

**Anti-Money Laundering Department
Bangladesh Bank
Head Office
Dhaka.**

AML Circular No. 19

Date: 14/08/2008

Chief Executive
All Banks and Financial institutions

Dear Sir,

Instructions to be followed by the Banks and Financial institutions for compliance of the provisions contained in the Money Laundering Prevention Ordinance,2008 and Anti Terrorism Ordinance,2008

Attention is drawn to the AML Circular No. 16/2008 and 17/2008 issued on 29 April, 2008 and 29 June, 2008 respectively. As per power conferred in section 23 of Money Laundering Prevention ordinance, 2008 enacted on cancellation of Money Laundering Prevention Act, 2002 and as per power conferred in section 15 of Anti Terrorism ordinance,2008 enacted in a new form, some amendments to the circulars issued under Money laundering prevention Act ,2002 mentioned below and some instructions are hereby issued for your compliance .

02. In case of AML Circular No. 02 the changed instructions described in the table below.

Article	The words/sentences to be substituted	The words/sentences by which to be substituted
title	Money Laundering Prevention Act,2002	Money Laundering Prevention ordinance, 2008
Article no.2	Money Laundering Prevention Act,2002 and section (4)	Money Laundering Prevention ordinance, 2008 and section (4)
Article no.(2) (Ka) (Kha)(ga) and (uma)	(Ka) Section 19 (1) (Ka) of Money Laundering Prevention Act,2002	(Ka) Money Laundering Prevention ordinance, 2008 and section (25)(1)
	(Kha) section 19(1)(Ka) of Money Laundering Prevention Act,2002	(Kha) Money Laundering Prevention ordinance, 2008 and section (25)(1)
	(Ga) section 19 of Money Laundering Prevention Act,2002	(Ga) Money Laundering Prevention ordinance, 2008 and section (25)
	(Uma) section 19(1)(Ga) of Money Laundering Prevention Act,2002	(Uma) Money Laundering Prevention ordinance, 2008 and section (25)(1)
Article no.(2) Chha	Money Laundering Prevention Act,2002	Money Laundering Prevention ordinance, 2008

Besides these Banks and Financial institutions, where applicable, shall have to follow the following additional instructions:

- (Ka) No anonymous, fictitious account or account only with numbers shall be maintained or opened.
 - (Kha) information regarding source of fund of the transaction by the customer and Beneficial owner (in case of Company, detailed information of controlling shareholder and 20% or more shares held by single holder) must be.
 - (Ga) while providing service obtained /based–modern technology to non face to face customers, reporting agency, under Money Laundering Prevention ordinance, 2008, shall have to asses Money Laundering and terrorist financing risk and adopt policies and procedures to mitigate those risks.
 - (Gha) Instruction contained in the Money Laundering Prevention ordinance, 2008, must be followed properly by the branches and subsidiary organisations located abroad of the reporting organisations as enlisted in the Money Laundering Prevention ordinance, 2008.
 - (Uma) No officials of the reporting Organisation shall divulge any information regarding the reported unusual or suspicious transactions any information, at any stage to its customer or any other person, so that investigation procedure is hampered or influenced adversely.
03. The following instruction in addition to the instructions of AML circular no. 07 shall have to be followed:
- (Ka) Enhanced due diligence shall have to be ensured regarding respondent banks that maintain correspondent banking relationship with Shell Bank or maintain account with them or provides services to them.
04. In case of AML Circular no. 08 following instructions stated in the table below have to be followed:

Article	The words/sentences to be substituted	The words/sentences by which to be substituted
Title	section 4 and 19 of Money Laundering Prevention Act,2002	section 23(1) (ka) of Money Laundering Prevention ordinance, 2008
Article no.(2)	Money Laundering Prevention Act,2002 and section (4)	Money Laundering Prevention ordinance, 2008 and section (23)
Article no.2	Section 19 (4) of Money Laundering Prevention Act,2002	section (25)(2)Money Laundering Prevention ordinance, 2008 and

Besides, all other instructions shall remain unchanged.

05. Banks under Anti-Terrorism ordinance, 2008(Banks as defined in section 2(10) of the ordinance) shall perform the following activities.

- (Ka) Central Compliance of the Head office constituted as per instructions of money Laundering Prevention circular o2 and the officer nominated at the branch level shall perform the duty of compliance and internal monitoring of the instructions Anti-Terrorism ordinance, 2008 and the relevant instructions issued by the Bangladesh Bank.
- (Kha) All banks shall develop a system to detect and prevent transactions related to terrorist financing through banking channel.
- Ga) if there is any reasonable ground to suspect that a transaction or an attempt of transaction has connection to financing terrorist activities as per Anti-Terrorism ordinance, 2008 shall have to be reported the same day with comments of the branch compliance officer to the Central Compliance unit of the concerned bank. CCU will examine and review the received report to General Manager, anti Money laundering department, Bangladesh Bank with Confidentiality. In case of sending the report to Bangladesh Bank, The CCU shall not in any way, delay for more than three working days from the date of the receipt of the report from the branches.
- (Gha) Board of Directors of each bank shall approve and circulate relevant instructions to be followed by the bank officials and shall send a copy these instructions to Bangladesh Bank, and shall also ensure the compliance of the instructions circulated by Bangladesh Bank.
06. While reporting Suspicious/unusual Transaction Report under Money Laundering Prevention Ordinance, 2008 and under Anti Terrorism Ordinance, 2008 Annexed Form Ka shall have to be used considering the STR Form attached to AML Circular-02, and AML Circular-10 as cancelled.

These instructions shall have immediate effect. Please acknowledge the receipt.

Yours Sincerely,
(Signed)
(Md. Eskandar Miah)
General Manager (current charge)
Phone - 7124366