

Appointing Compliance Officials for Businesses and Professions in Designated Non-Financial Sector

The following Designated Non-Finance Businesses (DNFBs) as defined in the Financial Transactions Reporting Act, No. 6 of 2006 (FTRA) are hereby informed of the obligation of appointing a Compliance Officer under the requirements of Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT) laws and regulations in Sri Lanka.

- (a) Casinos, gambling houses or conducting of a lottery, including a person who carries on such a business through the internet when their customers engage in financial transactions equal to or above the prescribed threshold;
- (b) Real estate agents, when they are involved in transactions for their clients in relation to the buying and selling of real estate;
- (c) Dealers in precious metals and dealers in precious and semi-precious stones, including but not limited to, metals and stones covered by the National Gem and Jewellery Authority Act, No. 50 of 1993 when they engage in cash transactions with a customer, equal to or above the prescribed threshold;
- (d) Lawyers, notaries, other independent legal professionals and accountants as defined in Section 33 of the FTRA;
- (e) Trust or company service providers as defined in Section 33 of the FTRA;
- (f) Such other business as may be prescribed from time to time by the Minister taking into consideration the interests of the national economy.

DNFBs are hereby directed to read and understand the below stated relevant laws and regulations which are available on the website, <http://fiusrilanka.gov.lk> to comply with the obligations of preventing and detecting money laundering and terrorist financing risks in dealing with their customers.

- Financial Transactions Reporting Act, No. 6 of 2006 (FTRA)
- The Designated Non-Finance Business (Customer Due Diligence) Rules, No. 1 of 2018
- The Suspicious Transactions (Format) Regulations of 2017, the Gazette Notification No. 2015/56 dated April 21, 2017

The Financial Intelligence Unit (FIU) of Sri Lanka is empowered to regulate and examine the business and affairs of DNFBs for the purpose of ensuring their compliance with the FTRA and directions, orders, rules or any other regulations issued thereunder.

All the DNFBs are hereby informed to use the attached form to fulfil the legal obligation of notifying the FIU of the appointment of the Compliance Officer. The DNFBs which have not responded accordingly are liable for penalties in terms of Section 19 of the FTRA.

Instructions to Appoint the Compliance Officer

1. The Compliance Officer is responsible for ensuring the DNFB's compliance with the AML/CFT requirements in terms of the FTRA and, rules and regulations issued by the FIU.
2. It is required to appoint the Compliance Officer from the senior management level of the DNFB.
3. If the business is operated by a single proprietor or sole practitioner, such proprietor or practitioner of the business shall act as the Compliance Officer.
4. Once appointed, the Compliance Officer is required to have a proper understanding on money laundering and terrorist financing risks and anti-money laundering and countering the financing of terrorism related laws and regulations in Sri Lanka.
5. The appointment of the Compliance Officer should be notified to the FIU using the form which can be downloaded from the FIU website;
<http://fiusrilanka.gov.lk/downloads.html> .
6. The Compliance Officer's full name and his or her designation should be written clearly in the form.
7. Name of the company should be clearly mentioned.
8. Under the contact details, official address, official telephone numbers and the mobile number of the Compliance Officer, the official e-mail address for which the Compliance Officer has access and the official fax number should be clearly written.
9. The appointment must be certified by the CEO/ senior official of the company with the official stamp.
10. Details of the chief executive officer or the sole practitioner or the sole proprietor where applicable (full name, official address, telephone number, e-mail address and the official fax number) should be clearly mentioned.
11. The certified form to be copied to the appointed Compliance Officer for his/her knowledge and reference.
12. A dully filled form to be posted or hand delivered to the following address.

Director, Financial Intelligence Unit
Central Bank of Sri Lanka
No. 30, Janadhipathi Mawatha, Colombo 01, Sri Lanka.

13. For further clarification please contact: Tel.011-2477125, Fax :011-2477692/2477722,
Email: *info@fiusrilanka.gov.lk*