



CENTRAL BANK OF THE BAHAMAS

GUIDANCE NOTES FOR THE COMPLETION OF THE ANTI-MONEY LAUNDERING (AML) DATA RETURN FOR BANKS AND TRUST COMPANIES

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1. Overview of the Anti-Money Laundering Data Return

The Anti-Money Laundering (AML) Data Return submitted to the Central Bank of The Bahamas (“the Central Bank”) will be used to (i) analyze trends and (ii) evaluate emerging financial crime risks of supervised financial institutions (SFIs) within the banking and trust sector.

These Guidance Notes serve as a companion tool to the AML Data Return and provide SFIs with an overview of the filing and reporting instructions.

A copy of the AML Data Return and Guidance Notes are placed on Central Bank’s website for ease of access and reference by SFIs. These documents may be located on the website as follows:

Log onto: www.centralbankbahamas.com

- Click on **Bank Supervision**
- Select **Regulatory Framework**
- Select **Downloadable Forms**

The guidance notes give a brief description of each of the forms that make up the return. The guidance notes also provide clarification on the data that is to be entered in the various rows and columns. In some cases, the forms are self-explanatory.

The submission of the AML Data Return is a requirement of **all banks and trust companies**.

SFIs are expected to have appropriate procedures in place to ensure that all completed returns are completed with accuracy and submitted on a timely basis. Breakdowns in internal controls, staff shortages and vacations are not considered compelling reasons for late and erroneous filings. Therefore, it is imperative that SFIs ensure that all applicable sections of the return are fully completed in a timely manner to avoid any unnecessary penalties.

2. Filing Instructions for the Anti-Money Laundering Data Return

All banks and trust companies are required to upload the completed return to the ORIMS Portal at <https://orimsportal.centralbankbahamas.com>. A copy of the completed “**Attestation**” form should be signed by a member of the Board of Directors or Senior Official I and the Money Laundering Reporting Officer. This form should be scanned and uploaded as a PDF document into the ORIMS Portal.

Submission Protocols

- All banks and/or trust companies are required to complete, upload and submit the AML Data Returns no later than **January 31** of each year.
- Only submissions **sent via the ORIMS Portal will be accepted**.
- Attestations should be sent via the ORIMS Portal and are to properly state the bank name, code and date of the report.
- Currency value data should be rounded to the **nearest thousands (no decimals)**.
- **Any and all amendments** to be made to subsequent submissions are to be requested via the ORIMS portal. The reason for re-submission is required to be clearly stated or articulated.
- Late and erroneous filings will incur a penalty of \$250 per day until such time that the Guidelines have been amended to reflect the proposed change to erroneous filings - a fixed penalty of \$500 or \$1,000 as determined by the Central Bank¹.

¹ Refer to the Central Bank’s Guidelines for the Administration of Monetary Penalties.

3. Form Overview

a. Statement on Client Database

This report form provides a breakdown of SFIs' client database. Data should only be entered in the white cells; all other cells contain formulas and are protected. Dollar value data should be rounded to the **nearest thousands of dollars (no decimals)**.

The following list of categories provides a guide to users by (i) item number (ii) description of the information (as it appears on the form), and (iii) additional guidance on reporting, where necessary. Categories that do not require direct input are shaded.

Table A

This table captures the nationality of the customers of a SFI, along with associated financial data. The basis for populating this table is the total value of customer balances (on- and off-balance sheet). The country with the highest value of customer balances should be reported first and the other countries should be reported in descending order. SFIs should populate the table based on the following:

Pure trust companies – # of Customers, # of Relationships and Off-balance Sheet/Fiduciary Assets

Banks – # of Customers, # of Accounts, Deposits and Loans

Banks and trust companies – complete all columns, as applicable.

i. Country

- Use the drop down menu to indicate the top fifteen (15) countries that are representative of the nationality of the institution's customers. "Nationality" in this context refers to the country a person is from, not the country where they currently reside.
- SFIs that have customers from more than 15 countries should include the aggregate of the data for all of the other countries in the last row and select "Other" for the country.

ii. # of Customers (Natural Persons)

- The number of natural persons from the selected country who are beneficial owners. In cases where a customer has more than one nationality, SFIs may attach a separate summary report with the nationalities and associated information for these customers.

iii. # of Relationships

- This column should be populated where SFIs do not have actual accounts associated with their customers but the SFI has been contracted to perform certain functions for the benefit of its customer and/or their beneficiaries (e.g. trust structures). Where this is not applicable for an institution, these cells should be left blank.
- In cases where institutions have both relationships and accounts associated with a given country, both cells should be completed.

- iv. # of Accounts
 - The number of active and inactive accounts associated with the customers from the selected country. Where a SFI does not have accounts, these cells should be left blank.
- v. Deposits
 - Indicate the value of all deposit balances associated with the customers from the selected country.
- vi. Loans
 - Indicate the value of all loans associated with the customers from the selected country.
- vii. Off-Balance Sheet/Fiduciary Assets
 - Indicate the value of all off-balance sheet/fiduciary assets associated with the customers from the selected country.

Table B

The number of relationships and accounts should be broken down into the four (4) categories of low risk, medium risk, high risk and PEPs. The number of PEPs should be indicated separately and not included in any of the risk categories. The number of **domestic** PEPs is a subgroup of the number of PEPs, and therefore is not included in the total.

Table C

The totals in this table should correspond to the number of PEPs stated in Table B.

Table D

This table captures the distribution of SFIs' account holders between natural persons and legal structures. Provide a breakdown of the number of accounts, value of deposits and value of loans by natural persons and legal structures and vehicles.

b. Account Activity

A. Account Activity

All dollar values should be rounded to the **nearest thousands of dollars (no decimals)**.

Note: References to “accounts” below should be interpreted as “relationships” when reporting for trust companies.

- i. Accounts opened
 - The number of accounts opened since 31st December of the previous year, along with the value of these accounts as at 31st December of the reporting year.
- ii. Account opening rejected
 - The number of account opening applications that were rejected since 31st December of the previous year, along with the value of the potential business lost.

- iii. Accounts closed
 - The number of accounts closed since 31st December of the previous year, along with the value of these accounts as at 31st December of the previous year.
- iv. Unverified accounts
 - The number of accounts (operating or blocked) where the identity of the facility holder has not undergone the required verification procedures in line with the AML/CFT/CPF Guidelines, along with the value of these accounts as at 31st December of the reporting year.
 - Also indicate the number of accounts closures since 31st December of the previous year that were closed due to AML/CFT issues.
- v. Inactive accounts
 - The number of accounts where no customer-initiated activity has taken place for a period of at least one (1) year but less than seven (7) years, along with the value of these accounts as at 31st December of the reporting year.
- vi. Dormant accounts
 - The number of accounts where no customer-initiated activity has taken place for a period of seven (7) years, along with the value of these accounts as at 31st December of the reporting year.

SFIs may refer to the [Guidelines for the Administration and Ultimate Transfer of Dormant Accounts to the Central Bank of The Bahamas](#) for further information.

B. Transaction Monitoring & Reporting

- i. Unusual Transactions Reports which did not result in a Suspicious Transaction Report
 - The number of Unusual Transaction Reports reported internally that did not lead to a Suspicious Transaction Report being filed with the Financial Intelligence Unit.
- ii. Suspicious Transaction Reports filed with the FIU
 - Self-explanatory
- iii. Feedback from FIU on quality of STRs filed
 - The number of filed STRs on which feedback on the quality and usefulness of the reports was provided by FIU.
- iv. Average Number of Days taken to File a STR Once Identified
 - The number of days taken to file a STR with the FIU once an unusual transaction is identified internally.

- v. Backlogs in Transaction Alerts
 - The number of transaction alerts that have not been actioned.

- vi. Positive Sanction Hits
 - The number of instances when a positive match was identified from one of the sanctions lists.
 - Also indicate the number of transactions rejected and accounts closed due to positive sanction hits.

C. Other

- i. Production Order Requests Received
 - The number of Production Order Requests received from the FIU.

- ii. Known Data Breaches
 - The number of instances where data has been compromised.

- iii. Customer Complaints
 - The total number of customer complaints received for the year, including those that are open and those that have been closed.

- iv. Instances of Fraud
 - The number of instances of attempted and actual fraud, including the number of attempts of fraud and number of actual occurrences of fraud.

- v. Date of last Compliance Audit/Review
 - Date of last audit/review conducted on the Compliance Unit.

c. Statement on Suspicious Transactions

All currency values should be rounded to the **nearest thousands (no decimals)**.

Sections 1-3

Under the subheadings of Money Laundering STRs, Terrorist Financing STRs and Proliferation Financing STRs, input the number and value of STRs filed by the rationale for which the report was filed. It is not necessary to include within this figure reports which have been made to follow-up or provide further detail in respect of a previous disclosure. Data should only be entered into the white cells; all other cells contain formulas and are protected.

Section 4

Provide a breakdown of the total number of STRs reported in Sections 1 - 3 into the various categories listed. The total number of STRs reported in this section should match the total number of STRs reported in Sections 1 – 3 above.

The total of this category should match the Total STRs from Sections 1 – 3.

d. **Cash**

This section should NOT be completed by commercial banks.

This form provides a breakdown of physical notes and coins received and held by SFIs either in The Bahamas or outside of The Bahamas, as well as the value of cash held. The value of petty cash should be included in these figures. All values should be rounded to the **nearest thousands of dollars (no decimals)**. Please report all values in US Dollars.

Inside the Bahamas

This relates to notes and coins received and held on hand in The Bahamas.

Outside The Bahamas

This relates to notes and coins received in a country other than The Bahamas that are entered into the accounts of the local SFI. This applies, for example, where a SFI has a branch located outside of The Bahamas.

e. **Staff Training**

This form captures statistics related to AML/CFT related training and qualifications of employees of the SFI. The reported figures should include full time, part time, temporary and contractual employees; and should include management and junior staff, unless otherwise indicated.

- i. Number of Total Staff in your institution
 - Self-explanatory

- ii. Number of Staff in your institution's Compliance Unit
 - The number of staff in the institution's compliance unit should include only the SFI's **local** Compliance personnel.

- iii. Number of staff in your institution with AML/CFT qualifications
 - The number of staff that have AML/CFT qualifications including those related to certifications such as the Certified Anti-Money Laundering Specialists (CAMS) designation and diplomas from the International Compliance Association (ICA) in Anti Money Laundering and Compliance, Governance and Risk, etc.

- iv. Number of staff who participated in AML/CFT training over the last 12 months
 - The total number of staff who participated in AML/CFT training and the breakdown of that number by non-management, management and directors.

- AML/CFT training relates to the on-going training related to AML/CFT policies and procedures and legislation.
- v. Date of last AML/CFT/CFP related training (dd/mm/yyyy)
- Self-explanatory.