



Prospect Burma

Anti-Money Laundering Policy and Procedure for Prospect Burma (“the CIO)

Policy statement

As a registered charity, Prospect Burma must comply with charity law. This includes ensuring that our assets are safeguarded and properly used to meet our charitable objectives. We also have a duty to protect the funds we receive. Our resources must not be used to support criminal or terrorist purposes or in any way that breaches applicable sanctions.

This policy applies to all our operations in the UK and worldwide unless local legal requirements are more rigorous, or if applying the policy would be illegal under local laws.

The CIO gives young Burmese people access to education: one of the United Nation's fundamental human rights. For over 25 years, Prospect Burma has been investing in a positive future for Burma through its young people. The CIO and its Partners worldwide are committed to conducting business in accordance with the highest ethical and legal standards.

The public, participants in our programmes and our customers have the right to expect that professional, competent and trustworthy people are employed by the CIO wherever we operate. We adopt a ‘zero tolerance’ policy to fraud, bribery and corruption, and we have an obligation to prevent our organisation and staff from being exposed to the risks of money laundering. Suggestions that the CIO is linked to money laundering in any way can be damaging to its reputation and undermine the trust and support of beneficiaries, partners, the wider public and donors.

Purpose and scope

We will assess the risks of becoming involved with terrorism and money laundering, and of breaching applicable sanctions. We will put in place appropriately proportionate measures to manage those risks, while continuing to work in difficult and challenging places.

We are committed to:

- Having systems, procedures and controls in place to ensure that we manage the risk of becoming involved in financing or supporting terrorist activity, money laundering or breaching sanctions.
- For high risk transactions, checking that those we fund or work with are not on any lists of prohibited terrorist groups or persons, financial sanctions lists or other regulatory compliance lists, and assessing the risks if we are training its staff so they have an awareness of the risks related to terrorist activity, money laundering and breaching sanctions.

- Ensuring that our staff understand their obligations to report any actual or suspected terrorist activity or money laundering.

- Ensuring that we meet our obligations to report to external authorities.

We require all those receiving our funds to act in accordance with this policy and to ensure that our funds and assets are not used to finance or support terrorist activity or to launder money.

A copy of this policy should be included with all Grant Agreements signed by partners.

Legal compliance

This policy has due regard to legislation including, but not limited to:

- The Anti-Money Laundering Regulations 2012;

- The Anti-Money Laundering (Amendment) Regulations of 2019 (the Amendments) which came into force on 24 May 2019;

- The Money Laundering and Terrorist Financing (Amendment) Regulations 2019 which comes into force on 10 January 2020.

Procedure for Prospect Burma staff

For the purposes of this procedure staff includes trustees, consultants, employees and volunteers.

Current criminal law places three obligations on all persons:

- not to assist in the money laundering process through acquiring, concealing, disguising, retaining or using the proceeds of crime;

- not to prejudice an investigation; and

- not to contact any person who has been suspected of, and reported for, possible money laundering in such a way as to make them aware of the suspicion or report (“tipping off”).

It is important to bear in mind that the law requires all cases of suspicion to be reported, regardless of size.

Staff must not agree to pass cash or bank transfers on to another party outside of Prospect Burma’s normal activities. Any requests from supporters or other organisations to pass cash or bank transfers onto schools, partners or other NGO’s, should be referred to the Executive Director. In such cases:

- we must be completely sure of both the source and the destination;
- funds should be processed under normal expenditure mechanisms; and
- the rationale and background for the transaction should be recorded in writing and signed by the Executive Director.

Staff should be aware of Prospect Burma's Financial Crime policy, and due diligence procedures. Our due diligence procedures mitigate the risk of money laundering, prior to making payments to partners, organisations or individuals. These include:

- The screening of partner bank account names against current lists to ensure that they are not prohibited or placed under sanctions by the United Nations, the European Union, United States or the United Kingdom.
- The request for and review of a completed form showing bank details and a recent bank statement to support all details given on the form.

If any staff member feels under duress to pass cash or bank transfers between parties or is unsure whether a transaction would fall under this policy, they should contact the Executive Director for advice. This can also be reported through the Prospect Burma whistle blowing policy.

It is a legal requirement to appoint a Money Laundering Reporting Officer ('MLRO') to be responsible in law for receiving suspicion reports in an organisation and for passing these on to the National Criminal Investigation Service (NCIS). **Tony Hulse** is the current Money Laundering reporting Officer for Prospect Burma and may be contacted on 07802608580.

The MLRO is responsible for monitoring compliance. If lack of compliance with this policy is identified by any individual, please report it immediately to the Executive Director. Any cases should be signed off by the MLRO.

Review

Trustees are ultimately responsible for reviewing and approving this policy. This policy will be reviewed every year by the Executive Director and the Finance and Risk Sub-Committee who will ensure it reflects any changes in good practice and legislation.