

Notice No : CMG-N01 (Amendment) 2018
Issue Date : 5 October 2018

NOTICE ON REPORTING OF SUSPICIOUS ACTIVITIES & INCIDENTS OF FRAUD

Introduction

1 For presentational purposes, the amendments in this document are compared against the version of the MAS Notice CMG-N01 on the Reporting of Suspicious Activities & Incidents of Fraud [Notice No. CMG-N01] issued on 23 January 2013 and last revised on 6 March 2014.

2 This document shall be interpreted as follows:

- (a) Text which is coloured and struck through represents deletion which will not appear in the untracked version of MAS Notice CMG-N01 revised on 5 October 2018, which is published on MAS' website www.mas.gov.sg ("Published Version"); and
- (b) Text which is coloured and underlined represents insertion which will appear in the Published Version.

3 The amendments reflected in this document shall take effect on 8 October 2018.

4 This document is to be used for reference only. In the event of discrepancies between the amendments in this document and the Published Version, the Published Version shall prevail.

Notice No : CMG-N01

Issue Date : 23 January 2013 [Last revised on 5 October 2018 ~~March 2014~~]

NOTICE ON REPORTING OF SUSPICIOUS ACTIVITIES & INCIDENTS OF FRAUD

INTRODUCTION

1.1 This Notice is issued pursuant to sections ~~464~~4645, 46ZK, 81R, 101 and 293 of the Securities and Futures Act (Cap. 289) [the “Act”] and applies to all:

- (a) holders of a capital markets services licence [“CMS licence holders”];
 - (b) persons who are exempt from holding a capital markets services licence for fund management under paragraph 5(1)(i) of the Second Schedule to the Securities and Futures (Licensing and Conduct of Business) Regulations [“Registered Fund Management Companies”];
 - (c) persons who are approved under section 289 of the Act to act as a trustee of a collective investment scheme which is authorised under section 286 of the Securities and Futures Act and constituted as a unit trust [“approved trustee”];
 - (d) approved exchanges;
 - (da) licensed trade repositories;
 - (e) approved clearing houses;
 - (f) recognized market operators which are incorporated in Singapore;
 - (fa) recognised clearing houses which are incorporated in Singapore; and
 - (g) ~~exempt market operators~~persons who are exempt from being an approved exchange or a recognised market operator under section 7(6) or 7(7) of the Act
- [collectively “relevant entities”]

[CMG-N01 (Amendment) 2014]

[CMG-N01 (Amendment) 2018]

1.2 The expressions used in this Notice shall, except where expressly defined in this Notice or where the context otherwise requires, have the same meanings as in the Act.

Report on Suspicious Activities and Incidents of Fraud

2 A relevant entity shall lodge with the Monetary Authority of Singapore [the “Authority”], a report in the form, manner and within such time as specified in paragraph 4, upon discovery of any suspicious activities and incidents of fraud where such activities or incidents are material to the safety, soundness or reputation of the relevant entity.

3 For the avoidance of doubt, a relevant entity shall still file suspicious transaction reports to the Suspicious Transaction Reporting Office, Commercial Affairs Department of the Singapore Police Force, as required under the various Prevention Of Money Laundering and Countering The Financing Of Terrorism Notices applicable to it. For incidents of fraud, a relevant entity should lodge a police report and submit to the Authority a copy of the report. Where the relevant entity has not lodged a police report, it should notify the Authority of the reasons for its decision.

4 For the purpose of paragraph 2, the report shall be in Form F1 [“Suspicious Activities & Incidents of Fraud Report”] and shall be lodged not later than 5 working days after the discovery of the activity or incident by the relevant entity.

5 Where a relevant entity has not reported to the Authority a suspicious activity or incident of fraud, it shall document the reasons for its decision.

6 This Notice shall take immediate effect.

Where available, please attach supporting documents such as written and signed statements, investigation reports and police reports.

3 Reasons why the activity / incident is material to the safety, soundness or reputation of the financial institution.

4 Reasons for not lodging a police report on the incident of fraud.

Signature: _____

Date: _____