

Republic of Panama
Superintendency of Banks of Panama

GENERAL RESOLUTION OF THE BOARD OF DIRECTORS SBP-GJD-R-2024-00660

November 19, 2024

“Which establishes special considerations for the information requirement set forth in Article 14 of Rule No. 10-2015 regarding expired passports of Venezuelan nationals”

THE BOARD OF DIRECTORS,
In exercise of its legal powers, and

WHEREAS:

Pursuant to Decree-Law 2 of February 22, 2008, the Executive Branch prepared a systematic ordering in the form of the Consolidated Text of Decree-Law 9 of February 26, 1998, along with all its amendments. This text was approved through Executive Decree 52 of April 30, 2008, hereinafter referred to as the Banking Law.

Pursuant to Article 5 (2,4) of the Banking Law, the objectives of the Superintendency of Banks include strengthening and fostering favorable conditions for the development of the Republic of Panama as an international financial center, as well as ensuring legal balance between the financial system and its clients.

Article 11 (5) of the Banking Law establishes that the Board of Directors, within its technical faculties, shall determine the interpretation and scope of legal or regulatory provisions on banking matters within the administrative scope.

Pursuant to Article 114 of the Banking Law, banks and other entities supervised by the Superintendency shall adopt policies, practices, and procedures that allow them to know and identify their customers and employees with the greatest possible certainty, with the Superintendency retaining the power to develop relevant regulations that conform to the policies and regulations in force in the country.

Article 22 of Law No. 23 of April 27, 2015, establishes that the Superintendency of Banks of Panama is responsible for overseeing the prevention of money laundering, terrorist financing, and the financing of the proliferation of weapons of mass destruction in banks and trust companies.

Rule No. 10-2015 of July 27, 2015, on preventing the misuse of banking and trust services, establishes the minimum standards that banks and trust companies must adopt to prevent their services from being used to handle funds derived from money laundering, terrorist financing, and the proliferation of weapons of mass destruction.

Pursuant to Article 14 (1) of Rule No. 10-2015, the valid identification document for a foreign national shall be their passport, which must be valid at the time of presentation for the account opening process.

Due to the suspension of relations with the Bolivarian Republic of Venezuela, the services provided by Venezuelan diplomatic and consular agents in Panama have

been interrupted, resulting in a large number of Venezuelan nationals in Panama having expired or soon-to-expire passports that cannot be renewed, leading to an irregular immigration status.

By means of Executive Decree No. 188 of October 3, 2024, the Ministry of Public Security granted a six-month extension to Venezuelan passports that expired on or after September 1, 2023, for Venezuelan nationals in Panama, effective from the date of enactment of the Decree, to facilitate immigration, employment, and other necessary procedures before government entities and private institutions.

During working sessions of this Board of Directors, the need and advisability of establishing special considerations within the due diligence process required for banks and trust companies in the prevention of money laundering, terrorist financing, and the financing of the proliferation of weapons of mass destruction have been recognized, specifically concerning the information requirement set forth in Article 14 (1) of Rule No. 10-2015, in accordance with Executive Decree No. 188 of October 3, 2024;

RESOLVES:

ARTICLE ONE: For the purpose of complying with the client identification requirements established in Article 14 (1) of Rule No. 10-2015, banks and trust companies shall temporarily recognize as valid and in force, passports of Venezuelan nationals residing in Panama that expired on or after September 1, 2023, as of the effective date of Executive Decree No. 188 of October 3, 2024, thereby allowing them to access banking and trust services within the due diligence process, until the present provisional measure remains in effect.

ARTICLE TWO: This provisional measure shall apply for six (6) months to passports expired from September 1, 2023, from the promulgation of Executive Decree No. 188 of October 3, 2024, meaning it shall remain in effect until April 4, 2025.

ARTICLE THREE: This Resolution shall become effective upon its promulgation.

Issued in Panama City on the nineteenth (19th) day of November of the year two thousand twenty-four (2024).

FOR COMMUNICATION, PUBLICATION AND ENFORCEMENT.

THE CHAIRPERSON,

THE SECRETARY,

(Signed)
David Alberto Davarro

(Signed)
Adriana Raquel Carles