



BANGKO SENTRAL NG PILIPINAS

CIRCULAR LETTER NO. CL-2021-079

OFFICE OF THE DEPUTY GOVERNOR FINANCIAL SUPERVISION SECTOR

To : **All BSP-Supervised Financial Institutions (BSFIs)**

Subject : **Anti-Money Laundering Council (AMLC) Advisory on the List of Uncooperative Covered Persons under the Anti-Money Laundering Act of 2001 (AMLA), as amended**

This is to disseminate to all BSFIs the AMLC advisory¹ on the list of uncooperative covered persons under the AMLA, as amended, posted in the AMLC website on 07 October 2021 (copy attached), as follows:

Philippine Offshore Gaming Operators (POGOs):

- (1) MG Universal Link Limited (MG Universal); and
- (2) Inner Strong Limited (Inner Strong).

The Advisory also informs that the AMLC resolved to revoke the registration of those covered persons who failed or refused to cooperate with the AMLC.

It may be recalled that the AMLC issued the amended Anti-Money-Laundering/Counter-Terrorism Financing (AML/CTF) Guidelines for Designated Non-Financial Businesses and Professions (DNFBPs).² This is in light of the recent amendments to the AMLA, as amended, particularly Section 2 of Republic Act No. 11521, which includes real estate brokers and developers; and offshore gaming operators as well as their service providers as covered persons. Section 54.A.1 of the 2021 AML/CTF Guidelines for DNFBPs vests upon the AMLC the authority to conduct compliance-checking, with at least 24 hours prior notice, to validate the compliance of DNFBPs with the requirements of the AMLA, as amended, its implementing rules and regulations, guidelines, and other AMLC issuances. Failure or refusal to cooperate would mean non-compliance and will be subject to such penalties and sanctions as the AMLC and the Appropriate Government Agency (AGA) may impose under the AMLA, as amended and AGA's Charters, respectively, as well as the implementing rules and regulations and issuances of the AMLC and AGA.

In this regard, the AMLC advises the public to be cautious and to observe appropriate protocols in dealing with the identified uncooperative POGOs.

Moreover, BSFIs are reminded to strictly observe the requirements under Part Nine of the Manual of Regulations (MOR) for Banks and MOR for Non-Bank Financial Institutions, particularly on customer due diligence, ongoing monitoring, and reporting

¹ www.amlc.gov.ph/16-news-and-announcements/323-list-of-uncooperative-covered-persons-under-the-aml-a-as-amended?tmpl=component&print=1&page=

² Posted on 05 June 2021 in AMLC website; <http://www.amlc.gov.ph/publications/16-news-and-announcements/291-2021-aml-ctf-guidelines-for-dnfbps>

of suspicious transactions, as well as BSP Memorandum No. M-2018-002³ and Circular Letter No. CL-2021-012⁴; These provide, among others, that BSFIs shall deal only with gambling and/or online gaming businesses that are authorized/licensed by or registered with the AGA duly empowered by law or its charter to license or authorize entities or businesses to engage in such activities. Also, Section 3.2, Rule 4 of the Revised Implementing Rules and Regulations of the AMLA, as amended, requires all covered persons to register with the AMLC, which the Supervising Authorities shall prescribe as a requirement for continued licensing and/or operations of covered persons, and, when necessary, transacting with other covered persons.

For information and strict compliance.

 Digitally signed by
Chuchi G. Fonacier
Date: 2021.10.15
18:31:16 +08'00'

CHUCHI G. FONACIER
Deputy Governor

15 October 2021

Att: a/s

³ <https://www.bsp.gov.ph/Regulations/Issuances/2018/m002.pdf>

⁴ <https://www.bsp.gov.ph/Regulations/Issuances/2021/CL-2021-012.pdf>

List of Uncooperative Covered Persons under the AMLA, as amended

ADVISORY

The AMLC issued the amended Anti-Money-Laundering/Counter-Terrorism Financing (AML/CTF) Guidelines for Designated Non-Financial Businesses and Professions (DNFBPs). This is in light of the recent amendments to the Anti-Money Laundering Act of 2001 (AMLA), as amended, particularly Section 2 of Republic Act No. 11521, which includes real estate brokers and developers; and offshore gaming operators as well as their service providers as covered persons.

Section 54.A.1 of the 2021 AML/CTF Guidelines for DNFBPs vests upon the Anti-Money Laundering Council (AMLC) the authority to conduct compliance-checking, with at least 24 hours prior notice, to validate the compliance of DNFBPs with the requirements of the AMLA, as amended, its implementing rules and regulations, guidelines, and other AMLC issuances.

Failure or refusal to cooperate would mean non-compliance and will be subject to such penalties and sanctions as the AMLC and the Appropriate Government Agency (AGA) may impose under the AMLA, as amended and AGA's Charters, respectively, as well as the implementing rules and regulations and issuances of the AMLC and AGA.

Supervising Authorities are hereby informed that various covered persons under their respective supervisions failed or refused to cooperate with the AMLC in the conduct of its compliance-checking.

Supervising Authorities are further informed that the AMLC resolved to revoke the registration of those covered persons who failed or refused to cooperate with the AMLC.

Similarly, the public is hereby advised to be cautious and to observe appropriate protocols in dealing with the following uncooperative covered persons:

Philippine Offshore Gaming Operators (POGOs):

1. MG Universal Link Limited (MG Universal); and
2. Inner Strong Limited (Inner Strong).

Posted 7 October 2021