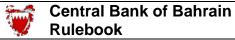
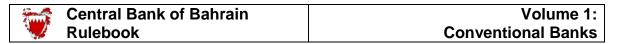
# FINANCIAL CRIME MODULE



MODULE	FC (Financial Crime)
CHAPTER	Table of Contents

			Date Last Changed
EC A	Introduction	0.0	
rc-A	FC-A.1	Purpose	01/2022
	FC-A.2	Module History	01/2023
FC-B	Scope of A	pplication	
	FC-B.1	License Categories	10/2007
	FC-B.2	Overseas Subsidiaries and Branches	01/2018
F0.0	D. 1 D		
FC-C	Risk Based		04 /2022
	FC-C.1	Risk Based Approach	01/2022
	FC-C.2	Risk Assessment	01/2023
FC-1	Customer	Due Diligence Requirements	
101	FC-1.1	General Requirements	xx/2023
	FC-1.2	Face-to-face Business: Customer Due Diligence	01/2022
	FC-1.3	Enhanced Customer Due Diligence:	01/2022
		General Requirements	
	FC-1.4	Enhanced CDD:	01/2022
		Non face-to-face Business and New Technologies	
	FC-1.5	Enhanced CDD: Politically Exposed Persons: PEPs	01/2022
	FC-1.6	Enhanced CDD for Charities, Clubs and Societies	07/2019
	FC-1.7	Enhanced CDD: 'Pooled Funds'	10/2014
	FC-1.8	Enhanced CDD: Correspondent Banking	01/2018
	FC-1.9 FC-1.10	Introduced Business from Professional Intermediaries Shell Banks	01/2018 10/2005
	FC-1.10A	Enhanced Due Diligence: Cross Border Cash	07/2018
	1.071	Transactions Equal to and above BD6,000 by Courier	07/2010
	FC-1.11	Simplified Customer Due Diligence	01/2022
	FC-1.12	[This Section was deleted in January 2022]	01/2022
		, ,	,
FC-2		T Systems and Controls	,
	FC-2.1	General Requirements	04/2020
	FC-2.2	On-going CDD and Transaction Monitoring	10/2017
FC-3	Money Te	ansfers and Alternative Remittances	
1.0-2	FC-3.1	Electronic Transfers	01/2021
	FC-3.2	Remittances on behalf of Money or Value Transfer	10/2019
	·	Service (MVTS) Providers	,



MODULE	FC (Financial Crime)
CHAPTER	Table of Contents (continued)

			Date Last Changed
FC-4	Money Lau	ndering Reporting Officer (MLRO)	_
	FC-4.1	Appointment of MLRO	10/2017
	FC-4.2	Responsibilities of the MLRO	10/2019
	FC-4.3	Compliance Monitoring	01/2022
FC-5	Suspicious	Transaction Reporting	
	FC-5.1	Internal Reporting	10/2005
	FC-5.2	External Reporting	10/2019
	FC-5.3	Contacting the Relevant Authorities	10/2019
FC-6	Staff Traini	ng and Recruitment	
	FC-6.1	General Requirements	01/2022
FC-7	Record-Kee	ening	
10 /	FC-7.1	General Requirements	01/2019
	1 0-7.1	General requirements	01/2017
FC-8	NCCT Mea	asures and Terrorist Financing	
	FC-8.1	Special Measures for NCCTs	01/2018
	FC-8.2	Terrorist Financing	01/2023
	FC-8.3	Designated Persons and Entities	10/2014
FC-9	Enforcemen	nt Measures	
20,	FC-9.1	Regulatory Penalties	10/2005
EC 10	AMI / CE	E C : 1 may 1 Park Park in	
FC-10	-	Γ Guidance and Best Practice	40/0044
	FC-10.1	Guidance Provided by International Bodies	10/2014

FC: Financial Crime January 2023

MODULE	FC (Financial Crime)
CHAPTER	Table of Contents (continued)

Date Last Changed

### APPENDICES (included in Volume 1 (Conventional Banks), Part B)

## **CBB** Reporting Forms

Form Name	Subject
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FC-2 STR Suspicious Transaction Reporting Form 10/2005

FC-4 MLRO MLRO Form

## **Supplementary Information**

Item Number	Subject	
FC-1	Amiri Decree Law No. 4 (2001)	-
FC-(i)(a)	Decree Law No. 54 (2006)	-
FC-(i)(b)	Decree Law No.58 (2006)	-
FC-3	Examples of Suspicious Transactions	10/2005
FC-5	UN Security Council Resolution 1373 (2001)	-
FC-6	Guidance Notes	10/2005
FC-7	UN Security Council Resolution 1267 (1999)	-

FC: Financial Crime
October 2005

MODULE	FC:	Financial Crime
CHAPTER	FC-1:	Customer Due Diligence Requirements

## FC-1.1 General Requirements (continued)

FC-1.1.7

<u>Conventional bank licensees</u> must establish and verify the identity of the customer and (where applicable) the party/parties on whose behalf the customer is acting, including the Beneficial Owner of the funds. Verification must take place in accordance with the requirements specified in this Chapter.

FC-1.1.8

Where financial services are provided to a minor or other person lacking full legal capacity, the normal identification procedures as set out in this Chapter must be followed. In the case of minors, <u>licensees</u> must additionally verify the identity of the parent(s) or legal guardian(s). Where a third party on behalf of a person lacking full legal capacity wishes to open an account, the <u>licensee</u> must establish the identity of that third party as well as the intended account holder.

#### Anonymous and Nominee Accounts

FC-1.1.9

<u>Conventional bank licensees</u> must not establish or keep anonymous accounts or accounts in fictitious names. Where <u>conventional bank licensees</u> maintain a nominee account, which is controlled by or held for the benefit of another person, the identity of that person must be disclosed to the <u>conventional bank licensee</u> and verified by it in accordance with the requirements specified in this Chapter.

Timing of Verification – Companies under Formation or New Arrivals

FC-1.1.10

Conventional bank licensees must not commence a business relationship or undertake a transaction with a customer before completion of the relevant customer due diligence measures specified in Chapters 1, 2 and 3. <u>Licensees</u> must also adopt risk management procedures with respect to the conditions under which a customer may utilise the business relationship prior to verification. However, verification may be completed after receipt of funds in the case of: Bahrain companies under formation which are being registered with the Ministry of Industry, Commerce and Tourism; or newly arrived persons in Bahrain who are taking up employment or residence; or non-face-to-face business, or the subsequent submission of CDD documents by the customer after undertaking initial customer due diligence provided that no disbursement of funds takes place in any of the above cases until after the requirements of these Chapters have been fully met.

FC: Financial Crime Section FC-1.1



MODULE	FC:	Financial Crime
CHAPTER	FC-1:	Customer Due Diligence Requirements

## FC-1.1 General Requirements (continued)

## FC-1.1.10A

Conventional bank licensees opening accounts for companies under formation must follow the following procedures in two stages:

Stage 1:

- (a) <u>Licensees</u> must open accounts for companies under formation that provide evidence of applying for commercial registration (CR) but have not completed the entire process to obtain the final CR;
- (b) Amounts can be received/deposited to this account but cannot be disbursed until it is made fully operational; and Stage 2:
- (c) The account is made fully operational once the final CR is received and the customer has completed all customer due diligence requirements in accordance with this Module.

#### FC-1.1.10B

In complying with the requirements of Paragraph FC-1.1.10A, <u>licensees</u> should request only reasonable information and documentation necessary for customer due diligence purposes during stage 1. <u>Licensees</u> should only deny a request for opening accounts due to serious reasons. Examples of such reasons may include instances where one of the shareholders or management of the company under formation appears in one of the local, regional or international sanction lists.

#### FC-1.1.10C

In order for the companies to operate the accounts (stage 2), they shall be required to complete the KYC and other establishment requirements within a period of six months from the date of opening the account. The period of six months shall be extendable subject to a bilateral understanding between the two parties, taking into account the official required procedures of obtaining the license.

#### FC-1.1.10D

Conventional bank licensees must classify the accounts of companies under formation as dormant if the company did not complete the CR formalities, did not submit all required KYC documents within the agreed period and the company is not cooperating with the bank. Licensees must notify the Ministry of Industry and Commerce when the account of companies under formation is classified as dormant and/or when the initial capital is withdrawn. Closure of the accounts thereafter shall be subject to the discretion of the bank.

FC: Financial Crime XX 2023

Section FC-1.1

MODULE	FC:	Financial Crime
CHAPTER	FC-1:	Customer Due Diligence Requirements

## FC-1.1 General Requirements (continued)

FC-1.1.13A In complying with the requirements of Paragraph FC-1.1.13, examples of serious reasons for denying the request for opening an account may include failure to provide a valid passport. It may also include instances where a potential customer's conduct or activity appears suspicious or the customer's name appears in one of the local, regional or international sanction lists.

Where a company under formation in the Kingdom of Bahrain, which presents formal documents providing evidence that it has applied for and is awaiting its final commercial registration (CR), requests to open an account at a retail bank in Bahrain, the bank must open the requested account unless it has serious reasons to decline.

FC-1.1.13C In complying with the requirements of Paragraph FC-1.1.13B, examples of serious reasons for denying the request for opening an account may include instances where a potential customer's conduct or activity appears suspicious or one of the principal's (shareholder or management) or the company under formation appears in one of the local, regional or international sanction lists.

FC-1.1.13D Retail banks shall continue to open accounts for companies under formation, which have been granted a commercial registration but not yet completed all other formalities.

FC-1.1.13E In order for the companies to operate the accounts, they shall be required to complete the KYC and other establishment requirements within a period of six months from the date of opening the account. The period of six months shall be extendable subject to a bilateral understanding between the two parties, taking into account the official required procedures of obtaining the license.

FC-1.1.13F If the company under formation did not complete the license formalities nor submitted all required KYC documents to the subject bank within the agreed period and the company is not cooperating with the bank, the account of the company must be classified as dormant.

FC-1.1.13G
Retail banks must notify the Ministry of Industry, Commerce and Tourism when the account of companies under formation is classified as dormant and/or when the initial capital is withdrawn.

XX 2023

FC-1.1.13H Closure of the accounts thereafter shall be subject to the discretion of the bank.

FC: Financial Crime