

TRANSLATION

Republic of Panama Superintendency of Banks

GENERAL RESOLUTION SBP-RG-0003-2017 (dated 22 August 2017)

THE SUPERINTENDENT OF BANKS,
In use of his legal powers, and

WHEREAS:

Due to the issuance of Decree Law 2 dated 22 February 2008, the Executive Branch reedited Decree Law 9 dated 26 February 1998 and all of its amendments as a sole text, and that this text was approved by means of Executive Decree 52 dated 30 April 2008, hereinafter referred to as the Banking Law;

Pursuant to Paragraph 1 of Article 5 of the Banking Law, safeguarding the soundness and efficiency of the banking system is an objective of the Superintendency;

According to Paragraph 2 of Article 5 of the Banking Law, strengthening and fostering favorable conditions for the development of the Republic of Panama as an international financial center is an objective of the Superintendency;

Article 112 of the Banking Law requires banks and other entities supervised by the Superintendency to establish policies and procedures and the internal control structures to prevent their services being used improperly for criminal purposes of money laundering, the financing of terrorism and other crimes that are related or similar in nature or origin;

Article 113 of the Banking Law requires banks and other entities supervised by the Superintendency to submit the information required by law, decrees, and other regulations in force in the Republic of Panama for the prevention of money laundering, the financing of terrorism, and other crimes that are related or similar in nature or origin. Furthermore, they are required to submit this information to the Superintendency whenever it may require so;

Law 23 dated 27 April 2015 adopted measures for the prevention of money laundering, the financing of terrorism and financing the proliferation of weapons of mass destruction, and was amended by Law 21 dated 10 May 2017;

According to the provisions of Article 22 of Law 23 of 2015, amended by Law 21 of 2017, the Superintendency of Banks is responsible for supervising banks; trust companies, including any other activity they may engage in; finance companies; leasing companies; and factoring companies; among other regulated individual and legal financial entities, on the prevention of money laundering, the financing of terrorism and financing the proliferation of weapons of mass destruction;

Rule 5-2015 dated 26 May 2015 establishes the parameters for the prevention of the misuse of services provided by other regulated entities under the Superintendency of Banks' supervision;

During the Superintendency's working sessions it became apparent that it was necessary and advisable to further describe the contents, format and frequency for the submittal of information by other regulated entities on the prevention [of money laundering, the financing of terrorism and financing the proliferation of weapons of mass destruction].

RESOLVES:

ARTICLE 1: CONTENTS, FORMAT AND FREQUENCY FOR THE SUBMITTAL OF PREVENTION INFORMATION TO THE SUPERINTENDENCY. Other regulated entities shall submit the information described below to the Superintendency:

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Code	Description	Issuer	Contents	Frequency	Format	Quantity to be Submitted	Remarks
MPBC	Manual for the Prevention of Money Laundering	Finance companies, leasing companies, factoring companies	Manual for the Prevention of Money Laundering	Annually, by January 30 of each year	Electronic ally (CD) in PDF format	1	Reference: Rule 5-2015; Circulars 167-2015, 168-2015, 169-2015, 96-2016, 97-2016, 98-2016.
OFAC List	Certification of the Review of the OFAC List	Finance companies, leasing companies, factoring companies	Proof of the monthly review of the OFAC Internet site	Monthly, within the first ten (10) business days of the month following the month to be reported	E-mail: soporte@superbancos.gob.pa	1	Reference: Rule 5-2015; Circulars 77-2016, 78-2016, 79-2016, 90-2016, 91-2016, 92-2016, 114-2016, 115-2016, 116-2016.
EFA	Audited Financial Statements	Finance companies, leasing companies, factoring companies	Audited financial statements	Annually, by April 30 of each year	E-mail: soporte@superbancos.gob.pa (PDF format)	1	Reference: Circulars 182-2015, 183-2015, 184-2015, 93-2016, 94-2016, 95-2016, 4-2017, 5-2017, 6-2017
EFS	Semi-annual Financial Statements	Finance companies, leasing companies, factoring companies	Interim Semi-annual Financial Statements	Semi-annually, forty-five (45) business days following the end of the 6-month period. Starting on September 1, 2017	E-mail: soporte@superbancos.gob.pa (PDF format)	1	Reference: Circulars 182-2015, 183-2015, 184-2015, 93-2016, 94-2016, 95-2016, 4-2017, 5-2017, 6-2017.
IFR	Risk Factor Indicators	Finance companies, leasing companies, factoring companies	Statistical information on the risk of money laundering, the financing of terrorism and financing the proliferation of weapons of mass destruction	The first submittal will be no later than 30 calendar days following the publication of Circulars 34-2017, 35-2017 and 36-2017 Afterwards, the submittal will be on a semi-annual basis. The cut-off dates will be June 30 and December 31 of each year. The information must be submitted to the Superintendency by the 31 st day of the month following the period to be reported.	E-mail: soporte@superbancos.gob.pa (Excel format)	1	Reference: Circulars 34-2017, 35-2017, 36-2017.
RC	Appointment of the Compliance Officer	Finance companies, leasing companies, factoring companies	Form SB-OC-01 and résumé	Every time there are changes of the person responsible for Compliance	E-mail: soporte@superbancos.gob.pa (PDF format)	1	Reference: Circulars 177-2015, 178-2015, 179-2015.

ARTICLE 2: PARAMETERS FOR THE SUBMITTAL OF INFORMATION. The information that other regulated entities submit to the Superintendency must be prepared and certified pursuant to the provisions of the Banking Law, Rules, Resolutions, Circulars and other laws in force on the date the information is submitted to the Superintendency.

If a due date falls on a holiday, it is understood that it is extended until the next business day, according to the frequency of the particular information.

PROVISO: The Superintendency of Banks may establish new parameters regarding the frequency and/or the format for submitting the information contained in Article 1 at any time.

ARTICLE 3: CORRECTIONS TO THE INFORMATION ALREADY SUBMITTED TO THE SUPERINTENDENCY. Other regulated entities must submit corrections to discrepancies detected and reported by the Superintendency on the information sent in previous periods, as well as any required adjustments to the current month, no later than the end of the following month.

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Other regulated entities must submit adjustments or reclassifications related to audited information for the end of the fiscal year to the Superintendency within ten (10) business days following the three (3) months established by the Law.

ARTICLE 4: QUALITY OF INFORMATION. The information submitted to the Superintendency by other regulated entities must be properly prepared and certified by the manager of the relevant operating area. Therefore, it is the other regulated entity's responsibility to ensure that there are no inconsistencies or mistakes between the information kept in the other regulated entity's files and the information submitted, in order to meet each one of the parameters established in the provisions regulating the format and submittal of information to the Superintendency.

ARTICLE 5: SANCTIONS. Violations of the provisions on format, certification, accuracy and submittal of the information by other regulated entities supervised by the Superintendency on the prevention of money laundering, the financing of terrorism and financing the proliferation of weapons of mass destruction, in accordance with the issued Rules, Resolutions and Circulars, as well as failing to comply with the submittal of information or by the submittal of erroneous data, shall be penalized pursuant to Title IX of Law 23 dated 27 April 2015, its regulations and amendments.

ARTICLE 6: VALIDITY. This General Resolution shall enter into force upon its enactment.

Given in the city of Panama on the twenty-second (22nd) day of August, two thousand seventeen (2017).

FOR COMMUNICATION, PUBLICATION AND ENFORCEMENT.

THE SUPERINTENDENT OF BANKS,

Ricardo G. Fernandez D.