



TRAINING

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Regulated entities have a duty to ensure that existing and new staff and any person exercising responsibilities specified in the Guidance Notes [Financial Services (Implementation of Industry Standards) Regulations] receive comprehensive training in:

- The Proceeds of Crime Act, 2000 and Regulations issued there-under (Anti-Money Laundering Regulations, 2011) and any new Regulations that may be issued from time to time;
- The Financial Intelligence Unit Act, 2000, and any Regulations or policy directives that may be issued there-under;
- The Financial Services Regulatory Commission Act, 2009 and any Regulations, advisories that may be issued there-under;
- The Anti-Terrorism Act, 2002, and any Regulations or guidelines that may be issued there-under;
- Vigilance policy including vigilance systems;
- The recognition and handling of suspicious transactions;
- New developments, trends and techniques of money laundering and terrorist financing; and
- Their personal obligations under the relevant laws.

The effectiveness of a vigilance policy/system is directly related to the level of awareness engendered in key staff, both as to the background of international crime against which the Proceeds of Crime Act, 2000, and other AML legislation have been enacted and the Guidance Notes issued, the awareness of the Anti-Terrorism Act and any related regulations made pursuant thereto, terrorist financing trends, and as to the personal legal liability of each of them for failure to perform the duty of vigilance and to report suspicions appropriately.

TRAINING PROGRAMMES

While each regulated business shall decide for itself how to meet the need to train members of its key staff in accordance with its particular commercial requirements and how such training is used effectively, the following programmes shall be appropriate:

New Employees

A. Generally:

Training must cover:

- The company's instruction manual.
- The description of the nature and processes of money laundering.
- A description of the nature and process of terrorist financing.
- An explanation of the underlying legal obligations contained in the Proceeds of Crime Act, 2000, Regulations issued thereunder, the Anti-Terrorism Act and any regulations issued thereto and other relevant legislations issued thereto and other relevant legislation.
- An explanation of vigilance policy and systems, including particular emphasis on verification and the recognition of suspicious transactions and the need to report suspicions to the Compliance Officer.

B. Specific Appointees

- **Cashiers/ foreign exchange operators/ dealers/ salespersons/ advisory staff**

Key staff who are dealing directly with the public are the first point of contact with money launderers, terrorist financiers or other criminals and their efforts are vital to the implementation of vigilance policy. They need to be made aware of their legal responsibilities and the vigilance systems of the regulated business, in particular the recognition and reporting of suspicious transactions. They also need to be aware that the offer of suspicious funds or the request to undertake a suspicious transaction should be reported to the Compliance Officer in accordance with vigilance systems, whether or not the funds are accepted or the transaction proceeded with.

- Account opening/new customer and new business staff/ processing and settlement staff.

Key staff who deals with account openings, new businesses and the acceptance of new customers, or who process or settle transactions and/or the receipt of completed proposals and cheques, must receive the training given to cashiers, etc. In addition, verification should be understood and training should be given in the regulated business' procedures for entry and verification. Such staff also need to be aware that

the offer of suspicious funds or the request to undertake a suspicious transaction should be reported to the Compliance Officer in accordance with vigilance systems, whether or not the funds are accepted or the transaction proceeded with.

- **Electronic Transfers (Wire Transfers) and Correspondent Accounts**

Staff training must cover recognising higher risk circumstances, including the identification and challenging of irregular activity (whether isolated transactions or trends), transfers to or from high risk jurisdictions and the submission of reports to the Compliance Officer.

- **Administration and Operations Supervisors and Managers**

A higher level of instruction covering all aspects of vigilance policy and systems shall be provided to those with the responsibility for supervising or managing staff. This should include:

- The Proceeds of Crime Act, 2000, the Financial Intelligence Unit Act, 2000, the Financial Services Regulatory Commission Act, 2009 and Regulations; advisories, directives and guidelines issued thereunder.
- Offences and penalties arising under the preceding laws;
- Internal reporting procedures; and
- The requirements of verification and records.

- **Compliance Officers and Prevention Officers**

In-depth training concerning all aspects of the relevant laws, vigilance policy and systems will be required for the Compliance Officer and, if appointed, the Prevention Officer. In addition, the Compliance Officer will require extensive initial and continuing instruction on the validation and reporting of suspicious transactions and on the feedback arrangements.

- **Updates and Refreshers**

It will also be necessary to make arrangements for updating and refresher training at regular intervals to ensure that key staff remain familiar with new developments, trends and techniques of money laundering and terrorist financing and are updated as to their responsibilities.

Regulated businesses should ensure that their staff is suitable, adequately trained and properly supervised. Regulated businesses should also ensure that their recruitment procedures are adequate and these should include vetting of applicants for employment and taking up refer-

ences in order to ensure high standards when hiring employees. It is recognised that staff performing different functions will be subject to different standards.

Annual AML/CFT Awareness Seminar & Training Workshop

The Department recognizes that if it is to achieve success in fulfilling its core mandate to protect and safeguard the reputation of Nevis as a credible and reliable Financial Services Centre, then it must also partner with and assist the Industry where necessary.

Therefore, we intend to continually bring key training to the Industry through our AML/CFT seminar/workshop which is held annually. In so doing, align our mandate with the Financial Action Task Force (FATF) to make the international financial system off-limits to criminals, terrorists and other threats to financial stability.

Under the new FATF methodology, future assessments will determine how well countries achieve the objective of fighting ML/TF. It is therefore imperative that Nevis positions itself to withstand the scrutiny of the FATF and to impress upon them that we are in fact committed to employing our best efforts in the fight against ML and TF.

CAMS CLASSES

KAW Management Services Ltd will begin its second round of CAMS Classes at the Red Cross Conference Room, Chapel Street, Charlestown. These classes will assist individuals in becoming members of the Association of Certified Anti-Money Laundering Specialists (ACAMS).

Classes will take place four (4) times per month. In each month there will be two (2) Friday classes from 4:30pm — 6:30pm and two (2) Saturday classes from 10:00am — 12:00pm. Classes will run for six (6) months; cost for the course is EC\$300.00 per month. If fees are paid up front for the six (6) months period, the cost is EC\$1,620.00. Group discounts are also available.

Registrations and Payments can be made at Business Enhancement Services (BES-T) at Tel#: 469-1526 or email address: businessenhancement@yahoo.com. If additional information is required, feel free to contact misaac@kawmanagement.com or Tel#: (268) 460-0900. Classes will commence on **14th March, 2014**.

Source

Financial Services (Implementation of Industry Standards) Regulations, 2011
Paragraphs 131-144

