



ANTI-MONEY LAUNDERING POLICY AND PROCEDURE **CLARBESTON ROAD AFC**

WHAT IS MONEY LAUNDERING?

Money Laundering is a process by which criminally obtained money or other assets are exchanged for “clean money” or other assets with no obvious link to their criminal origins.

Money Laundering activities may include: -

- Acquiring, using or possessing criminal property.
- Handling the proceeds of crime such as theft, fraud and tax evasion.
- Being knowingly involved in any way with criminal or terrorist property.
- Entering into arrangements to facilitate laundering criminal or terrorist property.
- Investing the proceeds of crimes and other financial products.
- Investing the proceeds of crime through the acquisition of property/assets, including football clubs.
- Transferring criminal property.

OUR OBLIGATIONS

As a club, we take our responsibilities towards anti-money laundering seriously. The steps that we have put in place include the following: -

- Appointing a Money Laundering Nominated Officer (“MLNO”) to receive, consider and if necessary, report to the authorities’ suspicious activity reported by employees, workers, contractors or advisers of the club.
- Implemented a procedure to enable any individual to report a suspicious activity.
- Maintaining adequate records of transactions.
- Maintaining proper and robust identification procedures in order to ensure that we know who we are entering into financial transactions with and where the money or assets that they are intending to invest have come from.
- Providing you with appropriate training and guidance to ensure that you are fully aware of your obligations.

YOUR OBLIGATIONS

The Money Laundering legislation applies to all employees, workers and contractors of the club as well as club officials, whether you are paid or unpaid. Potentially any individual could be committing an offence contrary to anti-money laundering legislation if they suspect money laundering or if they become involved in some way and do nothing about it.

If you suspect that money laundering activity is or has taken place or if any person becomes concerned about their involvement it must be disclosed as soon as possible to the MLNO.

Failure to do so may result in you being personally liable to prosecution.

EVIDENCE OF IDENTITY

Obtaining proof of identity of those individuals or companies that the club is proposing to enter into a financial transaction with is part of the process that is in place to undertake due diligence. Due diligence means that steps are taken to identify the third party that is dealing with the club. Satisfactory evidence of identity must be obtained and may include: -

- Passport or visa.
- Birth certificate.
- Correspondence at the individuals home address.
- Companies House documentation in relation to limited companies including details of individual directors, recent accounts and the identity of shareholders.

If an individual or organisation is not known to the club, additional checks should be undertaken to verify that they are who they say they are and these checks may include: -

- Obtaining letter headed documents.
- Checking websites.
- Obtaining credit checks.
- Meeting with the individual or representative of the organisation in order to verify their identity.

THE MONEY LAUNDERING AND PROCEEDS OF CRIME NOMINATED OFFICER (“MLNO”)

The Club Secretary is the officer nominated to receive disclosures in respect of suspicious transactions or activity. In the absence of the MLNO, the Junior Secretary is authorised to act as deputy.

DISCLOSURE

Where you know or suspect that money laundering activity is taking or has taken place, or you become concerned that your involvement in a transaction may amount to a breach of the regulations, you must disclose this immediately to the MLNO. This disclosure should be completed

on the same day and you should provide all the necessary information at the same time. Should you not do so, you may be personally liable to prosecution.

Any report should include as much detail as possible and may include any or all of the following:-

- Full available details of the people, and companies involved (including yourself and other members of staff).
- Full details of the transaction and the nature of each person's involvement in the transaction.
- Suspected type of money laundering activity or use of proceeds of crime with exact reasons as to why you are suspicious.
- The day to day transactions, where they are undertaken, how they are undertaken, and the likely amount of money or assets involved.
- Any other information that may help the MLNO judge the case and to facilitate any report to the Serious Organised Crime Agency ("SOCA").
- Once you have reported your suspicions to the MLNO, you must follow any instructions provided. You must not make any further enquiries unless instructed to do so by the MLNO. At no time and under no circumstances should you voice any suspicions to the person or persons that you suspect of money laundering.

ACTION AND DISCLOSURE BY THE MLNO

On receipt of a disclosure report the MLNO will: -

- Note the date of receipt and acknowledge receipt of it.
- Assess and advise the individuals concerned about when a response can be expected.
- Notify the Association as per paragraph 6 of the Code of Ethics.
- Consider the report and any other relevant information, undertake any further enquiries necessary and decide whether a report should be made to SOCA.
- Once the MLNO has evaluated the case, he or she will consider whether actual or suspected money laundering is taking place, whether or not there are reasonable grounds to know or suspect that this is the case and whether or not consent is required from SOCA for a particular transaction to proceed.
- Where the MLNO concludes that the case should be disclosed to SOCA this needs to be done in a timely manner and on the standard report format provided by SOCA.
- Where the MLNO concludes that there are no reasonable grounds to suspect money laundering then consent will be given for transactions to proceed and the disclosure report will be marked accordingly.

RECORD KEEPING REQUIREMENTS

By keeping comprehensive records, the club will be able to show that it has complied with Money Laundering Regulations. This is crucial if there is a subsequent investigation. The types of records kept may include: -

- Daily records of transactions, receipts, cheques, paying in books, correspondence with relevant third parties and details of the identification evidence obtained.
- Copies of documents obtained during the due diligence process, contracts, agreements and correspondence relating to relevant transactions.
- Documents may be originals, photocopies, scanned documents or computerised or electronic documents.
- Records must be kept for six years beginning on either the date a business relationship ends or the date a transaction is completed.

CONCLUSION

Instances of money laundering are likely to be rare, however criminals have increasingly sought to channel the proceeds of criminal activity through football clubs and football-related activity over recent years. As such, we as a club must be aware of our legislative requirements as failure to comply would have serious implications for us and our employees.

If you have any questions in relation to this document or in relation to money laundering in general, please contact Steve Brown, Chairman to discuss.