

Our reference
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**Republic of Vanuatu
State Law Office**

Financial Intelligence Unit

1st Floor, Hong Kong & New Zealand House
Rue Mercet, Port Vila

Private Mail Bag 9048
Port Vila

Telephone (678) 22362
Mobile (678) 5720719/7330250
Website www.fiu.gov.vu
Email vfiu@vanuatu.gov.vu

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To AML&CTF Compliance Officer

Guidance Note No. 4 of 2017

AML&CTF COMPLIANCE SUPERVISION- ELECTRONIC CURRENCY TRANSFERS

This Guidance Note is issued to assist and inform reporting entities in complying with Part 8A ("Due Diligence for Electronic Currency Transfers") of the Anti-Money Laundering & Counter-Terrorism Financing Act 13 of 2014 (as amended) (the "AML&CTF Act").

Part 8A applies to reporting entities that conduct any of the following activities as listed in section 37 of the AML&CTF Act.

The part sets out requirements for three (3) separate entity types namely; originating entity, intermediary entity and beneficiary entity, that might be involved in a particular electronic currency transfer.

Originating entity means a reporting entity that receives a request from a person (the sender) to execute an electronic currency transfers;

Intermediary entity means a reporting entity that receives a request to act as an intermediary in an electronic currency transfer.

And a beneficiary entity means a reporting entity that receives a request to receive an electronic currency transfers.

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These entities have specific requirements to undertake in relation to the electronic currency transfers but are not required to verify any documents, data or information that it has previously verified for the purposes of carrying out customer due diligence under Part 4 and any other provision of this Act.

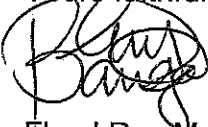
It also sets out customer due diligence ("CDD") requirements for 3 specific circumstances – conducting a transaction below VT100, 000 (or its foreign currency equivalent); of or exceeding VT100, 000 (or its foreign currency equivalent) and regular customers.

All entities must retain records of all sender and receiver information that accompanies an electronic currency transfer and must comply with the record keeping requirements with Part 5 of the AML&CTF Act (as amended).

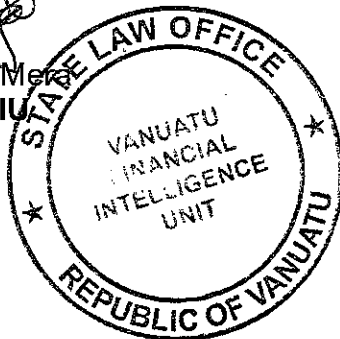
Finally, for reporting entities providing a money or value transfer service if they control both the sending and receiving side of an electronic currency transfer the entity must adhere to the requirements stated in subsection 37G(2).

All the measures are necessary to ensure that reporting entities are complying with the obligations set out in the said Act.

Yours faithfully,



Floyd Ray Mera
Director FIU



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