customer due diligence standards?			
28. Do you require that documents under Nos. 7 & 8 be authenticated by the Philippine Embassy or Consulate for those non-residents opening an account without face-to-face contact?			

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G.2. CORPORATE ACCOUNTS			
29. Before establishing business relationship, do you ensure that corporate client or other kind of business applicant has not been, or is not in the process of being dissolved, struck off, wound-up or terminated?			
G.3. TRUST, NOMINEE AND FIDUCIARY ACCOUNTS			
30. Do you determine whether your client is acting in behalf of another person as trustee, nominee or agent?			
31. Do you establish the identities of the agent/s and the authorized signatories, as well as the nature of their trustee or nominee capacity and duties?			
32. In case you suspect that the trustee, nominee or agent is only a dummy, do you undertake further verification to verify the business relationship between the parties?			
33. In case satisfactory evidence of the beneficial owners cannot be obtained, do you proceed to: 33.1 Conduct or continue transacting with the client? 33.2 Stop transacting with such account?			
34. For purposes of 33.1, do you undertake the following: 34.1 Record any misgivings? 34.2 Monitors said account?			
35. Do you conduct reasonable inquiries on the transactions whenever these transactions pass through accounts opened by a law firm or accountants that give cause for concern?			
36. Do you report to AMLC transactions under Nos. 33 and 34, pursuant to the provisions of the AMLA, as amended, and your established policies and procedures, if you have a basis for reporting under the provisions of the AMLA, as amended?			
G.4 HIGH RISK CUSTOMERS			
37. Do you give special attention to business relationships and transactions with persons, including companies and financial institutions, from countries which do not or insufficiently apply the Financial Action Task Force (FATF) Recommendations?			

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38. Do you ensure that the principles applicable to your institution are also applied to your branches and majority owned subsidiaries located abroad, especially in countries which do not or insufficiently apply the anti-money laundering measures implemented in the Philippines?			
39. Do you consider costumers from countries which do not have or insufficiently apply anti-money laundering measures as high risk customers?			
40. Do you establish the source of wealth of higher risk customers?			
41. Are decisions on business relations with higher risk customers taken by your senior management?			

II. Monitoring, Recording and Reporting

A. MONITORING			
<p>42. Do you conduct monitoring of the following business relationships and transactions:</p> <p>42.1 Transactions involving trust, nominee and fiduciary accounts?</p> <p>42.2 Transactions involving shell companies which have been allowed to transact after undertaking necessary verifications?</p> <p>42.3 Complex, unusual large transactions, or unusual patterns of transactions?</p> <p>42.4 Business relationships and transactions with persons, whether natural or juridical, from countries which do not or insufficiently apply the Financial Action Task Force Recommendations?</p> <p>42.5 Transactions which are suspected to be made by a person included in the list of suspected terrorists, or terrorist organizations that maybe furnished by the AMLC or by any other law enforcement agency or pursuant to internal policies and procedures?</p> <p>42.6 Transactions made by persons, whether individuals or corporate, who had been subjected to further verifications but nonetheless required to be monitored by the covered institution as part of its enhanced Know-your-customer (KYC) application or AMLA compliance procedure?</p>			

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42.7 Any other transaction which you may deem necessary to be monitored based on surrounding facts or circumstances and your established policies and procedure?			
43. Is there a designated specific officer or staff authorized to monitor any of the transactions referred to above? Specify the rank, office or designation _____			
B. RECORD KEEPING			
44. Do you keep and maintain documentations on the following: 44.1 Customer relationships, identification and other pertinent data? 44.2 Transactions?			
45. Is the documentation sufficient to permit reconstruction of individual transaction which will enable the AMLC to compile an audit trail should there be a report made pursuant thereto?			
46. Does the documentation include information on the customer/beneficiary's name, address, nature and date of transaction, type and amount of currency involved, the type and identifying number of account, and information on whether a particular person is a customer or beneficial owner of the transactions?			
47. Are the documents referred to under Nos. 44 and 45, including recordings made under No. 34.1 and any analysis made to detect unusual or suspicious transactions available to the Commission and to the AMLC for its inspection?			
48. In case the company's record keeping is fully computerized, do you have automatic back-up system which is maintained within the prescribed period?			
49. Do you apply the five (5) year retention period for purposes of record keeping?			
50. Do you maintain a complete file on all transactions that have been brought to the attention of your Compliance Officer, including transactions that are not reported to the AMLC?			
51. Do you require the production of the original documents referred to herein and do you retain certified copies of said documents, with the name			

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of your employee certifying the documents clearly recorded?			
52. If the original copies of the documents cannot be produced or certified copies cannot be retained, do you record the reasons therefor?			
53. Is there a designated officer or staff authorized to keep or maintain the records referred to herein? Specify below the rank, office or designation_____.			
C. REPORTING TO THE AMLC			
C.1 GENERAL PROVISIONS			
54. Do you have a system of mandatory reporting of both covered transactions and suspicious transactions?			
55. Have you appointed a senior officer at management level with relevant qualifications and experience as Compliance Officer?			
56. Do you report to the AMLC all covered and suspicious transactions within ten (10) working days from occurrence thereof?			
57. Do you inform your customers when information relating to them or whenever their transaction is being reported to the AMLC?			
58. Do you have a system of ensuring confidentiality of the reports made to the AMLC?			
59. Whenever any of your officer or employee knows that the client has engaged in any of the predicate crimes under the AMLA, do you promptly make a report to the AMLC?			
C.2 COVERED TRANSACTION REPORTS			
60. Do you report to the AMLC transactions in cash or other equivalent monetary instrument involving a total amount in excess of the threshold of Five Hundred Thousand Pesos (Php500,000.00) within one (1) banking day?			
C.3 SUSPICIOUS TRANSACTION REPORTS			
61. Do you report to the AMLC transactions, regardless of the amounts involved, where any of the following circumstances exists:			
61.1 There is no underlying legal or trade obligation, purpose or economic justification?			
61.2 The client is not properly identified;			
61.3 The amount involved is not commensurate with the			

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<p>business or financial capacity of your client?</p> <p>61.4 Taking into account all known circumstances, it may be perceived that the client's transaction is structured in order to avoid being the subject of reporting requirements under the AMLA, as amended?</p> <p>61.5 Any circumstance relating to the transaction which is observed to deviate from the profile of the clients and/or the client's past transactions with you?</p> <p>61.6 The transaction is in any way related to an unlawful activity or offense under the AMLA, as amended, that is about to be, is being or has been committed?</p> <p>61.7 Any transaction that is similar or analogous to any of the foregoing?</p>			

III. INTERNAL CONTROL AND PROCEDURES, COMPLIANCE AND TRAINING

A. INTERNAL CONTROL AND PROCEDURE		
62. Do you have internal control and procedures aimed at preventing and impeding money laundering?		
63. Are your internal policies and procedures on dealing with money laundering clearly set out and reflected in your Operating Manual?		
<p>64. Does your internal written internal reporting procedure include the following?</p> <p>64.1 Information to all key staff as to whom they should report any knowledge or suspicion or money laundering activity?</p> <p>64.2 Clear reporting chain under which suspicions of money laundering activity will be passed to the Compliance Officer?</p> <p>64.3 Access of the Compliance Officer to any other information which may be necessary in determining whether or not a suspicious transaction report is to be filed?</p> <p>64.4 A provision that, upon determination of the suspicious nature of the report, the information contained therein is promptly disclosed to AMLC?</p> <p>64.5 Maintenance of a register of all reports, including reports of suspicious transactions to the Compliance Officer but not reported to the AMLC, covered transactions which are not reported to the AMLC,</p>		

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details of the date on which the report is made, the person who made to the report to the Compliance Officer and information sufficient to identify the relevant papers related to the reports?			
65. Have you instituted an audit function or procedure to test the system to ensure adequate compliance with the program?			
66. Do you have an adequate screening procedure to ensure high standards in hiring employees?			
B. COMPLIANCE			
67. Have you appointed one or more senior officers or an appropriate unit to advise the management and staff on the issuance and enforcement of in-house instructions relative to the implementation of the AMLA, as amended, your Operating Manual, personnel training, reporting of covered and suspicious transactions?			
68. Does your Compliance Officer have the following duties? 68.1 Maintenance of a manual of compliance procedures? 68.2 Ensure compliance by the staff with the AMLA, its Implementing Rules and Regulations and your Operating Manual? 68.3 Act as liaison officer between you as a covered institution and the AMLC relative to your compliance with the AMLA? 68.4 Dissemination to the Board, officers and all employees, memoranda circulars, resolutions, instructions, and policies issued by the AMLC or by the Commission in relation to money laundering prevention? 68.5 Prepare and submit to the AMLC written reports of the covered institution's compliance with the AMLA and its Implementing Rules and Regulations?			
69. If you are a branch, subsidiary or affiliate of a foreign company which is a covered institution in its home country, do you observe anti-money laundering measures consistent with home jurisdiction requirements to the extent allowed by the local laws?			
C. TRAINING			
70. Do you provide education and training for all your			

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<p>staff and personnel, including directors and officers? If you have conducted such training specify below topics presented, dates of the training and the names of the resource persons:</p> <p>70.1 _____</p> <p>70.2 _____</p> <p>70.3 _____</p> <p>70.4 _____</p>			
71. Do you provide trainings to all new employees, regardless of level of seniority?			
72. Do you provide continuous trainings to your cashiers/dealers' representatives or investment representatives/advisory staff or "front-line" staff on matters such as, but not limited to, identification of suspicious transactions, the procedure to be adopted when a transaction is deemed suspicious, and your policy for dealing non-regular customers particularly where large case transactions or complex and unusual transactions are involved?			
73. Do you provide trainings to your supervisors and managers on matters such as, but not limited to, offenses and penalties under the AMLA, the procedures relating to service of production and restraint orders, internal reporting procedures, and the requirement for verification of identity and retention of records?			
74. Do you provide, at least once a year, refresher trainings, or do you conduct on-going training for your key staff on matters such as, but not limited to, updates or developments on money laundering techniques, methods and trends of money laundering and prevention, aspects of the AMLA and obligations thereunder, the requirements on customer identification and due diligence, covered transactions and suspicious transactions reporting?			
ASSISTANCE OF THE COMMISSION			
75. Do you need the assistance of the Commission in effectively implementing or complying with the AMLA, its Implementing Rules and Regulations, and Circulars issued by the AMLC and the Commission relative to the AMLA?			
76. If you need the assistance of the Commission, please specify below the kind or type of assistance			

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you need _____ _____		
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