

## **Instructions to submit a Suspicious Activity Report (SAR)**

### **Obligation to report suspicious activities**

According to article 20 of Law 14/2017, of June 22, on the prevention and fight against Money laundering and terrorist financing (hereinafter, Law 14/2017), all reporting entities must report, on their own initiative, any transaction or attempted transaction related to funds for which exist reasonable grounds to suspect that are proceeds from a criminal activity or that are related to terrorist financing. The suspicious activity report must be accompanied with all the necessary documentation.

### **Requirements**

The suspicious activity report must be submitted using the corresponding form available at the UIFAND's website.

All the necessary requirements established in article 12 of the Regulation of application of Law 14/2017 must be taken into account, at a minimum:

- list and identification of the natural persons or legal entities and their beneficial owners who take part in the transaction, as well as the concept of their participation in such transaction;
- list of the transactions, specifying date, purpose, currency, amount, and method and place or places of performance;
- copy of the documentation by which identification has been made of the customer who has requested the performance of the suspicious transaction and, when appropriate, copy of the documentation by which identification has been made of the beneficial owner;
- copy of the documentation by means of which the customer has justified the transaction;
- statement of all the circumstances of the suspicious transaction which are known to the reporting entity.

The SAR form, save major force, must be signed by the representatives before the UIFAND.

The form must be accompanied with all annexes. In case some information is not available, it should be expressly written.

### **Paper and electronic form**

Both the form of the SAR and the additional documentation will be submitted in paper form.

In some cases the UIFAND might require the documents to be submitted, additionally, in electronic form. In this case, the request will be made by the members of the Unit, specifying the details of each case in particular.

### **Form**

The suspicious activity report will be submitted by the representative before the UIFAND. Any communication addressed to the Unit will be presented in a sealed envelope and with proof of receipt, in order to ensure confidentiality.

Subsequently, under no circumstances the mailbox of the Unit can be used to submit responses to information requests or any other type of communication or document.

In order to submit a SAR, it is requested to warn about this intention telephonically beforehand in order to set a date and a time to submit the report and, more importantly, to avoid coming across any third parties within the UIFAND's premises.

**Confidentiality**

All suspicious activity reports are confidential. The reporting entity cannot inform, under any circumstance, about the existence of the report to the involved person/s, nor disclose to the affected customer or to third parties that information is being submitted, will be submitted or has been submitted to the UIFAND or the fact that a ML/TF analysis or investigation is being conducted.