



Superintendencia
de Bancos de Panamá

August 4, 2016

Circular N° SBP-DPC-FACT-0092-2016

General Manager

Subject: Circular SBP-DPC-FACT-0079-2016

Dear General Manager:

Regarding the inquiries sent by regulated entities on the application of Circular N° SBP-DPC-FACT-0079-2016 for the OFAC List Review Certification, we wish to inform you of the following:

1. The OFAC List review must be made for potential customers (individuals) before entering into a relationship.
2. When the potential customers are legal entities, the legal entity and the final beneficiaries (down to all of the individual beneficiaries) must be compared to the OFAC List before entering into a relationship.
3. All active clients (individuals) of the portfolio must be compared to the OFAC List monthly.
4. Additionally, all active legal entity clients of the portfolio and the final beneficiaries of those legal entities must be compared to the OFAC List monthly.
5. Law 23 dated 27 April 2015 and Rule 5-2015 dated 26 May 2015 establish among their parameters that the regulated entities must identify and check the customer and final beneficiary by using reliable information from independent sources.

The Compliance liaison (responsible party) or person appointed by the regulated entity is responsible for comparing the customers to the OFAC List as one of the measures for preventing the misuse of the services the organization provides.

To see the complete OFAC List, please visit the following URL: <http://sanctionssearch.ofac.treas.gov/>

The OFAC List Review Certification must be submitted within the first 10 business days of each month. The certification must be sent to e-mail address soporte@superbancos.gob.pa.

However, in order for the regulated entities to establish mechanisms for comparing their customers to the OFAC List, the regulated entities are granted an extension for the submission of the OFAC List Review Certification. The first certification will be that for October 2016, due no later than November 14, 2016.

It is worth mentioning that the verification of the existing customers or portfolio against the OFAC List to be conducted by the regulated entities is one of the effectiveness aspects that will be assessed at the country level by the Financial Action Task Force (FATF) in their upcoming visit in 2017.

Best regards,

Ricardo G. Fernandez D.
Superintendent

RR/pw

"Velando por la solidez del Centro Bancario Internacional"