

TRANSLATION

Republic of Panama Superintendency of Banks

RULE N°. 4-2017
(dated 25 April 2017)

“Whereby Article 5 of Rule 2-2017 updating Wire Transfer provisions is amended”

THE BOARD OF DIRECTORS
in use of its 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 its amendments as a consolidated 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 paragraphs 2 and 3 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 and promoting public trust in the banking system are objectives of the Superintendency of Banks;

Pursuant to paragraph 1 of Article 6 of the Banking Law, acting in close collaboration with foreign supervisory bodies, if warranted, is responsible for ensuring that banks maintain adequate procedures for the supervision and control of their national and international activities;

Pursuant to subparagraph 5, Paragraph I of Article 11 of the Banking Law, establishing the administrative interpretation and scope of the legal provisions and regulations on banking matters is one of the duties of the Board of Directors;

By means of Rule 2-2005 dated 26 January 2005, the basic guidelines for domestic and cross-border wire transfers were provided;

By means of Rule 2-2017 dated 18 April 2017, the provisions on Wire Transfers were updated. This Rule shall become effective on 5 May 2017.

During the Superintendency's working sessions it was determined necessary and advisable to amend Rule 2-2017 in order to add aspects included in FATF's 40 Recommendations.

RESOLVES:

ARTICLE 1. Article 5 of Rule 2-2017 shall be read as follows:

“ARTICLE 5. DOMESTIC WIRE TRANSFERS. The ordering bank must ensure it has the following information for domestic wire transfers:

1. The data of the originator and beneficiary, as provided for in Article 4 herein;
2. The account number of the originator and beneficiary or the unique transaction reference number;
3. The amount of the wire transfer.

The beneficiary information need not be verified for wire transfers equal to or less than one thousand balboas (B/.1,000.00).

When the information accompanying domestic wire transfers is available to the beneficiary bank and appropriate competent authorities by other means, the ordering bank need only include the account number or a unique transaction reference number,

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provided that this number or identifier will permit the transaction to be traced back to the originator or the beneficiary. The information should be made available by the ordering bank within three business days after its being requested by the beneficiary bank or competent authorities.”

ARTICLE 2. ENACTMENT. This Rule shall become effective upon its promulgation.

Given in the city of Panama on the twenty-fifth (25th) day of April, two thousand seventeen (2017).

FOR COMMUNICATION, PUBLICATION AND ENFORCEMENT.

THE CHAIRMAN,

THE SECRETARY, AD-HOC

Arturo Gerbaud

L. J. Montague Belanger