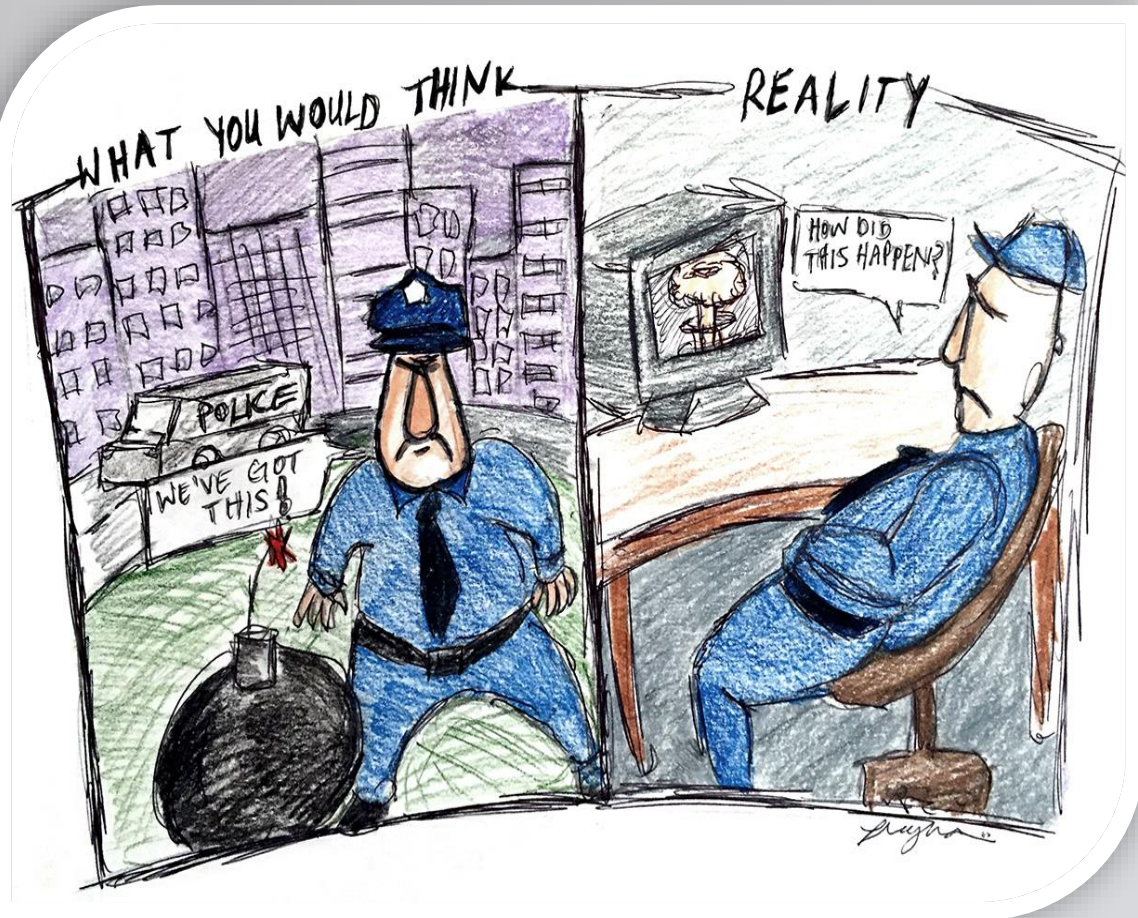


TERRORISM PREVENTION ACT, 2005

BY: SUSAN WATSON BONNER – DIRECTOR – FINANCIAL INTELLIGENCE UNIT (ACTG.)

DATE: JULY 31, 2019

TERRORISM




The United Kingdom Terrorism Act, 2000 defines terrorism as:

The use or threat of action where... (b) the use or threat is designed to influence the government or to intimidate the public or a section of the public

THE GLOBAL LANDSCAPE

The growing outrageous nature of atrocities committed by terrorist groups such as ISIL and Boko Haram and the ever expanding reach and influence of such groups has heightened the global community's commitment to address vulnerabilities in the CFT system;



Complicated by the new dynamic where major terrorist organizations (TO) actually occupy and manage clearly defined geographical areas;



FATF has been reviewing the status of implementation of FT measures to assess levels of compliance to report to G20 Leaders

THE RISK OF TERRORISM TO JAMAICA

Terrorism is assessed as a Tier 2 threat in Jamaica's National Security Policy 2013;

By virtue of this rating, the likelihood of an act of terrorism occurring in Jamaica is deemed to be Low Probability, but, if it does happen, would be of High Impact, particularly on the tourism sector;

SOURCES OF TERRORIST FINANCING

Use of the formal financial sector: **Cash Couriers**

Fraudulent/Misuse of Non Profit Organisations (NPOs) and Charities particularly useful for moving funds in crisis areas

Diversion of legitimate donations;

Affiliation/exploitation of the NPO by a Terrorist Organization;

Abuse of programme delivery;
Sham organization;

Gambling

SOURCES OF TERRORIST FINANCING

Direct involvement in Acquisitive Crime:

Identity theft, smuggling, kidnapping , even tax offences;

- ❖ Extortion of local population and businesses;
- ❖ Funding from legitimate enterprises: restaurants, used car dealerships owned by persons originating in the high risk area;
- ❖ Use of nominees / front companies;

DESIGNATED NON FINANCIAL INSTITUTIONS (DNFIs)

- On November 15, 2013, the Minister of National Security designated Public Accountants as Designated Non Financial Institutions (DNFIs) through the **Proceeds of Crime (Designated Non-Financial Institution) (Public Accountants) Order, 2013 (effective April 1, 2014)**.
- **A DNFI means “ a person who is –**
 - a) not primarily engaged in carrying on financial business ; and
 - b) designated as a non-financial institution for the purposes of this Act by the Minister by order subject to affirmative resolution.

Therefore, DNFIs fall within the regulated sector, and therefore have an obligation to develop and maintain policies , procedures and systems to prevent or mitigate money laundering and terrorist financing – **Fourth Schedule POCA 1(2)(a)(b)**

DESIGNATED NON FINANCIAL INSTITUTIONS (DNFIs)

- On November 29, 2017, the Minister of National Security by order, **The Terrorism Prevention Act (Designated Reporting Entity) (Public Accountants) Order, Resolution, 2017** mandated Public Accountants to make reports to the Designated Authority pursuant to section as Designated Non Financial Institutions (DNFIs) **Accountants) Order, 2013 (effective June 1, 2018)**.
- **A DNFI means “ a person who is –**
 - not primarily engaged in carrying on a financial business ; and
 - Designated as a non-financial institution for the purposes of this Act by the Minister by order subject to affirmative resolution.

Therefore, DNFI's fall within the regulated sector, and therefore have an obligation to develop and maintain policies , procedures and systems to prevent or mitigate money laundering and terrorist financing – **Section 18 TPA**.

COMPETENT AUTHORITIES - DNFI

The designated competent authorities for DNFI are as follows:

DNFI	Competent Authorities
Lawyers	The General Legal Council
Real Estate Dealers	The Real Estate Board
Gaming Operators	The Betting Gaming and Lotteries Commission
Casinos	The Casino Commission
Accountants	The Public Accountancy Board

OBLIGATIONS -TPA

Reports to be submitted under the Terrorism Prevention Act (TPA)

1. Listed Entities Report (LER)

No.	Four Months Period	Due Date	DNFIs	Due Date
1	January-April	May 31	June - September	October 31
2	May-August	September 30	October - January	February 28
3	September - December	January 31	February-May	June 30

SUMMARY OF REPORTING OBLIGATIONS

Reporting Obligation	Act	Section	Form
Suspicious Transaction Report (STR)	POCA	94	Form I
Authorized Disclosure and Request for Consent	POCA	100(4)	Form III
Listed Entities Report (LER)	TPA	15	Form I
Suspicious Transaction Reports	TPA	16	Form II

Forms: www.fid.gov.jm/downloads/forms/

WHO IS A LISTED ENTITY

The following entities shall determine on a continuing basis whether they are in possession or control of property owned or controlled by or on behalf of a listed entity.

Section 14 (1)(a) of the TPA states that a listed entity is an entity included on a list of entities designated as terrorists entities by the United Nations Security Council.

This section also empowers the Director of Public Prosecution (DPP) to apply to a judge of the Supreme Court for an order declaring an entity to be a listed entity for the purposes of the TPA.

The judge is obliged to grant the order if satisfied that of paragraphs **14(1)(a)** and **14(1)(b)(i)** or **(ii)** are met.

The DPP is mandated to publish within seven(7) days after the granting of the order, in a daily newspaper in circulation in the island.



OBLIGATION TO FILE LISTED ENTITY REPORT

Section 15(2) TPA states that the following entities shall determine on a continuing basis whether they are in possession or control of property owned or controlled by or on behalf of a listed entity-

(a) foreign companies in respect of their business in Jamaica relating to banking, securities, insurance, investment advice and trusts;

(b) financial institutions;

(c) any entity designated by the Minister, by order subject to affirmative resolution, as an entity to which the provisions of this section shall apply.

OBLIGATION TO FILE LISTED ENTITY REPORT

Section 15(3) of the TPA states that every entity referred to in paragraph (2) shall report to the designated authority at least once in every 4 calendar months, or in response to a request made to it by the designated authority, either –

(a) that it is not in possession or control of any property referred to in subsection (2); or

(b) that it is in possession or control of such property, in which case it shall also report the number of persons, contracts, or accounts involved and the total value of the property

Section 15(4) In making a report under subsection (3) the entity shall comply with such directions as may be give by the designated authority.

Section 15(5) No criminal or civil proceedings shall lie against a person who makes a report in food faith pursuant to subsection (3).

PROPERTY: Section 2 TPA defines property accordingly – “property” includes money and all other property, real or personal, including things in action and other tangible or incorporeal property.

UNAUTHORISED DISCLOSURES - TIPPING OFF

Section 15(6) – An entity that makes a report under subsection (3) to the designated authority **shall** not disclose the existence of that report to any other person.

Section 15(7) – A person who contravenes any of the provisions of this section commits an offence and shall be liable on summary conviction in a Resident Magistrate's Court to –

(a) in the case of an individual, a fine not exceeding one million dollars or to imprisonment for a term not exceeding twelve (12) months, or to both such fine and imprisonment; or

(b) in the case of a body corporate, a fine not exceeding three million dollars;

Section 15(8) – In proceedings against a person for an offence against this section, it is a defence for the person charged that he had a reasonable excuse for not making the report required under subsection (3).

OBLIGATIONS TO REPORT CERTAIN TRANSACTIONS

1. Duty to Report Certain Transactions – All entities referred to in section 15(2)(a)(b)(c)

- (2) This obligation for DNFI's arises pursuant to **section 16(2) of TPA**, which states as follows:
The entity shall, in relation to each customer, pay special attention to all complex transactions, unusual large transactions, or unusual patterns of transactions whether completed or not, which appear to the entity to be inconsistent with the normal transactions carried out by that customer with the entity.
- (3) Each entity shall:
- (a) promptly report to the designated authority all complex transactions, unusual large transactions, or unusual patterns of transactions, which have no apparent economic or visible lawful purpose; and
 - (b) ensure that the background and purpose of all transactions referred to in paragraph (a) are examined and the entity's findings thereon set out in writing-
 - (i) in accordance with procedures set out in regulations applicable to reporting entities under this Act; and
 - (ii) made available, upon request, to its **Senior Practice Reviewer (auditors)** and to the designated authority

OBLIGATIONS TO REPORT SUSPICIOUS TRANSACTIONS

1. Duty to Report Suspicious Transactions – All entities referred to in section 15(2)(a)(b)(c)


This obligation for DNFI's arises pursuant to **section 16(3A) of TPA** which states that:

(3A) every entity shall report to the designated authority all transactions, whether completed or not, which the entity suspects, or has reasonable cause to suspect-

(a) involve property connected with, or intended to be used in, the commission of a terrorism offence; or

(b) Involve, or are for the benefit of, any listed entity or terrorist group,

as soon as is reasonable practicable, and in any event within fifteen days after the suspicion or reasonable cause for suspicion arises.



PENALTY FOR FAILURE TO COMPLY WITH SECTION 16

Section 16(4) – An entity which fails to comply with subsection **(3)** or **(3A)** commits an offence and is liable on summary conviction in a Resident Magistrate’s Court to-

(a) in the case of an individual, a fine not exceeding one million dollars or to imprisonment for a term not exceeding twelve months, or to both such fine and imprisonment; or

(b) in the case of a body corporate, a fine not exceeding three million dollars

PROTECTION IN/AGAINST PROSECUTION:

Section 16(5) – In proceedings against a person for an offence pursuant to this section, it is a defence for the person charged that he had a reasonable excuse for not making the report required under subsection **(3)** or **(3A)**

Section 16(6) – Where a member of staff of the entity, other than an officer referred to in subsection 18(3), is charged with an offence under this section, it is a defence for that member of staff that he disclosed the information or other matter in question to that officer in accordance with the procedures established pursuant to section 18

PROTECTION IN/AGAINST PROSECUTION

Section 16(7) – Where a report is made in accordance with subsection **(3)** or **(3A)**, the entity concerned, its directors and employees shall be exempt from-

(a) any liability to prosecution for an offence under subsection 4, 5, or 6;

(b) any criminal, civil or administrative liability, as the case maybe, for breach of any restriction on disclosure of information imposed by contract or by any legislative, regulatory or administrative provision, regardless of the outcome of the report.

UNAUTHORISED DISCLOSURES

Section 17(1) – A person commits an offence if, knowing or suspecting that a designated authority is acting or is proposing to act, in connection with an investigation which is being, or is about to be conducted in relation to a terrorism offence, he discloses information or any other matter, relating to the investigation, to any other person, except-

(a) an attorney-at-law for the purposes of obtaining legal advice; or

(b) for the purpose of facilitating the investigation or any proceedings which might be conducted following the investigation.

PENALTIES FOR UNAUTHORISED DISCLOSURES

Section 17(2) – A person commits an offence if, knowing or suspecting that a report has been made to the designated authority under **section 15(3)** or **16(3)** or **(3A)**, he discloses information or any matter, relating to the report, to any other person, except-

(a) an attorney-at-law for the purpose of obtaining legal advice; or

(b) for the purpose of facilitating any investigation or proceedings which might be conducted following that report.

Section 17(3) – A person commits an offence if, knowing or suspecting that a disclosure to the officer designated by the entity for that purpose has been made, he discloses information or any other matter, relating to that disclosure, to any other person, except-

(a) an attorney-at-law for the purpose of obtaining legal advice; or

(b) for the purpose of facilitating any investigation or proceedings which might be conducted following that report.

DISCLOSURE BY ATTORNEY-AT-LAW

Section 17(4) – Nothing in subsections (1) to (3) makes it an offence for an attorney-at-law to disclose information or any other matter to-

(a) a person who is, or a representative of, a client of that attorney-at-law, in connection with the giving of legal advice to that client; or

(b) any other person, in contemplation of or in connection with, legal proceedings and for the purpose of those proceedings.

PENALTIES:

Section 17(5) – A person convicted of an offence under subsection (1), (2) or (3) is liable to –


(a) in the case of an individual, a fine not exceeding two million dollars or to imprisonment for a term not exceeding two years or to both such fine and imprisonment; or

(b) in the case of a body corporate, a fine not exceeding six million dollars.

REGULATORY CONTROLS

Section 18(1) – Every entity referred to in paragraphs (a) to (c) of section 15(2) shall establish and implement such programmes, policies, procedures and controls as may be necessary for the purpose of enabling it to fulfil its duties under sections 15 and 16.

Section 18(2) – Without prejudice to the generality of subsection (1), the programmes referred to in that subsection shall include-

- (a) the establishment of procedures to ensure high standards of integrity of employees;
 - (b) the development of a system to evaluate the personal employment and financial history of those employees;
 - (c) the establishment of programmes for training of employees on a continuing basis and for instructing employees as to their responsibilities in respect of the provisions of this Act
- 

REGULATORY CONTROLS


(d) arrangements for an independent audit in order to ensure that the aforesaid programmes are implemented.

Section 18(3) – For the purposes of this section, the entity shall designate one of its officers who performs management functions to be responsible for ensuring the implementation of the programmes, policies, procedures and controls referred to in subsection (1), including the reporting of transactions referred to in **section 16(3)** or **16(3A)**

Section 18(4) - The entity shall consult with the competent authority for the purpose of carrying out its obligations under this section.

Section 18(5) – In subsection (4), “competent authority” means the Minister responsible for finance or such other persons as he may specify in writing for the purposes of this section. **In the circumstances the Public Accountancy Board pursuant to the Public Accountancy Act 1970 and (amended 2004) and the accompanying regulations,**

Section 18(6) – **An entity which contravenes subsection (1) or (3) commits an offence and is liable on summary conviction before a Resident Magistrate to a fine not exceeding one million dollars.**



TO WHOM SHOULD WE SUBMIT OUR REPORTS

Reports must be sent in sealed envelopes/ packages stamped “Confidential” and addressed to:

The Designated Authority
The Chief Technical Director
Financial Investigations Division,
Ministry of Finance & Planning,
1 Shalimar Avenue, Kingston 3.

TPA amended in October 2013 – made the Chief Technical Director of the Financial Investigations Division the designated authority.

MINIMUM KYC AND CDD REQUIREMENTS

Client information is sometimes referred to as Customer (or Client) due diligence “CDD” , “Know Your Client” or “KYC and is comprised of the following three(3) key principal elements:

- a. Minimum identification and verification of Clients;***
- b. Updating information for existing client relationships***
- c. High risk client relationships, for example PEPs.***

The information collected must be adequate and sufficiently current to reliably identify the Client or prospective Client, to determine whether the prospective Client is high risk. It also enables us to conduct proper monitoring of the Client’s activity.

MINIMUM KYC AND CDD REQUIREMENTS

What is Know Your Client(KYC) & Customer Due Diligence(CDD)

KYC and CDD are the cornerstones of an effective AML/CFT program. Therefore, DFNIs sector, must implement procedures to obtain and record CDD identification information about each Client before engaging in business with them.

Identification Requirements:

Minimum one (1) form of ID is required

- a) Current passport;
- b) A valid driver's licence/permit, issued by the relevant authority in the country in which the client is resident;
- c) A nationally issued identity card, or a citizenship card, issued within the country in which the Client is resident; and
- d) Current valid Voter's identification card bearing a photo and signature of the Client.

IDENTIFICATION OF A CLIENT- CDD REQUIREMENTS

CDD using a risk based approach includes:

1. Identification and verification of the customer's true identity using reliable, independent sources;
2. Identification of the beneficial owner(s), that is, whether client is engaging in gaming for and on behalf of a third party;
3. Determining whether a customer is acting for a third party and verify whether such person is authorized to act on their behalf;
4. Understanding the purpose and intended nature of the business relationship; and
5. Conducting on-going monitoring of the business relationship using a risk based approach

According to FATF/CFATF Recommendations, Client identification and verification must be completed before a relationship is established.

KNOW YOUR CLIENT(KYC) & CUSTOMER DUE DILIGENCE (CDD)

DNFIs are required to conduct Customer Due Diligence (CDD) and Know Your Client (KYC) information to identify all its Clients. This is required in situations where the Client's business is :

- a) A one-off transaction; or***
- b) A continuous business relation***


If the Client fails or refuses to provide the required CDD identification details and documentation, the DNFI/Client relationship should not be established or commenced.

Clients who are non-residents are also subject to the same or similar CDD and KYC due diligence.



CUSTOMER DUE DILIGENCE(CDD) & KNOW YOUR CUSTOMER (KYC)

Verification methods:

1. Confirm residential address (from a document no older than 6 months) , utility bill;
 2. Confirm date and place of birth from an official document (e.g birth certificate, passport, identity card);
 3. Confirm physical identity of client or beneficial owner(s) from unexpired official documents (e.g. passports, identification card) which bears a photograph of the client;
 4. Confirming validity of official documentation provided through certification by a suitable certifier;
 5. Confirming permanent address by checking the voter's listing on Electoral Commission of Jamaica;
 6. Contact client by telephone.
- 

CUSTOMER DUE DILIGENCE (CDD)

All DNFI's before engaging in business must collect the following minimum CDD for Clients (individuals):

- 1. Full Name and name(s) used;**
- 2. Date and Place of Birth;**
- 3. Nationality;**
- 4. Correct permanent address, including postal address** - residential address and mailing address
- 5. Tax Payer registration Number (TRN)** (In the absence of a drivers licence) or other reference number (e.g. NIS of other official number issued by a Government department or unique reference numbers)
- 6. Occupation and name of employer**
- 7. At Least two(2) Referees;;**
- 8. Contact numbers (work, home and mobile);**
- 9. Photograph or an official identification ordinarily carries a photograph (non-residents or visitors to the Island)**

Per POCA (MLP) Regulation 14, these records may consist of a copy or in a form that would enable a copy to be obtained.



ENHANCED DUE DILIGENCE (EDD)

EDD must be applied to all High Risk clients, to ensure that unusual and suspicious activities are identified and reported to the Designated Authority.

According to Regulation 7A(2) of the POCA (MLP) Regulations, the following Clients relationships or Clients are considered high risk:

- a) Politically Exposed Persons (PEPs);**
- b) A person who is not ordinarily resident in Jamaica;**
- c) A person acting as a trustee for another in relation to a business relationship or one-off transaction concerned;**
- d) A company having nominee shareholders or shares held in bearer form; or**
- e) A member of such class or category of persons as the supervisory authority may specify by notice published in the Gazette;**

Where a business relationship is determined to be high risk, a business in the regulated sector must carry out Enhanced Due Diligence(EDD).

POLITICALLY EXPOSED PERSONS (PEPS)

PEPs are classified as high risk, by virtue of their prominent public function. PEPs are considered high risk as they have a potentially higher money laundering (ML) or terrorist (TF) risk. These are individuals, who in relation to any State, carry out functions which are analogous to the functions for the following :

- a) Head of State;
- b) Head of Government
- c) A member of any House of Parliament;
- d) A member of the judiciary;
- e) A military official above the rank of Captain;
- f) A member of the police of or above the rank of Assistant Commissioner;
- g) A Permanent Secretary, Chief Technical Director or chief officer in charge of a Ministry , department of Government, executive agency or statutory body;
- h) A director or chief executive of any company in which the Government owns a controlling interest;
- i) An official of any political party;
- j) An individual who holds or has held a senior management position in an international organization; and
- k) An individual who is a relative or is know to be a close associate of a person described above.

SUMMARY OF OBLIGATIONS: DNFIs

- ❖ A regulated business shall establish Appoint a Nominated Officer /Compliance Officer;
- ❖ Establish Policies, procedures, and controls to prevent or detect money laundering and terrorist financing;
- ❖ Conduct ongoing AML/CFT Training for all employees of the firm;
- ❖ File reports as required by the Competent Authority “The Public Accountancy Board”;
- ❖ Keep proper Conduct Client Due Diligence for all Clients
- ❖ Update Client information at least every seven (7) years or at other intervals based on the risk profile of the Client;
- ❖ Report Suspicious Transactions Reports to the designated authority under the Proceeds of Crimes Act;
- ❖ Report Threshold Transactions Reports to the designated authority under the Proceeds of Crimes Act
- ❖ Establish and implement programmes, policies, procedures and controls as may be necessary to prevent ML and TF;
- ❖ Screen staff and train them in anti- money laundering measures;
- ❖ Avoid tipping off about a money laundering or terrorist financing disclosure, or investigation into either;
- ❖ File Suspicious Transaction Report (STR)-POCA;
- ❖ File Threshold Transaction Reports(TTR)-POCA;
- ❖ Making Authorized Disclosure and Request for Consent-POCA;
- ❖ Filing Listed Entities Report (LER)- TPA;
- ❖ Filing Suspicious Transaction Reports-TPA

SUMMARY OF PENALTIES

Offence	On conviction before Resident Magistrates Court	On conviction before Circuit Court
Money Laundering	<p>Individual: Fine not exceeding JMD \$3M or imprisonment no exceeding 5 years, or both</p> <p>DNFI/FI: Fine not exceeding JMD 5M</p>	<p>Individual: Fine or imprisonment not exceeding 20 years, or both</p> <p>DNFI/FI: Unlimited Fine</p>
Unauthorized Disclosures (Tipping Off)	<p>Individual: fine not exceeding JMD \$1M or imprisonment not exceeding 12 months</p>	<p>Individual: Fine or imprisonment not exceeding 10 years, or both</p>
Non-disclosure by a person in the regulated sector	<p>Individual: fine not exceeding JMD \$1M or imprisonment not exceeding 12 months</p>	<p>Individual: Fine or imprisonment not exceeding 10 years, or both</p>

SUMMARY OF PENALTIES

Offence	On conviction before Resident Magistrates Court	On conviction before Circuit Court
Non-disclosure by a nominated officer in the regulated sector	Individual: fine not exceeding JMD \$1M or imprisonment not exceeding 12 months.	Individual: Fine or imprisonment not exceeding 10 years.
Limit on cash transaction	Individual: fine not exceeding JMD \$3M or imprisonment not exceeding 3 years or both.	Individual: Fine or imprisonment not exceeding 10 years.
Failure to obtain Appropriate Consent	Individual: fine not exceeding JMD \$1M or imprisonment not exceeding 12 months or both	Individual: Unlimited fine or imprisonment not exceeding 5 years or both
Failure to comply with Orders	Individual: Fine not exceeding JMD \$1M or imprisonment no exceeding 12 months, or both DNFI/FI: Fine not exceeding JMD \$1M	Individual: Fine or imprisonment not exceeding years. DNFI/FI: Fine

SUMMARY OF PENALTIES

Offence	On conviction before Resident Magistrates Court	On conviction before Circuit Court
Failure to keep accurate records of electronic funds transfers	<p>Individual: Fine not exceeding JMD \$1M or imprisonment not exceeding 12 months, or both</p> <p>DNFI/FI: Fine not exceeding JMD \$3M</p>	
Failure to report transactions involving the prescribed amount (Threshold Transaction Reports)	<p>DNFI/FI: Fine not exceeding JMD \$400,000.00</p>	
Undertaking business as a shell bank or undertaking or facilitating dealings of any kind or nature with a shell bank.		<p>Individual: A fine or imprisonment for a term not exceeding ten (10) years.</p> <p>DNFI/FI: A fine</p>

KYC/AML APPROACH


Assess your current files to confirm whether adequate information is on file for a Client; if not, take reasonable steps to remediate(obtain this information from the Client).

Conduct a risk assessment of your current Client base and begin to assign of risk rating to Clients

a. Low

b. Medium

c. High

- a. If in doubt about the accuracy and veracity of your Client's information, the entity should file STR if a transaction has taken place and if nor, a SAR should be filed.
 - b. Develop a AML Manual to guide staff internally. If no policy/manual is in place, staff may use the POCA regulations and adopt the PAB's guidance for Public Accountants, as the basic principles to follow.
 - c. Conduct training for all staff and develop a Know Your Employee Standard.
- 

APPENDIX



THE TERRORISM PREVENTION ACT

The Terrorism Prevention (Reporting Entities) Regulations 2010

Report under Section 15 - Possession or Control of Property Owned or Controlled by or on behalf of a Listed Entity

EXCEPT AS PROVIDED IN SECTION 15 OF THE ACT, IT IS AN OFFENCE TO DISCLOSE THIS REPORT TO ANYONE (INCLUDING THE CUSTOMER)

To: The Designated Authority
Chief Technical Director
Financial Investigation Division
1 Shalimar Avenue, Kingston 3

Reset Form

Print Form

Report Number

20180924FID0001

PART A	GENERAL INFORMATION	Report Number :	20180924FID0001
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1. Type of Report

- Initial Report Report in response to request made by designated authority on
- Report for Period of four calendar months May 1 to August 31 Special Report

2. Reporting Entity

Name of reporting entity Financial Investigations Division	Postal address of reporting entity 1 Shalimar Ave, Kingston 3	Address for service of documents 1 Shalimar Ave, Kingston 3
Telephone Number (876) 928-5141	Facsimile Number (876) 928-1883	E-mail Address
Name of Chief Executive Officer Robin Sykes	Telephone Number (876) 928-5141	Name of person making report (Declarant) Susan Watson Bonner
		Telephone Number (876) 928-5141

3. Type of Entity

- Foreign company engaged in the business of :-
- Banking Securities Insurance
- Investment advice Trust Other

- Financial Institution :-
- Bank Building Society Money Transfer & Remittance Agents
- Licensee (Financial Institution) Credit Union Licensed Operator of Exchange Bureau
- Other

Dealer (Securities) Investment Adviser (Securities)

Entity designated by the Minister Insurance Company

Other

PART B DETERMINATION

In respect of the above mentioned reporting period it is determined that **Financial Investigations Division**

IS NOT in possession or control of property owned or controlled by or on behalf of a listed entity.

IS in possession or control of property owned or controlled by or on behalf of a listed entity, the particulars of which are set out in Part C.

REASON FOR DETERMINATION

We have searched the UN Listed Entities list and found that we are NOT in possession of anyone or their properties associated with the list.

T P A - F O R M

PART C		PARTICULARS OF LISTED ENTITY	
Complete if entity is an individual			
First Name	Last Name	Other Name (s)	Gender <input type="checkbox"/> Male <input type="checkbox"/> Female
Date of Birth	Place of Birth	Registration Number or (TRN)	Issuing Country
Address		Identification Credential [Select ID Credential]	Issued By Identification Number
Nationality (ies)		Occupation	Employer
Telephone Number (s) Work Home Cell Other			
Complete if entity is a group, trust, partnership or fund or an unincorporated association or organization			
Name			
Registration Number	Country of Incorporation	Date of Incorporation	Address
Director / Principal Officer			
Name	Occupation	Address	<input type="checkbox"/> Add another <input type="checkbox"/> Remove
List Entity / Person with share holding of 10% or more			
Name of Share Holder	Occupation	Address	Percentage Holding
<input type="checkbox"/> Add another <input type="checkbox"/> Remove			
2. Property Information			
Type of Property [Select Property Type Here]	For multiple properties re-select property type		
3. Account Information (Complete where property involves an account)			Account Number
Account Holder's Name	Branch	Type of Account	Account Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed
Date Opened	Date Closed (if applicable)	<input type="checkbox"/> Add another Account <input type="checkbox"/> Remove this Account	
4. Transaction Information (Complete in respect of each transaction involving the property)			
Date of Transaction	Date of Posting	Description of Transaction	
Person conducting transaction in the capacity of <input type="checkbox"/> Principal <input type="checkbox"/> Agent <input type="checkbox"/> Other Institutions <input type="checkbox"/> Other Persons			
Individual's first name or Organization's Name		Last Name	Other Name (s)
Address		Identification Credential [Select ID Credential]	Issued By Identification Number
Date of Birth	Registration Number or (TRN)	<input type="checkbox"/> Add another Transaction <input type="checkbox"/> Remove this Transaction	
Name of Compliance Officer: <u>Susan Watson Bonner</u> Telephone # <u>(876) 928-5141</u>			
Signature: _____ Date <u>24/09/2018</u>			

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2



THE
JAMAICA GAZETTE
SUPPLEMENT

PROCLAMATIONS, RULES AND REGULATIONS

872G

Vol. CXL

WEDNESDAY, NOVEMBER 29, 2017

No. 84C

No. 184E

PUBLIC BUSINESS

Extract from the Minutes of the meeting of the Honourable Senate held on the 13th day of October, 2017:

The Minister of Foreign Affairs and Foreign Trade and Leader of Government Business, having obtained suspension of the Standing Orders, further moved:

THE TERRORISM PREVENTION ACT

**THE TERRORISM PREVENTION (DESIGNATED REPORTING ENTITY)
(PUBLIC ACCOUNTANTS) ORDER, RESOLUTION, 2017**

WHEREAS section 15 of the Terrorism Prevention Act (hereinafter referred to as "the Act") imposes reporting duties on certain specified entities:

AND WHEREAS section 15(2) of the Act provides that the Minister may designate any entity as an entity to which the provisions of section 15 of the Act shall apply:

AND WHEREAS section 15(2) of the Act provides for the aforementioned designation to be made by order subject to affirmative resolution:

**T
P
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T**

872H

PROCLAMATIONS, RULES AND REGULATIONS

[Nov. 29, 2017]

AND WHEREAS on the 9th day of June, 2017, the Minister made the Terrorism Prevention (Designated Reporting Entity) (Public Accountants) Order, 2017:

NOW, THEREFORE, BE IT RESOLVED by this Honourable House as follows:—

1. This Resolution may be cited as the Terrorism Prevention (Designated Reporting Entity) (Public Accountants) Order, Resolution, 2017.

2. The Terrorism Prevention (Designated Reporting Entity)(Public Accountants) Order, 2017, which was laid on the Table of the Senate on the 16th day of June, 2017, is hereby affirmed.

Seconded by: Senator Matthew Samuda.

Agreed to.

I certify that the above is a true extract from the Minutes.

HEATHER E. COOKE, CD, JP, (MRS.)
Clerk to the Houses.

No. 184F

PUBLIC BUSINESS

Extract from the Minutes of the meeting of the Honourable House of Representatives held on the 29th day of November, 2017:

The Minister of Justice moved:

THE TERRORISM PREVENTION ACT

**THE TERRORISM PREVENTION (DESIGNATED REPORTING ENTITY)
(PUBLIC ACCOUNTANTS) ORDER, RESOLUTION, 2017**

WHEREAS section 15 of the Terrorism Prevention Act (hereinafter referred to as "the Act") imposes reporting duties on certain specified entities:

AND WHEREAS section 15(2) of the Act provides that the Minister may designate any entity as an entity to which the provisions of section 15 of the Act shall apply:

AND WHEREAS section 15(2) of the Act provides for the aforementioned designation to be made by order subject to affirmative resolution:

AND WHEREAS on the 9th day of June, 2017, the Minister made the Terrorism Prevention (Designated Reporting Entity) (Public Accountants) Order, 2017:

NOW, THEREFORE, BE IT RESOLVED by this Honourable House as follows:—

1. This Resolution may be cited as the Terrorism Prevention (Designated Reporting Entity) (Public Accountants) Order, Resolution, 2017.

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2. The Terrorism Prevention (Designated Reporting Entity)(Public Accountants) Order, 2017, which was laid on the Table of the House on the 13th day of June, 2017, is hereby affirmed.

Mr. Mark Golding also spoke on the motion.

Seconded by: Mr. Alando Terrelonge.

Agreed to.

I certify that the above is a true extract from the Minutes.

HEATHER E. COOKE, CD, JP, (MRS.)
Clerk to the Houses.

THE TERRORISM PREVENTION ACT

**THE TERRORISM PREVENTION (DESIGNATED REPORTING ENTITY)
(PUBLIC ACCOUNTANTS) ORDER, 2017**

In exercise of the powers conferred upon the Minister by section 15(2) of the Terrorism Prevention Act, and every other power hereunto enabling, the following Order is hereby made:—

1. This Order may be cited as the Terrorism Prevention (Designated Reporting Entity) (Public Accountants) Order, 2017.

2. With effect from the commencement date of this Order, any person to whom paragraph 3 applies is hereby designated as a reporting entity for the purposes of section 15 of the Act.

3. This paragraph applies to any person registered as a public accountant under the Public Accountancy Act, and who carries out any of the following activities on behalf of any client—

- (a) purchasing or selling real estate;
- (b) managing money, securities or other assets;
- (c) managing bank accounts or savings accounts of any kind, or securities accounts;
- (d) organizing contributions for the creation, operation or management of companies;
- (e) creating, operating or managing a legal person or legal arrangement (such as a trust or settlement); or
- (f) purchasing or selling a business entity.

4. For the purposes of—

- (a) paragraph 2, the commencement date is the day falling six months after the date on which this Order is affirmed by resolution pursuant to section 15(2) of the Act;
- (b) paragraph 3, "securities" has the meaning assigned to it under the Securities Act.

Dated this 9th day of June, 2017.

KAMINA JOHNSON SMITH
Minister of Foreign Affairs and Foreign Trade.

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THE TERRORISM PREVENTION ACT

The Terrorism Prevention (Designated Reporting Entity) (Public Accountants) Order, 2017

In exercise of the powers conferred upon the Minister by section 15(2) of the Terrorism Prevention Act, and of every other power hereunto enabling, the following Order is hereby made:-

1. This Order may be cited as the Terrorism Prevention (Designated Reporting Entity) (Public Accountants) Order, 2017.
2. With effect from the commencement date of this Order, any person to whom paragraph 3 applies is hereby designated as a reporting entity for the purposes of section 15 of the Act.
3. This paragraph applies to any person registered as a public accountant under the Public Accountancy Act, and who carries out any of the following activities on behalf of any client –
 - (a) purchasing or selling real estate;
 - (b) managing money, securities or other assets;
 - (c) managing bank accounts or savings accounts of any kind, or securities accounts;
 - (d) organizing contributions for the creation, operation or management of companies;

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- (a) paragraph 2, the commencement date is the day falling six months after the date on which this Order is affirmed by resolution pursuant to section 15(2) of the Act;
- (b) paragraph 3, “securities” has the meaning assigned to it under the Securities Act.

Dated this 9 day of June, 2017.


Minister of Foreign Affairs and Foreign Trade

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Thank You!

