**AML/CFT Programme Self-Assessment**

V.2

1. **Introduction**

To assist Firms to adopt appropriate practices to mitigate the risk of money laundering, terrorist financing, and proliferation financing, the Regulatory Authority have developed this AML/CFT Programme Self-Assessment guide, which outlines the core requirements of an Anti-Money Laundering and Combating the Financing of Terrorism (AML/CFT) programme in line with the *Anti-Money Laundering and Combating Terrorist Financing Rules 2019*  (“AML/CFTR”) or *Anti-Money Laundering and Combating Terrorist Financing (General Insurance) Rules of 2019* (AMLG). The reference to AML/CFTR or AMLG is collectively referred to as the AML/CFT Rules.

The AML/CFT Programme Self-Assessment is not a checklist and is neither exhaustive nor prescriptive. It provides a practical method for Firms to focus on the key AML/CFT requirements and to enable them to gauge if they are effectively discharging their legal and regulatory obligations to mitigate money laundering and terrorist financing.

The AML/CFT Programme Self-Assessment requires the Firm to assess and document their AML/CFT programme against each core requirement and rate its level of compliance as Compliant[[1]](#footnote-2), Largely Compliant[[2]](#footnote-3), Partially Compliant[[3]](#footnote-4), Non-Compliant[[4]](#footnote-5) or Not Applicable[[5]](#footnote-6) The Regulatory Authority has provided a list of points that Firms should consider when assessing itself against each requirement.

The completion of the AML/CFT Programme Self-Assessment will assist Firms in determining which policies, procedures, systems and controls need to be strengthened to ensure the Firm has an effective AML/CFT programme in place. Firms are encouraged to use the action plan at section 4 to document and track areas requiring any follow up.

Whilst there is no formal requirement to submit the completed AML/CFT Programme Self-Assessment to the Regulatory Authority, the Firm’s assessment may be reviewed as part of any on-site risk assessment visit and the Regulatory Authority may request submission of this completed document. The Regulatory Authority will also expect Firms to be able to justify and verify their assessment with supporting documentation, if requested.

1. **Details**

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| **Name of Firm** |  | **QFC Number**  |  |
| **Completed By** |  | **Date of Completion** |  |
| **Approved By** |  | **Date of approval** |  |

1. **AML/CFT Programme**

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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **A1. A firm must develop a programme against money laundering and terrorist financing.** Consider: * the type and extent of the measures to be adopted by the Firm as part of its AML/CFT programme;
* have regard to the risks of money laundering and terrorism financing and the size, complexity and nature of the business;
* develop and maintain internal policies and procedures, systems and controls to prevent money laundering and terrorism financing;
* screening of employees/ Know Your Employee;
* training and ongoing training of employees;
* independent review and testing of the Firms compliance with AML/CFT policies and procedures;
* appropriate compliance management arrangements; and
* appropriate ongoing assessment and review of the policies and procedures.
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1. **Policies and Procedures**

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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **B1. Documented AML/CFT policies and procedures.**Consider:* the format of the Firm’s AML/CFT policy and procedures (are they detailed in one manual or a number of manuals? Is this a group wide policy or bespoke to the QFC office?);
* to what extent are AML/CFT policies and procedures embedded into day to day operational procedures. Consider client on boarding procedures and determine if they are sufficiently detailed to ensure compliance with KYC requirements and the Firms own KYC policy;
* has the Firm conducted a gap analysis (refer to QFCRA gap analysis tool) to map out additional reporting requirements specific to Qatar and the AML/CFTR (applicable for those firms that adopt global policies from their head office located in a foreign jurisdiction, branches of foreign entities etc);
* how often are AML/CFT policies and procedures updated and the date of the last review (consider whether Qatar/QFC AML/CFT legislation changed recently and if policies and procedures reviewed reflect those changes);
* whether the Firm applies its AML/CFT policies, procedures, systems and controls to any branches or subsidiaries operating outside the QFC;
* has the firm outsourced any of its functions or activities? If yes, an assessment is to be made and documented of the money laundering and terrorist financing risks associated with the outsourcing, which is also to be monitored on an ongoing basis;
* if all staff have easy access to relevant AML/CFT policies and procedures; and
* whether staff are required to confirm receipt and understanding of the AML/CFT policies and procedures.
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1. **AML/CFT Senior Management Responsibilities**

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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **C1. The governing body and senior management of the Firm takes and demonstrates overall responsibility for AML/CFT systems and controls.** Consider: * whether the governing body and senior management of the Firm fully understands their obligations and AML/CFT responsibilities;
* whether the governing body and senior management receive regular AML/CFT training;
* the extent of regular management information on AML/CFT matters;
* whether the governing body or senior management approved the Firm’s AML/CFT policy;
* the resources that the governing body/senior management have allocated to AML/CFT (human, IT, budgets etc.);
* whether the governing body has issued a policy statement confirming a commitment to AML/CFT; and
* whether a firm wide AML/CFT compliance culture is promoted within the firm.
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1. **Money Laundering Reporting Officer and AML/CFT Resources**

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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **D1. The MLRO is sufficiently senior, competent and independent to effectively discharge their responsibilities.**Consider: * whether the MLRO is at management level;
* who the MLRO reports to (both on day to day level and on AML/CFT matters);
* whether (and how) they have direct access to senior management and the governing body;
* whether they have relevant AML/CFT qualifications and experience and are maintaining and developing AML/CFT related qualifications and continued development;
* how does the MLRO demonstrate sufficient knowledge of Qatar and the QFC AML/CFT regime;
* whether the MLRO undertakes other functions or duties for the Firm or for other Group entities, if so, how have any conflicts of interest been addressed; and
* if, and where, the MLRO’s duties and functions are clearly documented in a policy statement.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **D2. The MLRO spends a sufficient amount of time and resources on AML/CFT for the QFC office of the Firm.**Consider: * whether the MLRO is based in the QFC office;
* if the MLRO is not ordinarily resident in Qatar, how does the Firm satisfy the Regulatory Authority that the MLRO Function can be adequately exercised by an MLRO who is not resident in Qatar;
* how often does the MLRO visit the QFC office and how does the MLRO ensure appropriate oversight when not in the QFC office;
* if the MLRO performs other roles for the Firm or for other Group entities, how much of their time is spent on AML/CFT matters for the QFC office; and
* the size of the Firm’s AML/CFT department and whether the QFC office has access to other AML/CFT resources (e.g. at a Group level or consultants).
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **D3. Firm has identified and appointed a deputy MLRO.**Consider: * whether and how the identity of the deputy MLRO “DMLRO” is documented and known to senior management and all staff;
* whether the deputy MLRO can effectively perform the role of the MLRO in the MLRO’s absence;
* whether the DMLRO is employed at management level;
* whether the DMLRO has sufficient seniority, experience and qualifications to perform the MLRO role;
* what other functions does the DMLRO undertake and how are any conflicts of interest managed when performing the AML/CFT function; and
* adequate reporting lines between MLRO and DMLRO.
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1. **Management Reporting**

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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **E1. Timely and adequate reporting to senior management on AML/CFT matters.**Consider: * whether the MLRO produced the annual MLRO report and submitted it to senior management within the time prescribed by the AML/CFT rules
* whether the MLRO is using the Regulatory Authority’s Annual MLRO report template;
* whether the content of the MLRO report is sufficiently comprehensive and whether it meets the regulatory requirements;
* whether the report format requires an assessment and positive action from the Firm’s senior management;
* whether senior management have considered the report;
* what other reporting (both formal and informal) is provided to management on AML/CFT matters; and
* whether there are documented procedures for the extraction of data and information articulated in AML/CFT regulatory reports including appropriate senior management oversight to ensure the accuracy and veracity of information reported.
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1. **Independent Review and Testing**

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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **F1. Independent review and testing of the firm’s compliance with its AML/CFT policies, procedures, systems and controls.**Consider: * when was the independent review last undertaken and when is the next one scheduled (frequency of independent review and whether this is compliant with the relevant provisions of the AML/CFTR);
* who undertook the review and whether they are professionally competent, qualified, skilled and sufficiently independent from the AML function;
* has the Regulatory Authority’s guidance on the Independent Review Report been considered;
* if the scope of the review is clearly documented and if it is sufficient to determine the effectiveness of the Firm’s AML/CFT policies, procedures, systems and controls;
* whether findings from the review are reported to senior management; and
* whether it is clear who is responsible for implementing and following up the recommended actions.
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1. **Risk Assessment Profile and Risk Based Approach**

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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **G1. Firm assesses its risks relating to money laundering.** Consider: * whether the Firm has formally assessed and documented the Firm’s business in the QFC and its vulnerability to money laundering and terrorist financing considering its customer risks, product risks, interface risks and jurisdiction risks (business risk assessment);
* whether the Firm has identified the AML/CFT threats pertaining to its business which is based on a suitable methodology (a threat assessment methodology) that addresses the risks that it faces;
* whether the Firm has identified which customers, products and services of the Firm are considered a higher AML/CFT risk;
* who is responsible for the Firm’s AML/CFT risk assessment profile;
* how often does the Firm review and update its AML/CFT risk assessment profile;
* does the Firm take into account the National Risk Assessment and the QFCRA’s Sectoral Risk Assessment;
* whether the Firm has documented procedures in place to assess the money laundering or terrorist financing risk posed by all new products, changes in services or delivery channels prior to commencement; and
* whether the Firm’s practice matches its threat assessment methodology.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **G2.** **Policies and procedures in place to assess the money laundering/terrorist financing risk associated with a business relationship.** Consider: * whether the Firm assigns each business relationship a risk rating, based upon the level of potential money laundering or terrorist financing risk;
* whether all 4 risk elements (customer, product, interface and jurisdiction) are considered in developing the risk profile of a business relationship;
* whether the firm maintains a country risk rating document and whether the risk ratings are frequently reviewed;
* whether the firm has identified any other risk elements, for example, reputational risks, international sanctions or designations (UNSC or Domestic) that are relevant to the nature, scale and complexity of operations;
* if the Firm has a risk matrix designed to assist in allocating a risk rating to a customer; and
* whether the Firm regularly reviews a customer’s ML/TF risk rating (how often?).
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1. **Know Your Customer (KYC) and Customer Due Diligence (CDD)**

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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **H1. Adequate KYC policies and procedures.**Consider: * whether the Firm has a KYC policy outlining its approach to KYC;
* whether the Firm has documented KYC procedures setting out the information and verification documentation required for KYC;
* whether the Firm’s procedures specify the minimum supporting KYC documentation required and how documents must be validated ;
* whether KYC procedures are embedded into the account opening process;
* if KYC is tailored for different types of customers;
* whether the policy and procedures have clearly articulated the difference in documentation and requirements for simplified, standard and enhanced due diligence, if applicable; and
* whether KYC policies and procedures require identification of the beneficial owner and ensure that staff understand the definition of a beneficial owner.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **H2.** **KYC policies and procedures include developing a profile of the customer.** Consider: * whether the firm develops a customer profile for each customer covering their nationality, residency, nature and level of business, origin of funds and source of wealth;
* if the customer profile provides sufficient information to monitor the customer and their account/s for suspicious activity or transactions; and
* whether each customer of the Firm has a documented customer profile and risk rating.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **H3. Adequate procedures in place to identify, conduct due diligence on and deal with Politically Exposed Persons.** Consider: * whether the Firm has an accurate and documented definition of a Politically Exposed Person (PEP), including foreign and domestic PEPs and their family members and associates;
* what methods the Firm uses in order to identify if an individual is a PEP;
* if senior management approval is required to open an account with a PEP (and acknowledging the risks involved with the PEP);
* whether procedures include steps to establish origin of funds and source of wealth or income; and
* how senior management provide regular oversight of the relationship.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **H4. If the Firm has correspondent banking client relationships, complying with the due diligence requirements as set out in Rule 1.3.7 of the QFC Regulatory Authority AML/CFT Rules 2019.** Consider: * whether the Firm has documented procedures for entering into correspondent banking client relationships and whether these have been followed for the relationships that have been established;
* whether an assessment has been conducted on the respondent bank’s AML/CFT policies, procedures, systems and controls to decide if they are adequate and effective;
* has senior management’s approval to establish the relationship been obtained; and
* what ongoing monitoring is undertaken on a correspondent banking client.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **H5. Keeping KYC information updated.**Consider: * whether the Firm’s procedures ensure customer’s verification documentation remains valid;
* if the Firm requires a periodic review of customer’s KYC information to ensure it is current and documents are up to date; and
* if the Firm specifies trigger events that require a review of a customer’s KYC information, including the expiry of identification documents.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **H6. Outsourcing customer identification or reliance on others to perform customer identification.** Consider: * whether the firm outsources KYC to a third party and if so, if that party meets the obligations under AML/CFTR Division 3.4B & C;
* what due diligence was undertaken on the third party and if this is documented and evidenced;
* if the Firm entered into an agreement with the third party;
* if any Customers are referred or introduced by a Group entity, whether the Firm relied on the customer identification undertaken by that entity; and
* if reliance was placed on the Group entity, whether the Firm satisfied itself that KYC would be adequately performed, and an introduction certificate was received.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **H7.** **Exceptions to KYC or simplified due diligence.** Consider: * whether the Firm has documented and verified the decision to perform simplified due diligence; and
* if it is clearly documented in client files when an exception has been relied upon.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **H8. Perform enhanced due diligence (EDD) for higher risk products, services and customers.**Consider: * whether the Firm has identified particular products, services or jurisdictions as higher risk which therefore triggers EDD for customers wishing to avail of those products or services;
* does the Firm require and documents what additional KYC steps are required when a customer is flagged as high risk, including domestic and foreign PEPs;
* whether additional monitoring is required for higher risk customers or accounts (and whether it is clear what this entails);
* whether the Firm’s enhanced due diligence procedures are documented; and
* whether management are advised of higher risk customers, particularly PEPs.
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1. **Sanctions Screening**

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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **I1. Screening customers against official lists and the use of findings.** Consider: * Whether there are documented procedures for screening customers and all related parties against the UNSC, Qatar Domestic Designations and Qatar Public Prosecutor lists;
* Whether there are documented procedures for actioning freezing orders;
* what methods are used to screen customers and related parties during the customer onboarding process and who undertakes this function;
* whether the Firm’s procedures include further analysis when a positive hit is returned and is it clear who is responsible for determining if it is a false positive;
* whether screening is undertaken on an ongoing basis and at what frequency; and
* are results of monitoring official lists reported to the relevant authority.
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1. **Monitoring and Suspicious Activity Reporting**

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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **J1**. **Adequate processes and documented procedures for monitoring transactions for unusual or suspicious activity.** Consider: * the form and method of monitoring and if it is appropriate given the nature, scale and complexity of the Firm;
* whether transaction monitoring is manual or automated;
* the frequency and scope of transaction monitoring (are all transactions reviewed/filtered);
* whether transaction/activity monitoring is conducted against the customer profile of expected activity; and
* who is responsible for transaction monitoring and who is responsible for reviewing flagged transactions or activity for further examination.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **J2.** **Enhanced monitoring for higher risk customer, products or services.** Consider:* if the Firm has procedures for conducting enhanced monitoring for higher risk customers, products or services and what this entails; and
* whether complex, unusually large transactions or transactions that have no apparent or visible economic or lawful purpose are examined. Consider how these are detected and who they are examined by.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **J3**. **Internal reporting of potentially suspicious transactions.** Consider:* how employees will be able to identify suspicious activity;
* whether employees understand their obligations to make internal reports to the MLRO of any suspicious activity;
* the level of detail of the Firm’s internal procedures for reporting of potentially suspicious transactions (timeframes, approvals, use of a template report for internal suspicious transactions etc); and
* how employees are made aware that failing to make a report may result in disciplinary action
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **J4**. **Procedures for the MLRO’s investigation and evaluation of internal STRs.** Consider:* whether there are documented procedures for the MLRO to follow on receipt of an internal STR;
* how the MLRO documents the investigation; and
* whether the MLRO is able to make a decision as to whether to report to the FIU independently (and without consent or approval of any other person).
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **J5.** **Circumstances under which a disclosure should be made to the Qatar Financial Information Unit (FIU).** Consider: * whether the Firm’s procedures include using the STR form produced by the Qatar FIU;
* whether the Firm has documented the contact details of the Qatar FIU; and
* if the Firm’s procedures include documenting reasons why a report was not made to the Qatar FIU.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **J6. Procedures and controls in place following an external STR.** Consider: * whether the Firm’s procedures include actions to take following an STR to the FIU, including notification to the Regulatory Authority (using Form Q07), preventing tipping off, what to do if a customer wishes to move their funds etc; and
* how the Firm ensures staff are aware of the tipping off offence.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **K1. An adequate training programme which encompasses AML/CFT training for all employees.**Consider: * if the Firm has a documented AML/CFT training programme including the scope and content of AML/CFT training including frequency, delivery methods and provider;
* whether training is tailored for different employees;
* whether employees required to undertake AML/CFT training before undertaking customer related or other relevant activities;
* whether the scope of the training includes at least details of: the MLRO and deputy, relevant AML/CFT legislation, the Firm’s AML/CFT policies, procedures, systems and controls, money laundering risks, trends and techniques, applicable red flags, procedures for STRs, and KYC requirements etc;
* whether the training material is reviewed at regular intervals to assess if it remains fit for purpose and meets the business needs; and
* whether and how employees are assessed for knowledge retention following the AML/CFT training.
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1. **Staff Training and Awareness and screening of high impact individuals**

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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **K2.** **Additional tools to maintain and update staff awareness on AML/CFT matters.**Consider: * what other documentation or information is provided to staff in respect of AML/CFT to promote awareness e.g. staff bulletins, updates to legislation, changes to policies and procedures.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **K3. Adequate records to evidence AML/CFT training.**Consider: * whether the Firm maintains a current training log providing details of all staff and the date of their last AML/CFT training;
* who is responsible for maintaining the log;
* whether it is easy to identity staff that are due, or have not received, AML/CFT training and if it is clear who in the Firm is responsible for following up with staff to ensure training is conducted;
* whether the Firm imposes consequences for staff if training is not undertaken within the timeframe; and
* if all staff have a training plan, detailing AML/CFT training requirements for the next 12 months.
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **K4. Screening of high impact individuals**Consider:* if the Firm has procedures in place to screen and conduct verification checks on all prospective and new employees that are captured as higher impact individuals as per AML/CFT Rule 6.1.1 and to conduct ongoing screening;
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| **Area** | **Assessment** | **Rating****(C, LC, PC, NC or NA)** |
| **L1. Record keeping of all required information and documents relating to AML/CFT.**Consider:* whether it is clear what records and documents need to be maintained and for how long;
* the adequacy of record retention includes the form in which records are maintained (hard copy, electronic), whether they are maintained onsite in the QFC office or at another location and can information be readily accessed and obtained;
* whether documents are in English, and if they are available in a language other than English, an appropriate translation is to be maintained;
* whether the requirements for record keeping are documented; and
* if records are maintained outside the QFC, the appropriateness of those arrangements and whether there are any secrecy or data protection legislation which may restrict access.
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1. **Record Keeping**

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| **Area****(e.g. B3)** | **Action required** | **Responsible** | **Due Date** | **Outcome** |
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1. Compliant: There are no shortcomings. [↑](#footnote-ref-2)
2. Largely compliant: There are only minor shortcomings. [↑](#footnote-ref-3)
3. Partially compliant: There are moderate shortcomings. [↑](#footnote-ref-4)
4. Non-compliant: There are major shortcomings. [↑](#footnote-ref-5)
5. Not Applicable: Based on the business activity/ies. State the reason why it is not applicable. [↑](#footnote-ref-6)