



FINANCIAL INTELLIGENCE ANALYSIS UNIT

Administrative Penalty Publication Notice

This notice is being published by the Financial Intelligence Analysis Unit (FIAU) in terms of Article 13C(1) of the Prevention of Money Laundering Act (PMLA) and in accordance with the policies and procedures on the publication of AML/CFT penalties established by the Board of Governors of the FIAU.

This notice provides select information from the FIAU's decision imposing the respective administrative penalties, and is not a reproduction of the actual decision.

DATE OF IMPOSITION OF THE ADMINISTRATIVE PENALTY:

6 March 2020

SUBJECT PERSON:

Credorax Bank Limited (C46342)

RELEVANT FINANCIAL BUSINESS CARRIED OUT:

Credit Institution

SUPERVISORY ACTION:

Off-site Thematic Review

DETAILS OF THE ADMINISTRATIVE MEASURE IMPOSED:

Administrative Penalty

LEGAL PROVISION BREACHED:

Regulation 15(8) of the Prevention of Money Laundering and Funding of Terrorism Regulations (PMLFTR) which obliges subject persons to provide any information requested by the FIAU "as soon as is reasonably practicable but not later than five working days from when the demand is first made".¹

REASONS LEADING TO THE IMPOSITION OF THE ADMINISTRATIVE PENALTY:

Failure by Credorax Bank Limited (the Bank) to reply to FIAU requests for information in 2 separate occasions and failure by the Bank to reply to 37 requests for information made by the FIAU within the stipulated timeframes during the period January 2017 to March 2018.

¹ The equivalent provision within the 2008 PMLFTR was previously envisaged under Regulation 15(11).

The 37 instances wherein the Bank replied late to the requests made by the FIAU ranged from instances where the reply was received by the FIAU more than 20 days late to instances where the reply was received 2 days late. In calculating the number of days that the Bank replied late for each of the 37 occasions referred to above, the 5 working days within which subject persons are obliged to submit their replies in terms of law have not been counted for; ie the days of late reply has been determined over and above the 5 working days allowed to by law. Such shortcoming has caused the Bank to be in breach of Regulation 15(8) of the 2018 PMLFTR.

The FIAU positively acknowledges the commitment of the Bank to ameliorate its internal processes to ensure that requests received by the FIAU are replied to within the statutory timeframes.

TOTAL VALUE OF ADMINISTRATIVE PENALTY:

Fifty One Thousand Euro (€51,000)

13 March 2020