POL – SUSPICIOUS MATTER

Purpose of Policy

Cronulla RSL Memorial Club (Cronulla RSL or the Club) recognises the objectives of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (AML/CTF Act)*, and its obligations under it. As a reporting entity, Cronulla RSL recognises that it is essential to implement a SUSPICIOUS MATTER POLICY to mitigate the risks associated with customer acceptance, customer identification and verification, transaction monitoring and overall risk management.

Policy Scope

This document applies to all Cronulla RSL employees.

Cronulla RSL will put into practice the SUSPICIOUS MATTER POLICY to educate and inform management and employees about the Clubs responsibilities and obligations under the *AML/CTF Act* concerning suspicious matters. Under the *AML/CTF Act*, Cronulla RSL is obligated to report suspicious matters to AUSTRAC.

The documentation referred to within this policy, and the AML/CTF Program set out the approach that Cronulla RSL will undertake to implement and manage suspicious matters reporting and associated systems.

The key objectives of the SUSPICIOUS MATTERS POLICY are to:

- Ensure that customers with which we deal are legitimate
- Ensure that customers are properly identified
- Verify and identify customers using reliable and independent documentation
- Monitor customer transactions to prevent or detect illegal activities
- Implement procedures to manage the risks posed by customers who may attempt to misuse the Clubs facilities
- Report suspicious matters in accordance with the Clubs legal obligations.

Policy Procedure

Under the *AML/CTF Act*, the Club must report suspicious matters to AUSTRAC.

The suspicious matter report will consider the following:

- A description of the "reasonable-grounds" used to form the suspicion
- The full name, address and telephone number, occupation, citizenship
- If the identity is not known, then a description of the persona and availability of any video surveillance and or other documentation that could be used in assisting in identifying the individual
- Further KYC information, where known.

The AML/CTF Compliance Officer will be responsible for completing any regulatory compliance reporting associated with Cronulla RSL AML/CTF Program.

The suspicious matter report (SMR) must be lodged within three (3) days if related to money and laundering and within twenty-four (24) hours if related directly to terrorism financing. The SMR will be lodged online.

Suspicious matter reporting will be submitted by the Clubs AML/CTF COMPLIANCE OFFICER through AUSTRAC'S online facility at www.austrac.gov.au.[1]

There are strict obligations around the reporting of suspicious matters. An investigation will be conducted to ascertain that there are reasonable grounds to suspect that money laundering or terrorism financing activity is occurring.

The information contained within the report and the fact that such a report has been provided to AUSTRAC must not be disclosed to anyone other than senior management or AUSTRAC. The escalation of unusual matters must occur as per the AML/CTF UNUSUAL MATTER PROCEDURE. Records are required to be kept.

Feedback to staff members on the results of suspicious matters will occur as determined by the AML/CTF Compliance Officer.

Where it is suspected that reporting a suspicious matter as required by this policy, may tip off a person involved in the suspicious matter, the matter must be reported directly to AUSTRAC

Phone: 1300 021 037 (local call cost within Australia).

For further information regarding this policy or the Clubs AML/CTF PROGRAM, please contact the AML/CTF Compliance Officer.

Definitions

AML/CTF – Anti-Money Laundering, Counter-Terrorism Financing

Money-Laundering – means conduct that amounts to:

- (a) an offence against Division 400 of the *Criminal Code*; or
- (b) an offence against a law of a State or Territory that corresponds to an offence referred to in paragraph (a); or
- (c) an offence against a law of a foreign country or of a part of a foreign country that corresponds to an offence referred to in paragraph (a).

Suspicious Matter – If at any time, while dealing with a customer there is reasonable grounds that a customer is suspected to be involved in a matter linked to criminal activity such as:

- Tax evasion
- The provision of false or fraudulent identification documentation
- Money Laundering
- Financing of terrorism, or terrorist activity.

Terrorism-Financing – means conduct that amounts to:

- (a) an offence against section 102.6 or Division 103 of the *Criminal Code*; or
- (b) an offence against section 20 or 21 of the *Charter of the United Nations Act 1945*; or

[1] https://online.austrac.gov.au/ao/login.seam. The role of AML/CTF Compliance Officer role is held by the Clubs Finance Manager.

- (c) an offence against a law of a State or Territory that corresponds to an offence referred to in paragraph (a) or (b); or
- (d) an offence against a law of a foreign country or a part of a foreign country that corresponds to an offence referred to in paragraph (a) or (b).

Reference Documents

1. Cronulla RSL – AML/CTF Program
2. Procedure: Customer Identification Form
3. Procedure: Enhanced Customer Due Diligence
4. Procedure: Politically Exposed Person
5. Procedure: Unusual Matter
6. Procedure: Unusual Matter Report

Requests for Change

Requests for changes or improvements to this document should be forwarded to the Owner identified in the document footer. Any changes to this document must be approved by the CEO.